

City of Minneapolis
Request for Committee Action

To: Ways & Means
Date: 11/2/2015
From: City Attorney's Office
Prepared by: Andrea K. Naef and Erik Nilsson
Presented by: Susan L. Segal, City Attorney
File type: Action
Subcategory: Settlement

Subject:

Settlement of litigation entitled 22 on the River, LLC v. City of Minneapolis and Minneapolis Park and Recreation Board

Description:

Authorizing the settlement of litigation between 22 on the River, LLC, and the City of Minneapolis and Minneapolis Park and Recreation Board by acceptance of a Park Dedication Fee in the amount of \$90,000.00, and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Actions:

None

Ward/Neighborhood/Address:

Ward 2
Prospect Park-East River Road
22 27th Avenue Southeast

Background/Analysis:

This lawsuit arises out of developer 22 on the River LLC's renovation of the building located at 22 27th Avenue Southeast for reuse as a 125-unit market rate apartment complex. Pursuant to Minneapolis Ordinances, the developer is required to pay a Park Dedication Fee for this renovation. A dispute has arisen between the developer and the City and Park Board regarding the amount of the Park Dedication Fee. 22 on the River then filed suit seeking a judicial declaration regarding the amount of the fee.

After negotiations with Plaintiff's attorneys, we have negotiated a tentative settlement of the lawsuit in which the City and the Park Board will accept a Park Dedication Fee of \$90,000.00. We believe that this settlement is in the best interest of the City and recommend its approval. The Park Board has approved this settlement.

Financial Review:

No financial impact.