

UPPER HARBOR TERMINAL REDEVELOPMENT COMMUNITY BENEFITS

COMMUNITY PERFORMING ARTS CENTER

STANDARD CITY REDEVELOPMENT CONTRACT REQUIREMENTS:

A First Avenue related entity (“FA”) will be required to enter into contracts with the City and comply with the following City requirements:

1. **Equal Opportunity (nondiscrimination and affirmative action)** FA and FA’s contractor will be required to comply and cause its contractors to comply with applicable provisions of Chapters 139 and 141 (Title 7, Civil Rights), Minneapolis Code of Ordinances, nondiscrimination provisions contained in Chapter 181, Minnesota Statutes, the Americans with Disabilities Act of 1990 (as amended), Section 109 of the Housing and Community Development Act of 1974 (as amended), the Age Discrimination Act of 1975 (as amended) and Executive Order 11246, as amended by Executive Order 12086. FA will be required to agree not to discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, gender identity, disability, age, marital status, familial status, or status with regard to a public assistance program. FA also will be required to take affirmative action to ensure that all employment practices are free of such discrimination. These employment practices include, but are not limited to the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation and selection for training, including apprenticeship. FA will be required to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City setting forth the provisions of this non-discrimination clause. FA also will be required to, in all solicitations or advertisements for employees placed by or on behalf of FA, state that it is an equal opportunity or affirmative action employer. CPED will require compliance in demolition, construction and marketing of the CPAC. Affirmative Action Plan requirements, including workforce goals of 32% minority participation and 6% female participation.
2. The CPAC must be in conformance with the **Americans with Disabilities Act** of 1990 and ADA Amendments Act of 2008 and the **Uniform Federal Accessibility Standards**.

If the City provides state bond financed assistance to the CPAC, the following requirements will apply:

3. **Prevailing Wage Policy:** FA will be required to covenant and agree that it will cause its general contractor to comply with the wage and hour standards issued by the United States Secretary of Labor pursuant to the Davis Bacon Act, 40 U.S.C. Sections 276a to 276a-5, as amended, and the Contract Work Hours and Safety Standards Act 40 U.S.C. Sections 327-333 and the State’s work and labor standards.

4. FA's contractor and any subcontractors with a construction contract over \$50,000 will be subject to the City's **Apprenticeship Training Policy**.
5. Must comply with Chapter 423, **Small and Underutilized Business Program** of the City Ordinances. Such requirements set goals and encourage the use of businesses owned by women and minorities in securing construction and professional services and are applicable to developers and contractors.

UHT SPECIFIC COMMITMENTS:

1. Economic Inclusion, Jobs & Careers
 - **Comprehensive Strategy:** Prior to closing, Developer will submit a comprehensive strategy for maximizing BIPOC participation and SUBP utilization in the project construction and publicly report on strategy results. (Redevelopment Contract)
 - **Intentional Procurement:** FA will commit to use best practices in procurement to achieve small and underutilized business goals for contracting and identify scopes of work that might generate more local benefit if contracted separately. (Redevelopment Contract)
 - **Step-Up interns** will be hired each year for entry level positions that will provide both employment and exposure to the music business. (Use Agreement)
 - **Career Pathways:** First Avenue will create a Career Pathways: Music and Theater Industry Career Development Initiative that brings together venues, unions, schools and community organizations to expose youth to music in schools, provide training in the field and partner with venues to offer apprenticeships and mentorships. (Use Agreement)
 - **First Look:** Prior to hiring for any job for which the job site will be in the Development, the Employer will notify (list all community economic development organizations) (the "Employee Referral System") of available job openings (i) for at least three weeks (initial start of operations) and (ii) for at least 5 days (after initial start of operations) prior to more widely publishing or listing such job's availability and provide a description of job responsibilities and qualifications, including expectations, salary, work schedule, duration of employment, required standard of appearance, and any special requirements (e.g. language skills, drivers' license, etc.). Job qualifications shall be limited to skills directly related to performance of job duties. *For the first year, the CPAC will have to list all job openings at state workforce centers, as required by Minn. Stat. § 116L.66*
 - **First Hire.** When making new hires for the Employer's operations in the Development, the Employer will hire only qualified applicants that submit an application during the applicable First Look period as described above. During such periods, Employers will use normal hiring practices, including interviews, to consider all applicants referred by the First Look/Hire Referral System. After such

periods, Employers shall make good-faith efforts to hire applicants referred by the Employee Referral System but may hire any applicant recruited or referred through any source.

2. Wealth Creation

- **Intentional Contractor Capacity Development:** FA will assist the City and MPRB in providing information and training on small business creation capacity and MBE/WBE certification specifically targeted toward expected development opportunities at the CPAC as well as technical support and mentoring on bidding and subcontracting processes. First Avenue will commit to helping to facilitate these practices and working to partner large contractors with smaller contractors to provide technical support and mentoring on bidding and subcontracting for new MBE/WBE businesses. (Redevelopment Contract)

3. Community Ownership:

- **FA+CE:** Prior to the sale of the parcel, FA will create an entity owned by FA (51%) and a Community Entity (49%), with a seven (7) member board with four (4) board members appointed by FA and three (3) board members appointed by the Community Entity. Sale of the property will be to that new entity. (Redevelopment Contract)
- **Community Events:** FA will provide “at cost” use of the venue for community events for a minimum of 40 events per year. FA will control the schedule of the venue. (Use Agreement)
- **Youth Advisory Committee:** FA will establish a Youth Advisory Committee during the design process to advise FA on the use and design of the venue, with participants gaining career training and management track development while learning problem-solving and decision-making skills. (Redevelopment Contract)
- **Public Art:** FA will produce a public art plan that will include temporary & permanent art installations at the venue that reflect the past, present, & future of the Northside and the site. (Redevelopment Contract)

4. Environmental Justice & Sustainability:

- **Stormwater Strategies:** Prior to Closing, First Avenue will commit to work with the City and the Mississippi Watershed Management Organization on innovative stormwater strategies on/adjacent to the green space on the venue parcel. (Redevelopment Contract)
- **LEED Certification:** Venue will be LEED-Silver certified and meet the State of Minnesota’s B3 Standards if bond funding is utilized. (Redevelopment Contract)