

**PUBLISHED JUNE 24, 2014**

**OFFICIAL PROCEEDINGS**

Excerpt from the minutes of the Duluth City Council meeting held on Monday, June 23, 2014, at 7:00 p.m. in the Council Chamber, City Hall, Duluth, Minnesota.

**ORDINANCE NO. 10309**

**AN ORDINANCE AUTHORIZING AGREEMENT WITH PIER B HOLDING, LLC THE CONVEYANCE OF RIGHTS IN SLIP NO. 2 AND OTHER IMPROVEMENTS AND OPERATIONS RELATED TO THE PIER B DEVELOPMENT.**

The city of Duluth does ordain:

Section 1. That pursuant to Section 2-176 of the Duluth City Code, 1959, as amended (the Code), the city council finds that:

(a) The manager of the city's physical planning division has reviewed the proposed conveyance of the city's rights to use Slip No. 2 in BAYFRONT DIVISION (the "property rights") to the Pier B Holding LLC ("Pier B") and found conveyance thereof to be in conformity with the city's comprehensive land use plan;

(b) The St. Louis County assessor, acting as city assessor, has provided an estimate of the market value of the property rights to be de minimus;

(c) The property rights described in Section 2 below is hereby determined to be surplus to the city's future needs and is therefore appropriate for sale;

Section 2. That as provided for in Section 2-177.4 of the Code, the council finds that the conveyance of the property rights to Pier B is critical to the development of a project that will increase the tax base of the city, provide both construction and permanent jobs in the city, provide remediation and repair of contaminated and deteriorated waterfront property and enhance the city's waterfront and its tourism industry base and that conveyance of the property rights to Pier B at no cost is necessary to allow the development to occur.

Section 3. That the proper city officials are hereby authorized to enter into an agreement substantially in the form of that on file in the office of the city clerk as Public Document No. 14-0623-22, conveying the property rights in St. Louis County, Minnesota, more particularly described therein to Pier B Holding, LLC. at no cost and setting forth other operating and maintenance provisions as set forth therein, and further to execute all documents necessary with regard to said conveyance.

Section 4. That this ordinance shall take effect 30 days after its passage and publication. (Effective date: July 24, 2014)

Councilor Russ moved passage of the ordinance and the same was adopted upon the following vote:

Yeas: Councilors Filipovich, Fosle, Gardner, Hanson, Julsrud, Larson, Russ, Sipress and President Krug -- 9

Nays: None -- 0

ATTEST:  
JEFFREY J. COX, City Clerk

Passed June 23, 2014  
Approved June 23, 2014  
DON NESS, Mayor