

# Upper Harbor Terminal Collaborative Planning Committee Minutes

Regular Meeting  
June 9, 2021 - 5:00 pm  
Online Meeting

**Members Present:** Markella Smith (Chair), Vanessa Willis (Chair), Jashan Eison, Tanessa Greene, Britt Howell, Mary Jamin Maguire, Melissa Newman, Alexis Pennie, Grace Rude, Courtney Schroeder, and Makeda Zulu-Gillespie (Quorum: 9)

**Members Absent:** William "Bill" English, Channon Lemon, Gayle Smaller, and Princess Titus

**Staff :** Hilary Holmes

## Call To Order

1. Roll Call.

### **Quorum Present**

2. Adoption of the agenda.

### **Action Taken: Adopted**

3. Acceptance of minutes

[Jan 27, 2021 Upper Harbor Terminal Collaborative Planning Committee](#)

### **Action Taken: Accepted**

## Presentation

4. Draft UHT AUAR presentation (Hilary Dvorak, City of Minneapolis)

[2021 06 09 UHTCPC AUAR presentation](#)

[2021 05 17 Draft UHT AUAR with Appendices](#)

### **Action Taken: No action taken**

Hilary Dvorak gave a presentation and introduced the project background, why the City is doing an AUAR, what was studied in the AUAR and how you the public can comment on the AUAR Draft Mitigation Plan. Dvorak noted that three scenarios were studied: No Build, Coordinated Plan Scenario, and the maximum density allowed under the Minneapolis 2040 Plan. She noted that the No Build Scenario required no mitigation as there is no change from the current site conditions. Dvorak presented a high level review of the document's conclusion on impacts and mitigation strategies.

## Discussion

5. Music Venue Ownership (Erik Hansen, City of Minneapolis)

[6-9-21 UHT CPC Memo on UHT CPAC Ownership](#)

### **Action Taken: Continued to meeting of Jul 14, 2021**

Erik Hansen shared an update on the ownership of the Community Performing Arts Center (music venue) in response to information that the City learned about State rules on City-owned, bond-funded projects. The State no longer requires on bond-funded projects that the City owns, that the City operate the government program (in this case to operate as a performing arts center/venue) forever if the City owns the facility, but instead would require only that the City operate it as a venue only for the 125% useful life of the facility (estimated at 62.5 years). This means the City is able to present the Committee with the option for the City to own the facility (venue) and retain ownership of the land under the venue, and would lease the facility to First Avenue for operation of the venue. Mr. Hansen referred Committee members to the attached memo in the meeting packet.

Mr. Hansen responded to a Committee question on the proposed community benefits and stated that in this new ownership option the City would still have an operating agreement with First Ave and that First Ave would still have all of their obligations in the Community Benefits Agreement (CBA) with McKinley Community, including the ticket fee as the operator of the venue. Staff referred to pages 64-65 of the Draft Coordinated Plan (February 2021) to the chart of community benefits and in what documents all of the community benefits are going to be contained.

Mr. Hansen responded to a Committee question that if the City owns the land, the Community Entity would not have an ownership opportunity, and noted that during the initial term (62.5 years), the CE would have little to no role in the ownership, it would be held at the city for that initial 62.5 year term/useful life of the facility. In the other ownership option outlined in the Draft Coordinated Plan (February 2021), the City was going to take "ownership control" through the sandwich lease structure to ensure that the venue operates during that 62.5 year period, as required by the State bond funds. The only difference is in the fee ownership of the land.

Committee comment that there was a reason for a seat at the table for the Community Entity because community wanted a seat at the table where decisions are being made, and a way for the voice of the community to be heard to make sure the Coordinated Plan goals are operationalized. Mr. Hansen clarified that this is an additional option for ownership of the venue, not a directive.

Dayna Frank, First Avenue Productions, clarified that there would be no change to the CBA - the community entity role in the venue and the commitments, and the ticket fees, but that First Ave feels that this new ownership option gives the ability to offer public ownership of the land, which they had heard in the community was something that people wanted to see.

Mr. Hansen responded to a committee question about property taxes for the venue by confirming that it would not be tax exempt, that there would be personal property taxes paid by First Avenue.

Mr. Hansen responded to Committee question on possibility to allow for a buyout/termination of right by stating that the City will be required to operate the facility for 62.5 years as a condition of the State bond. There will be a capital reserve fund but it will be up to First Avenue to maintain the facility so that it operates as a strong cultural institution (like the Guthrie). The only institution that the City has had an issue with is the Target Center, which is owned by the City and has required significant modifications to allow for maintenance.

Ms. Frank reiterated that there would be no change in the commitment from First Ave around community benefits related to the jobs and the vendors at the venue, stating that this ownership proposal is very similar to the scenario at the Palace Theater in St Paul.

**Motion to table the decision until the July meeting and get answers to the Committee questions.**

**Zulu-Gillespie moved. Howell second.**

**Motion passed. 8 yay – 0 nay – 1 abstention (Pennie)**

6. Development Team Update (Brandon Champeau, United Properties)

[2021\\_06\\_09\\_UHT\\_CPC\\_Development\\_Team\\_Update\\_Memo](#)

**Action Taken: No action taken**

Brandon Champeau provided the following update reflected in the memo in the meeting packet:

- a. Team is making progress on the Community Benefits Term Sheet and are intending to bring this to the executive board on June 21 to the McKinley neighborhood.
- b. Community Entity Expression of Interest: Renamed it from a RFQ based on feedback from people in the community that the formal RFQ might be intimidating to some groups in the community and we want to encourage everyone to respond. It went live on June 1st, and United Properties (UP) will be conducting outreach. Encouraged Committee members to reach out to groups who might be interested.
- c. Engagement Plan: UP is working with James Trice and his team to work on an engagement plan with a planned event in either late July or early August. There will be a series of phased meetings, because to meet the fundraising deadlines for the affordable housing we will need to start design this summer.
- d. Team is convening Environmental Justice & Sustainability Task Force and Jobs and Inclusion Task Force in the next month. After the Community Entity is selected, will create two other task forces for Disrupting Gentrification and Wealth Creation so that the CE can be involved.

e. Design: UP and Building Blocks have submitted preapplications for the two affordable projects in Phase 1 and design will be a part of that. Ms. Frank and First Avenue Productions is working with LSE Architects and her project team to start working on the design.

f. Community Hub: Devean George has made some significant progress with some interested parties and is encouraged by the early discussions and hoping the Hub can advance this faster than originally anticipated. These partners are focused on youth, families and seniors – has four key partners along with Building Blocks to serve as the glue of the project based on their track record and financial strength: YMCA, Inner City Tennis (pay to play funds youth programs that serve North kids who don't have access to their south facilities), NorthPoint (have a sports medicine arm that offers rehab services that is not currently being met in North), and Building Blocks including some national partners that would be interested in expanding here. YMCA wants to include job training and job creation program as part of this project. More info to come.

**Motion to request a 30-day extension to the comment period on the AUAR.**

**Jamin-Maguire moved. Pennie second.**

Discussion: Mr. Hansen noted that a government unit has to ask for an extension, and it can only be for 15 days. There could be impacts on the project funding deadlines. Mr. Hansen confirmed that there was a prior public comment period for the scoping.

**Jamin-Maguire amended motion to 15-day extension to the comment period on the AUAR. Pennie second.**

**Motion did not pass. 2 yay – 6 nay – 1 abstention (Greene)**

7. City Update (Erik Hansen, City of Minneapolis)

**Action Taken: No action taken**

Mr. Hansen provided update that the City Attorney's Office has a contract with private civil rights attorneys to look into legally defensible ways to prioritize ADOS residents, and will provide an update at the next meeting regarding additional research from the U of M.

## **Adjournment**

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**Next Upper Harbor Terminal Collaborative Planning Committee meeting: Jul 14, 2021**

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