

**SPECIAL MEETING OF THE
DULUTH ECONOMIC DEVELOPMENT AUTHORITY
Wednesday, January 26, 2011 - 5:00 p.m.
Room 303, City Hall**

MINUTES

Call To Order: The January 26, 2011, special meeting of DEDA was called to order by President Heino at 5:02 p.m.

Present: Jeff Anderson (5:09 PM), Nancy Aronson Norr, Tony Cuneo, Todd Fedora, John Heino, Don Monaco

Absent Excused: Christine Townsend

Others Present: Bob Asleson, Lisa Bauman (Duluth News Tribune), Joan Christensen, Don Douglas, Brian W. Hanson, Bronwyn Lipinski, Mark McShane, Kevin Scharnberg

APPROVAL OF MINUTES: December 15, 2010. Accept as written. Vote: Unanimous (5-0)

RESOLUTIONS FOR APPROVAL

NEW BUSINESS

1. **RESOLUTION 11D-01: RESOLUTION ELECTING OFFICERS FOR THE YEAR 2011**

Staff:

Discussion:

Vote to Approve Resolution 11D-01: Passed Unanimously (5-0)

2. **RESOLUTION 11D-02: RESOLUTION AUTHORIZING A BOATING INFRASTRUCTURE GRANT AGREEMENT WITH THE STATE OF MINNESOTA THROUGH ITS COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES RELATED TO THE PROPOSED TRANSIENT BOAT FACILITY ON DEDA LOT D**

Staff: Timm-Bijold told about this federal money from US Fish and Wildlife made available through the DNR for the transient boat facility feasibility planning. The DNR will make \$100,000 available for development engineering, construction cost estimation, and other master planning. This work is estimated to be completed by the end of July.

Discussion: Fedora asked how many boat slips will be at the transient boat facility. Timm-Bijold responded that there will be approximately 50. Monaco asked about international

constraints, and if part of the design process will include outbound Coast Guard and Customs and Border Protection (CBP) requirements. Timm-Bijold said that these things are being considered. Monaco also asked if this area will accommodate cruise ships. Timm-Bijold replied that the consensus, including the CBP, seems to be that the best site for cruise ships would be at the Aquarium. This current design can not accommodate the cruise ship industry.

Vote to Approve Resolution 11D-02: Passed Unanimously (5-0)

(Anderson arrived at 5:09 PM).

3. RESOLUTION 11D-03: RESOLUTION AUTHORIZING A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH IKONICS CORPORATION RELATING TO THE FORMER ATLAS CEMENT PLANT SITE

Staff: Timm-Bijold explained that although Ikonics did indicate which four acres they are interested in purchasing on the Atlas site, the City thought it would make sense to wait for a legal description and survey work to be done during street and utility construction engineering that will be happening no later than June 30, 2011. The other part of this amendment gives the Executive Director the authority to accept the choice Ikonics makes.

Discussion: Heino asked if there is anything currently being considered by the City that would conflict with this extension? Timm-Bijold said there is not.

Vote to Approve Resolution 11D-03: Passed Unanimously (5-0-1). Fedora abstained.

4. RESOLUTION 11D-04: RESOLUTION AUTHORIZING AN AGREEMENT TO INSURE CERTAIN DEDA PROPERTY UNDER THE CITY OF DULUTH'S PROPERTY AND BOILER INSURANCE POLICIES IN AN AMOUNT NOT TO EXCEED \$14,955

Staff: Two properties that we choose to insure because of the buildings are the NorShor Temple Opera and Northwest MRO facility. The City's insurance is favorable to other options, and includes boiler insurance which has the benefit of an annual boiler inspection.

Discussion: Monaco asked if the Airport Authority also uses the City insurance. Douglas replied that the airport has their own insurance because it is more intricate with the aircraft. Monaco asked if it would be advantageous for DEDA to link with the City's insurance policy or the Airport Authority's insurance. Douglas replied that it is much cheaper with the City because it is blanket coverage that has up to \$160 million to cover 49 buildings in the City. Monaco asked if the Airport Authority has looked at linking with the City's insurance. Christensen said they have not had that conversation with the Airport Authority. Norr replied that while being on the Airport Authority Board of Directors, she does not remember ever having a conversation about piggy backing on the City's insurance, but realizes that the Airport Authority has unique and specialized facilities that offer a different kind of liability. Douglas added that each entity is unique and would increase the price of insurance.

Vote to Approve Resolution 11D-04: Passed Unanimously (6-0)

5. **RESOLUTION 11D-05: RESOLUTION ADOPTING AMENDED BYLAWS OF THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY**

Staff: Hanson explained that an amendment was needed to change the language to allow more flexibility for the meeting schedule, time & date, and location of the DEDA meetings. Also, the treasurers bond requirement language was clarified.

Discussion: Monaco asked if this more casual meeting goes with Robert's Rules. Christensen recalls that as long as no one has an objection, a more casual meeting is fine. Anderson asked if the meetings could start at 5:15, instead of 5:00 because he works until 5:00. Cuneo and Monaco are fine with a 5:15 start time. Anderson makes a motion to amend time to 5:15. Norr seconded. Christensen said a motion to amend must be given to commissioners 5 days in advance. Anderson withdraws motion to amend. This will be addressed at the next DEDA meeting in order to give Commissioners 5 days advance notice, per bylaws.

Vote to Approve Resolution 11D-05 as amended: Passed Unanimously (6-0)

6. **RESOLUTION 11D-06: RESOLUTION ADOPTING A SCHEDULE OF REGULAR MEETING DATES FOR THE YEAR 2011**

Staff:

Discussion:

Vote to Approve Resolution 11D-06: Passed Unanimously (6-0)

7. **RESOLUTION 11D-07: RESOLUTION APPROVING 2011 PARKING LOT MANAGEMENT AGREEMENT WITH ONEIDA REALTY COMPANY FOR OPERATION OF DEDA-OWNED AND DEDA-CONTROLLED LOTS IN CANAL PARK AND DOWNTOWN**

Staff: Hanson explained that Oneida has been managing these lots for a long time. We could have put this contract out to bid, but because of possible changes in the coming year, we may look at how we do parking overall. Since Oneida does a good job, it makes sense to stick with them for a one year extension.

Discussion: Fedora wanted to know why we are not doing a 3 year agreement because they do a good job and we wouldn't have to revisit this again for 3 years. Cuneo added that we may want to reassess after the one year, after looking at the parking strategy process. Hanson said that we will want to look at the process of the parking strategy because it may change how DEDA handles all parking. Anderson reported that a group within the City, along with the Greater Downtown Council, is reviewing the parking study that may bring options to DEDA over the next year that could change the way parking is managed. Monaco asked

how DEDA fits in with the parking strategy, and if information will be published soon. Anderson responded that they looking at overall parking strategy that would include all parking, including DEDA lots.

Vote to Approve Resolution 11D-07: Passed Unanimously (6-0)

8. **RESOLUTION 11D-08: RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH RAINBOW, INC FOR A PORTION OF CANAL PARK LOT FOR PARKING OF VEHICLES AND TRAILERS AS WELL AS STORAGE OF EQUIPMENT AND MATERIALS RELATED TO THE AERIAL LIFT BRIDGE REAHABILITATION PROJECT**

Staff:

Discussion:

Vote to Approve Resolution 11D-08: Passed Unanimously (6-0)

9. **RESOLUTION 11D-09: RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH GERLACH BEAUMIER & TROGDON, LLP FOR LEGAL SERVICES RELATED TO THE TITLE REGISTRATION OF THE PLAT OF SPIRIT VALLEY**

Staff: Hanson explained that this company will help with title registration, and make sure the plats are correct in Spirit Valley. It is a small, conservative amount, compared to what it could be. It's not unlikely that an amendment may come forward, but wants staff to get started.

Discussion: Fedora made a motion to amend the resolution from \$15,000 to \$25,000. Anderson seconded. Amendment passed (6-0). Monaco asked if the City Attorney's office is comfortable with this. Christensen said that the City Attorney's Office is comfortable with this because of the time that it will take, they recommend this firm, and will be monitoring the work done.

Vote to Approve Resolution 11D-09: Amended Resolution Passed Unanimously (6-0)

ADJOURNMENT: President Heino adjourned the January 26, 2011, meeting of the DEDA at 6:40 p.m.

Respectfully submitted,



Brian W. Hanson
Executive Director

bel