



Legislation Text

File #: 19-0872R, **Version:** 1

RESOLUTION AUTHORIZING A TEN-YEAR LICENSE AGREEMENT WITH TEMPLE ISRAEL OF DULUTH FOR USE OF A PORTION OF ENDION PARK FOR PARKING PURPOSES.

CITY PROPOSAL:

WHEREAS, the city owns certain real property located between 16th and 17th Avenues East lying between Second Street and First Street that is more commonly known as "Endion Park;"

WHEREAS, Temple Israel of Duluth ("Temple Israel") owns property adjacent to Endion Park;

WHEREAS, the city and Temple Israel have a long-standing history of collaborating with each other and using each party's respective property. Since 1966 and pursuant to other agreements, Temple Israel has invested in recreational facilities and related improvements within Endion Park;

WHEREAS, in 1975, the city paid for the construction of an addition to the building on the Temple Israel's property (the "Addition") so that the City could use the space for recreational programming. The city used the Addition for recreational programming and as a police substation from 1976 until 2008, during which time the City did not pay rent for such use. The city abandoned the Addition in 2008 and turned it over to Temple Israel so it did not continue to pay operating and maintenance costs of the Addition.

WHEREAS, for a number of years, Temple Israel's congregation has parked vehicles on a designated portion of Endion Park on Friday evenings, Saturday mornings, and special events, including High Holiday Services. The parking of vehicles occurs on the basketball and tennis courts located within Endion Park. As consideration for its use, Temple Israel has maintained the basketball and tennis courts, including performing snow plowing services during the winter months; and

WHEREAS, Temple Israel wishes to continue to periodically and temporarily park cars on a portion of Endion Park during religious services and special events and the City desires to formalize such use.

NOW, THEREFORE, BE IT RESOLVED, that the proper city officials are hereby authorized to execute a ten-year license agreement, substantially the same as the agreement attached as Exhibit 1, with Temple Israel of Duluth for use of a portion of Endion Park for parking purposes.

STATEMENT OF PURPOSE: This resolution authorizes a ten-year license agreement with Temple Israel of Duluth for use of a portion of Endion Park for parking purposes. Temple Israel may use the designated portion of Endion Park under the terms and conditions stated in the license agreement. Temple Israel's consideration for use of the property shall be the maintenance duties performed by Temple Israel, the prior investments by Temple Israel into recreational improvements at Endion Park, and the City's previous use of Temple Israel's property. The City may terminate the agreement on 150 calendar days' written notice to Temple Israel if the city concludes in good faith that substantial city interests require such termination.