

COMMITTEE OF THE WHOLE

09-0549R

AS AMENDED

RESOLUTION AUTHORIZING ENTERING INTO A SERVICE CONTRACT WITH THE GREATER DOWNTOWN COUNCIL TO PROVIDE SERVICES TO IMPLEMENT THE DOWNTOWN WATERFRONT SPECIAL SERVICE DISTRICT.

CITY PROPOSAL:

BE IT RESOLVED, by the city council of the city of Duluth, Minnesota (the "city") as follows:

Section 1. PURPOSE AND AUTHORIZATION.

1.01. Under and pursuant to the provisions of Minn. Stat. §§ 428A.01 - 428A.101 (the "act"), the city is authorized to adopt an ordinance establishing a special service district and a resolution establishing service charges within the district. The council has, by Ordinance No. 9688, established the Downtown Waterfront Special Service District and by Resolution No. 04-0595, has imposed service charges to fund special services to be rendered within the district.

1.02. The council has also, by Ordinance File No. 09-047 (the "2009 ordinance") extended the term of the district to December 31, 2014 and also has, by Resolution Number 09-0544 (the "2009 resolution") assessed new service charges.

1.03. The 2009 ordinance and 2009 resolution incorporate, by reference, an operating plan for Duluth's Downtown Waterfront District dated May 5, 2009 ("operating plan") developed by a steering committee composed of a broad range of people representing property owners, business leaders, the city and others with a direct stake in enhanced business and economic development conditions in the Downtown Waterfront. The operating plan sets forth the special services to be provided, the particular area of the city to be included within the district's boundaries, the amount and manner of imposing service charges and the manner in which the special services will be implemented. The operating plan specifically anticipates that the special services will be implemented pursuant to a service contract between the city and the Greater Downtown Council ("GDC").

A service contract has been prepared for this purpose.

Section 2. APPROVAL AND AUTHORIZATION.

2.01. Subject to Ordinance File No. 09-047 becoming effective and further subject to approval of funding for this service contract in the city of Duluth 2010 budget, the council hereby approves and authorizes the entering into and the execution of the service contract with GDC by the proper city officials in the form of that on file in the office of the city clerk as Public Document No. \_\_\_\_\_ in an amount not to exceed \$200,000 in 2010, payable from Fund 258-030-5436-10 together with all collected service charges.

FURTHER RESOLVED, that it is the intention of this city council that future annual appropriations of \$200,000 to the district, subject to annual review as part of the regular city budget process, should be derived from the tourism tax fund.

ADM/ATTY      DM/REA:cjk      8/28/2009

STATEMENT OF PURPOSE: This resolution approves entering into a service contract with the Greater Downtown Council for the purpose of implementing the special services described in the Downtown Waterfront Special Service District ordinance and operating plan.