

**MEETING OF THE
DULUTH ECONOMIC DEVELOPMENT AUTHORITY
Monday, March 2, 2009 - 5:00 p.m.
City Council Chambers, 3rd Floor City Hall**

CALL TO ORDER: The March 2, 2009 meeting of DEDA was called to order by President Stauber at 5:05 p.m.

Present: Jeff Anderson, Tony Cuneo, Gary Eckenberg, Todd Fedora, Jay Fosle, Sharla Gardner, Greg Gilbert, Jim Stauber.

Absent: Garry Krause

Others Present: Tom Cotruvo, Kevin Scharnberg, Bob Asleson, Terry Groshong, Keith Hamre, Kris Ridgewell, Cherie Merritt, Rick Ball, Alison Clark, Pam Kramer, Kim Johnson (media), Peter Passe (media)

APPROVAL OF MINUTES: January 22, 2009

Gilbert/Gardner to accept as written: Unanimous

RESOLUTIONS FOR APPROVAL

NEW BUSINESS

1. **RESOLUTION 09D-08: RESOLUTION RESCINDING RESOLUTION NO. 08D-58 AND RATIFYING THE TRANSFER OF \$188,362 TO THE CITY FOR RAMSEY PLAN.**

Ridgewell, on behalf of SVCNDA, rescinding Resolution 08D-58 will enable a \$3 million project for seniors to go forward. SVCNDA will work with a private developer and the City of Duluth to build a senior citizen development.

Hamre said the project was voted down in 2008 and that he had asked if Commissioners wished to reconsider. Gilbert said yes but was not able to be at a meeting so it is being brought back as a new resolution. The City had been holding the property for the development. Projects have been happening within the neighborhood. New construction, as well as redevelopment and some demolition, was accomplished in the Ramsey neighborhood. HRA had stepped in to say it would be willing to be involved in development of the area. HRA has experience and has moved forward in the housing development services area. They would not be charging DEDA. It makes sense to transfer lands from the City to HRA, allowing the project to go forward without DEDA having to be in the chain of title.

Discussion: Fedora asked how the resolution to rescind fits within the broader picture and who owns the property. Hamre said the City of Duluth is the titleholder. Fedora inquired if DEDA was involved. Hamre said DEDA would provide monies to purchase property from the City and that acquisition and demolition resolutions happened with DEDA.

Stauber said DEDA passed a resolution in October 2008. Did the City take the \$188,362 and did DEDA pay for it? Hamre said that is correct. Stauber said DEDA has free conveyed property but there was not a development agreement. Hamre said it wasn't processed because DEDA had decided to not do housing development any longer. Stauber said he doesn't recall DEDA Commissioners making a statement they would no longer be involved in housing development. Stauber stated the resolution before them allows the City to keep the \$188,232 put into the General fund in the fall. Fedora asked if they are paying again and Hamre said no, this will ratify the previous vote.

Christensen stated the City Attorney's office recommended DEDA not be in the chain of title. Stauber said he was not happy about the DEDA having paid monies with the financial condition is in.

Vote on Resolution 09D-08: Passed 7/1 (Stauber)

2. RESOLUTION 09D-09: RESOLUTION DIRECTING THE CANCELLATION OF DEDA'S PARTICIPATION IN THE AGREEMENT TO PRODUCE, PROMOTE, COORDINATE AND MANAGE SPECIAL EVENTS HELD AT BAYFRONT FESTIVAL PARK.

Staff: Cotruvo stated that layer upon layer of parking contracts have been involved with the different events that have occurred at Bayfront Festival Park. The resolution under discussion would allow cancellation of DEDA's participation in the Special Events parking agreement, with all other aspects being kept in place. Exempted events were listed in the Statement of Purpose of 09D-09. It is staffs' thought that this change simplifies the situation for all concerned and Secret Service supports the change.

Vote on Resolution 09D-09: Unanimous

3. RESOLUTION 09D-10: RESOLUTION APPROVING 2009 PARKING LOT MANAGEMENT AGREEMENT WITH ONEIDA REALTY COMPANY FOR OPERATION OF DEDA-OWNED AND DEDA-CONTROLLED LOTS IN CANAL PARK AND DOWNTOWN.

Staff: Cotruvo said the resolution before the Commissioners is the annual renewal of a contract which is year to year. Originally it was for Canal Park lots only. However, the Lincoln lot and Steam Plant lot have been added to the agreement for the year 2009, with the agreement carrying the same rate as 2008.

Discussion: Fedora asked why there is a one year contract rather than a longer term one, such as a three year period of time. Cotruvo said that is a good idea and it has been discussed. It may be that in 2010 there could be RFP's sent out as Oneida has been used as the contractor for several years now. Because meters are being added in Canal Park, it would be best to leave as is for 2009. Stauber asked if it would be wise to increase the contract length at the time of an RFP and Cotruvo said yes.

Vote on Resolution 09D-10: Unanimous

4. RESOLUTION 09D-12: RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH GOLDER ASSOCIATES, INC. FOR TESTING SERVICES RELATED TO THE SKYWALK EXTENSION PROJECT FROM LAKE PLACE TO THE TECH VILLAGE PARKING RAMP IN THE AMOUNT OF \$20,597.20.

Staff: Cotruvo/Groshong/Asleson - Cotruvo said Resolution 09D-12 relates to Skywalk work that had to be accomplished for special testing requirements. Last summer one pier was constructed on Zeppa property. Golder had been hired for that testing. Another contractor bid at \$743 less but staff would recommend Golder to keep the same testing company on the job.

Discussion: Gardner asked what the testing is for. Cotruvo said this testing is required by code. Groshong said special testing is State mandated including concrete, bracing, bolts and any other kind of test required for such kind of bridge type construction.

Vote on Resolution 09D-12: Unanimous

5. RESOLUTION 09D-13: RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH SHELDON DESIGN AND IMAGING FOR PRINTING AND DISTRIBUTION SERVICES RELATED TO THE SKYWALK EXTENSION PROJECT FROM LAKE PLACE TO THE TECH VILLAGE PARKING RAMP IN THE AMOUNT OF \$11,664.81.

Staff: Cotruvo/Groshong/Asleson - Cotruvo said the contract needs approval by DEDA. It should have been on the agenda in November 2008 but the cost of the plans was not available at that time.

Discussion: Eckenberg asked about the amount. Cotruvo said it doesn't fall under professional services that he can approve; that would be \$5000 only.

Vote on Resolution 09D-13: Unanimous

6. RESOLUTION 09D-11: RESOLUTION ADOPTING AMENDED BYLAWS OF THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY.

Staff: President Stauber went through the changes:

2.5 - Presiding Officer, similar to City Council wording.

3.4 - Meeting Place

3.5 - Cancellation of Regular Meetings

3.6 - Public Notice

3.7 - Changes

3.9 - Removal/additions to Agenda

3.11 - Reso sponsored by Commissioners

5.3 - Reconsideration - do within two weeks as DEDA only meets once per month

Discussion: Anderson asked if under 2.1 of the Bylaws, Organization, there would still be annual elections. Stauber yes, there will still be an annual election in January. Gardner asked why the Bylaws were changed. Christensen said wording was changed so that if an annual meeting doesn't happen at the time listed in the Bylaws, the current officer would continue until such time as an election occurs.

Further Discussion: Christensen said in she recommends the following additional revisions or amendments:

3.12 - At the beginning of the section add "except as provided in these Bylaws".

5.2 - Add, "No motion shall be required for the introduction of a resolution on the DEDA agenda."

**Motion to Amend Bylaw Sections 3.12 and 5.2 - Gardner/Anderson. Unanimous
Vote on Resolution 09D-11 as amended: Unanimous**

Discussion Item:

President Stauber said reorganization discussion was requested by Fedora. He asked for thoughts or suggestions and added that right now DEDA is doing business as in the past.

Gardner said she would like to have more time to study it. Stauber asked if she would like to discuss having others than just Council as part of the DEDA Commissioner makeup and she said yes. Cuneo said his question was the same and agrees with Gardner. He added he would be interested in other Commissioners opinions also. Stauber said he would like Commissioners to commit to having a discussion at the April meeting of DEDA.

Other:

Fosle asked if a Project Coordinator for West Duluth had been chosen. Cotruvo said he has been fulfilling the role. He added that staff met last week and went through receipts. Mr. D's is close to approval, awaiting more details from the other businesses. A grant agreement must be written before actual dispensing of funds can occur.

ADJOURNMENT: President Stauber adjourned the March 2, 2009 meeting of the DEDA at 5:35 p.m.

Respectfully submitted,



TOM COTRUVO
Executive Director