

**RESOLUTION 15D-45**

**RESOLUTION AUTHORIZING CITY TO CONSTRUCT IMPROVEMENTS TO DEDA-OWNED PORTIONS OF THE SLIP 2 DOCK FACE AND AGREEING TO IMPOSITION OF STATE BOND REQUIREMENTS**

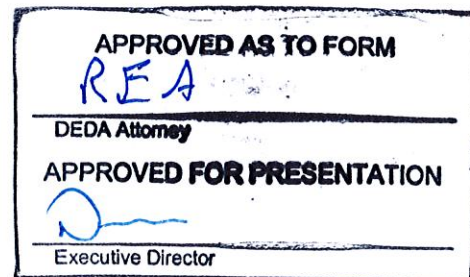
RESOLVED, by the Duluth Economic Development Authority ("DEDA") that DEDA hereby requests and authorizes the City of Duluth to cause to be made those improvements to the portion of the dock face of Slip No. 2 in BAYFRONT DIVISION on the face of DEDA-owned property, which improvements are described in the plans therefore approved pursuant to that certain development agreement between DEDA and Pier B Holding LLC for "The Silos at Pier B Project", to be constructed by the developer on said DEDA portion of the dock face, all in accordance with the requirements of Minnesota State Department of Employment and Economic Development and the Commissioner of Minnesota Management and Budget pursuant to that certain Construction Grant for the Pier B Bayfront Development Project under Redevelopment Grant Program RDGP-12-0044-o-FY12; and

FURTHER RESOLVED, that Authorizes the City to execute a Declaration affecting said property in Block 6, BAYFRONT DIVISION OF DULUTH in favor of the Minnesota State Department of Employment and Economic Development ("DEED") in accordance with the requirement of that certain Construction Grant for the Pier B Bayfront Development Project under Redevelopment Grant Program RDGP-12-0044-o-FY12 and that the affected property shall be bound by the requirements of said Grant.

Approved by the Duluth Economic Development Authority this 28th day of October, 2015.

ATTEST:

\_\_\_\_\_  
Executive Director



STATEMENT OF PURPOSE: The purpose of this resolution is to provide specific authorization to the City of Duluth to perform the work in the DEDA's owned portion of the east side of the dock face for slip No. 2 as is provided for in the Project development agreement and to specifically authorize the City to impose state-required limitations on the property.

Based on our understanding of the State's requirements at that time, DEDA at its August meeting had authorized the City to impose restrictions in the form of a State-form "declaration" on the property, believing that this would allow the State to reimburse the City for the subject construction work under the Grant. Upon further correspondence with the State it was made clear that they would require further clarification of that authority and so this resolution is directed toward meeting the State's requirements.