

RESOLUTION 14D-19

RESOLUTION AUTHORIZING A PROJECT AGREEMENT WITH INDEPENDENT SCHOOL DISTRICT 709 FOR A SMALL AREA PLAN FOR THE CENTRAL HIGH SCHOOL REDEVELOPMENT PROJECT

RESOLVED by the Duluth Economic Development Authority (DEDA) that the proper DEDA officials are hereby authorized to execute a project agreement, substantially in the form of the copy attached hereto (DEDA Contract No. _____), with Independent School District 709 for a Small Area Plan for the Central High School redevelopment project, for an amount not to exceed \$35,000, payable from fund 860.

Approved by the Duluth Economic Development Authority this 23rd day of April 2014.

ATTEST:

Executive Director



STATEMENT OF PURPOSE: The purpose of this resolution is to authorize an agreement with ISD 709 to promote the development of the Central High School property in Duluth. Under the agreement, DEDA will pay ISD 709 up to half the cost of fees due to professional service firms retained to assist in completing a small area plan up to an amount not to exceed \$35,000.

Under the agreement, ISD 709 and DEDA will also engage in continued conversations and cooperatively partner on additional activities to further the development of the Central High School property including, but not limited to; possible demolition of existing buildings, site and infrastructure improvements, creation of a Tax Increment Finance District, marketing and other shared development activities. Additional agreements or amendments to this agreement shall be considered by the ISD 709 Board and DEDA Board respectively. How the parties agree to share the cost of professional services as indicated above and other such costs will be defined in other agreements or amendments to this agreement.

**2014 Central HS Redevelopment
INDEPENDENT SCHOOL DISTRICT 709
Small Area Plan
PROJECT AGREEMENT**

THIS AGREEMENT is entered into this 24th day of April, 2014, by and between the DULUTH ECONOMIC DEVELOPMENT AUTHORITY, an economic development authority under the Minnesota Statutes (1989) Chapter 469, hereinafter referred to as “DEDA”, and Independent School District No. 709, hereinafter referred to as “ISD 709”.

WHEREAS, the DEDA has authority and resources to assist with and promote the development of properties in the Duluth Community; and

WHEREAS, the ISD 709 is in the process of selling its property known as the former Central High School site for redevelopment purposes; and

WHEREAS, to realize the highest and best use and sale value for the former Central High School site, the property must be divided into parcels to be sold separately and it must be re-zoned to Mixed Use Plan or MU-P; and

WHEREAS, the City of Duluth requires a small area plan be developed and approved before the property may be rezoned to MU-P; and

WHEREAS, DEDA is willing to reimburse ISD 709 half the cost of fees due professional service firms retained to assist the District in completing the study and development of a small area plan up to an amount not to exceed \$35,000; and

WHEREAS, ISD 709 will reimburse DEDA the amount they contribute toward completing the small area plan and related process following the sale of the former Central High School site or significant portion thereof.

NOW, THEREFORE, ISD 709 and DEDA do mutually agree as follows:

1. Work to be performed

ISD 709 will contract the Cunningham Group and LHB for professional services to complete the study and development of a small area plan for redevelopment of the former Central High School property, and make application to the City of Duluth for a zoning map amendment utilizing the concept plan generated by this small area plan study and development

2. Reimbursement

It is agreed that DEDA shall reimburse ISD 709 for half of the costs of the retained consultants in an amount not to exceed \$35,000, payable from Fund 860. Invoices for reimbursement shall be submitted to the Executive Director with such documentation as the Executive Director may reasonably request.

3. Working Relationship

ISD 709 and DEDA will engage in continued conversations and cooperatively partner on additional activities to further the development of the former Central High School property including, but not limited to; possible demolition of existing buildings, site and infrastructure improvements, creation of a Tax Increment Finance District, marketing and other shared development activities. Additional agreements or amendments to this agreement shall be considered by the ISD 709 Board and DEDA Board respectively. How the parties agree to share the cost of professional services as indicated above and other such costs will be defined in other agreements or amendments to this agreement.

4. Reimbursement of Expenses

Following the closing of a sale of any parcel or combination of parcels of former Central High School property and ISD 709's receipt of the proceeds from such sale, ISD 709 will reimburse DEDA fifty percent (50%) of the sale proceeds up to the amount DEDA paid to ISD 709 for reimbursement of the consultants.

5. Term

The term of this Agreement shall be deemed to have commenced on April 1, 2014, the date of this Agreement notwithstanding, and shall continue through the completion of the study, the delivery of the small area plan and until the former Central High School property is sold per Item 4 above and reimbursement of the entire \$35,000 is paid by ISD 709 and received by DEDA.

6. Cooperation and Shared Input

ISD 709 and DEDA agree to jointly review requests for information and draft concepts provided by the retained professional service providers, and to provide responses and suggestions to these firms for their consideration in the final plan and documents to be submitted to the City of Duluth for its zoning map amendment process and related community meetings and hearings.

7. Shared Information

In its contracts with consultants, ISD 709 shall require that all notes, reports, records, plans and other data prepared by the consultants shall be provided to DEDA at the same time the that data is provided to ISD 709.

8. Approval of Plan

ISD 709 will have final approval of the plan to be submitted to the City of Duluth for its consideration and action for the purpose of amending the zoning map for the subject property.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and date first above shown.

DULUTH ECONOMIC DEVELOPMENT
AUTHORITY

Independent School District No. 709

By: _____
President

By: _____
School Board Chair

By: _____
Secretary