



January 15, 2014

Sent via email

Michael Henson, Chief Executive Officer/President
The Minnesota Orchestral Association
1111 Nicollet Mall
Minneapolis, MN 55403

**Community Planning &
Economic Development**

105 5th Avenue South - Room 200
Minneapolis, MN 55401-2534

Office: (612) 673-5095
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**SUBJECT: Musicians' Contract Agreement and
Orchestra Hall Annual Report**

Dear Mr. Henson:

I'm delighted by the recent news that the Minnesota Orchestral Association (MOA) and Musicians' Union have ratified a new contract that will allow the orchestra to resume performances in Orchestra Hall. This positive turn of events obviously will impact your program and budget and make much of the information in your recently submitted annual report incomplete.

Please send us more information as soon as possible about this agreement and its implications relative to the Lease/Use Agreement requirements, including:

- the anticipated timeline for actual execution of the agreement, and
- how soon you can submit a revised annual report that would outline the updated calendar for the 2013-2014 program season and updated budget information, as outlined in the Lease/Use Agreement.

In response to this news, as CPED Director I will set aside the completion of the City review of the December annual report pending receipt of the above information. I propose that we reach agreement on a deadline for submission of a revised annual report that will start a new 45-day review period and then, if needed, seek concurrence from the State of Minnesota that the City may have the necessary additional time to make its report to the State.

This approach will necessitate additional time beyond the 45-day review period that is outlined in our Lease/Use Agreement. I will assume that you agree to provide that additional time unless I hear otherwise before noon on January 16, which is the day the initial 45-day review period ends.

Sincerely,

Jeremy Hanson Willis, Director
Community Planning and Economic Development Department

cc: John Herman, Faegre & Benson LLP
Susan Segal, City Attorney
Kevin Carpenter, Finance Officer
Ann Calvert, CPED
Shelley Roe, City Attorney's Office



www.minneapolismn.gov/CPED

Affirmative Action Employer



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tickets: 612.371.5656
minnesotaorchestra.org

January 16, 2014

Sent via email

Jeremy Hanson Willis
Director
Community Planning and Economic Development
105 Fifth Avenue South, Suite 200
Minneapolis, MN 55401

Dear Mr. Hanson Willis:

We are likewise pleased that the parties have reached an agreement to end the labor dispute between the Minnesota Orchestral Association (“MOA”) and the Twin Cities Musicians Union, Local 30-73 (the “Union”). We have no objection to the City of Minneapolis taking additional time to receive updated information from the MOA and review compliance with the Lease under the changed circumstances resulting from the labor settlement.

As you might imagine, there is an enormous amount of work that will now be involved in bringing the musicians back to work, confirming concert and guest artist schedules, and preparing revised budget projections in light of the new agreement with the Union. We have just begun this work, and will let you know early next week how long we expect it will be before we can complete this work and submit the information requested.

With respect to your request for timing regarding the execution of the new agreement, please note that the parties have already finalized, and executed and ratified, a memorandum of understanding outlining primary terms and arrangements for return to work. It will likely take a number of weeks for the lawyers to fully complete the language of the full collective bargaining agreement.

You will recall that MOA does not agree that a report under Section 9 of the Lease was due as of December 1, 2013, and we continue to reserve all legal rights to dispute the entire process should there be any reason to do so. Our submissions of information, and consent to the City taking additional time to review, must not be interpreted as a waiver of any rights nor as admission that the 45-day period is even applicable.

We will be back in touch early next week with more definitive timeline under which we believe we can provide updated information to the City.

Sincerely,

A handwritten signature in black ink, appearing to read "MHenson", with a long horizontal stroke extending to the right.

Michael Henson