

State of Minnesota



Office of the State Auditor

Julie Blaha
State Auditor

**Duluth Entertainment and
Convention Center Authority
(A component unit of the
City of Duluth, Minnesota)**

Year Ended December 31, 2019

Description of the Office of the State Auditor

The mission of the Office of the State Auditor is to oversee local government finances for Minnesota taxpayers by helping to ensure financial integrity and accountability in local governmental financial activities.

Through financial, compliance, and special audits, the State Auditor oversees and ensures that local government funds are used for the purposes intended by law and that local governments hold themselves to the highest standards of financial accountability.

The State Auditor performs approximately 100 financial and compliance audits per year and has oversight responsibilities for over 3,300 local units of government throughout the state. The office currently maintains five divisions:

Audit Practice – conducts financial and legal compliance audits of local governments;

Government Information – collects and analyzes financial information for cities, towns, counties, and special districts;

Legal/Special Investigations – provides legal analysis and counsel to the Office and responds to outside inquiries about Minnesota local government law; as well as investigates allegations of misfeasance, malfeasance, and nonfeasance in local government;

Pension – monitors investment, financial, and actuarial reporting for Minnesota’s local public pension funds; and

Tax Increment Financing – promotes compliance and accountability in local governments’ use of tax increment financing through financial and compliance audits.

The State Auditor serves on the State Executive Council, State Board of Investment, Land Exchange Board, Public Employees Retirement Association Board, Minnesota Housing Finance Agency, and the Rural Finance Authority Board.

Office of the State Auditor
525 Park Street, Suite 500
Saint Paul, Minnesota 55103
(651) 296-2551
state.auditor@osa.state.mn.us
www.auditor.state.mn.us

This document can be made available in alternative formats upon request. Call 651-296-2551 [voice] or 1-800-627-3529 [relay service] for assistance; or visit the Office of the State Auditor’s web site: www.auditor.state.mn.us.

**Duluth Entertainment and
Convention Center Authority
(A component unit of the
City of Duluth, Minnesota)**

Year Ended December 31, 2019



**Audit Practice Division
Office of the State Auditor
State of Minnesota**

This page was left blank intentionally.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

TABLE OF CONTENTS

	<u>Exhibit</u>	<u>Page</u>
Introductory Section		
Organization		1
Financial Section		
Independent Auditor's Report		2
Management's Discussion and Analysis		5
Basic Financial Statements		
Statement of Net Position	1	11
Statement of Revenues, Expenses, and Changes in Net Position	2	13
Statement of Cash Flows	3	14
Notes to the Financial Statements		16
Required Supplementary Information		
Schedule of Changes in Total OPEB Liability and Related Ratios – Other Postemployment Benefits	A-1	39
PERA General Employees Retirement Plan		
Schedule of Proportionate Share of Net Pension Liability	A-2	40
Schedule of Contributions	A-3	41
Notes to the Required Supplementary Information		42
Management and Compliance Section		
Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>		46
Schedule of Findings and Recommendations		49
Corrective Action Plan		52
Summary Schedule of Prior Audit Findings		53

This page was left blank intentionally.

This page was left blank intentionally.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

**ORGANIZATION
DECEMBER 31, 2019**

	<u>Term Expires</u>
Directors	
Martha Bremer	July 1, 2022
Mary Finnegan-Ongaro	January 2, 2023
Carrie Heffernan	January 2, 2023
Bill Nelson	July 1, 2021
Patrick Mullen	January 2, 2023
Don Ness	July 1, 2022
Crystal Pelkey	July 1, 2020
Karen Pionk	July 1, 2020
Roz Randorf	July 1, 2021
Roger Reinert	July 1, 2020
Lynne Williams	January 2, 2023
Officers	
President	
Karen Pionk	
Vice President	
Don Ness	
Auditor	
Josh Bailey	Indefinite
Executive Director	
Rochelle Townsend	Indefinite

This page was left blank intentionally.

This page was left blank intentionally.



JULIE BLAHA
STATE AUDITOR

STATE OF MINNESOTA OFFICE OF THE STATE AUDITOR

SUITE 500
525 PARK STREET
SAINT PAUL, MN 55103-2139

(651) 296-2551 (Voice)
(651) 296-4755 (Fax)
state.auditor@state.mn.us (E-mail)
1-800-627-3529 (Relay Service)

INDEPENDENT AUDITOR'S REPORT

Mayor and City Council
City of Duluth, Minnesota

Board of Directors
Duluth Entertainment and Convention Center
Authority
Duluth, Minnesota

Report on the Financial Statements

We have audited the accompanying financial statements of the Duluth Entertainment and Convention Center Authority, a component unit of the City of Duluth, Minnesota, as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements, as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Authority's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Duluth Entertainment and Convention Center Authority as of December 31, 2019, and the changes in its financial position and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter – Subsequent Event

As discussed in Note 3 to the financial statements, subsequent to year-end, the World Health Organization declared the outbreak of a coronavirus (COVID-19) a pandemic, resulting in a reduction of events and conventions for 2020. Our opinion is not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis and Required Supplementary Information as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated May 20, 2020, on our consideration of the Duluth Entertainment and Convention Center Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Duluth Entertainment and Convention Center Authority's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Duluth Entertainment and Convention Center Authority's internal control over financial reporting and compliance.

/s/Julie Blaha

/s/Greg Hierlinger

JULIE BLAHA
STATE AUDITOR

GREG HIERLINGER, CPA
DEPUTY STATE AUDITOR

May 20, 2020

This page was left blank intentionally.

MANAGEMENT'S DISCUSSION AND ANALYSIS

This page was left blank intentionally.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

**MANAGEMENT'S DISCUSSION AND ANALYSIS
DECEMBER 31, 2019
(Unaudited)**

This section presents a narrative overview and analysis of the Duluth Entertainment and Convention Center Authority's financial condition and activities for the fiscal year ended December 31, 2019. This information should be read in conjunction with the financial statements.

FINANCIAL HIGHLIGHTS

- In 2019, total net position decreased \$2.9 million, or 3.6 percent, over the course of the year's operations.
- Total operating revenues increased \$0.7 million to \$10.1 million in 2019 compared to last year.
- Total operating expenses in 2019 increased by \$0.7 million, or 5 percent, compared to 2018.

OVERVIEW OF ANNUAL FINANCIAL REPORT

The Management's Discussion and Analysis (MD&A) serves as an introduction to the financial statements. The MD&A represents management's examination and analysis of the Authority's financial condition and performance. Summary financial statement data, key financial and operational indicators used in the Authority's strategic plan, budget, and other management tools were used for this analysis.

The financial statements report information about the Authority using full accrual accounting methods as utilized by similar business activities in the private sector.

The financial statements include a statement of net position; statement of revenues, expenses, and changes in net position; statement of cash flows; and notes to the financial statements. The statement of net position presents the financial position of the Authority on a full accrual, historical cost basis. The statement of net position provides information about the nature and amount of resources and obligations at year-end. The statement of revenues, expenses, and changes in net position presents the results of the business activities over the course of the fiscal year and information as to how the net position changed during the year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of the related cash flows. This statement also provides certain information about the Authority's recovery of its costs.

The statement of cash flows presents changes in cash and cash equivalents resulting from operating, noncapital financing, capital and related financing, and investing activities. This statement presents cash receipt and cash disbursement information without consideration of the earnings event, when an obligation arises, or depreciation of capital assets.

The notes to the financial statements provide required disclosures and other information essential to a full understanding of material data provided in the statements. The notes present information on the Authority's accounting policies, significant account balances and activities, material risks, obligations, commitments, contingencies, and subsequent events, if any.

The financial statements were prepared by the Authority's staff from the detailed books and records of the Authority. The financial statements were audited and adjusted, if material, during the independent external audit process.

SUMMARY OF ORGANIZATION AND BUSINESS

On April 22, 1963, the Minnesota State Legislature approved the Laws, 1963, Chapter 305, creating the Duluth Arena-Auditorium Board (the "Board"). The Board consisted of seven Directors. The Board, according to Section 5, Subdivision 2, is conferred the power and duty to contract for and superintend the erection, construction, equipping, and furnishing of such arena-auditorium and to administer, promote, control, direct, manage, and operate such arena-auditorium as a municipal facility. Legislation in 1985 renamed the Board the Duluth State Convention Center Administrative Board. In addition, the legislation added four Board members to be appointed by the Governor. In 1998, legislation again changed the name to the Duluth Entertainment and Convention Center Authority (the Authority).

The Authority's mission statement, as defined by the Board of Directors, is committed to provide a multi-dimensional entertainment and convention facility with high-quality integrated support services that will maximize the economic and social benefit to our business community, our investors, our clients, and our customers. The method used to accomplish the mission will always revolve around: providing a consistently high level of customer service; operating in a fiscally responsible manner; always recognizing our obligations as a public entity; providing a well-maintained facility that is a source of pride for the community; insisting on excellence in all aspects of Duluth Entertainment and Convention Center operations, including safety of the public and employees; broad public access to facility and events; and partnership with community businesses.

The Authority does not have taxing power. Operations are funded from customer revenues. Customer revenues, together with City tourism taxes, City of Duluth contributions, and State of Minnesota grants, fund the acquisition and construction of capital assets.

FINANCIAL ANALYSIS

The following comparative condensed financial statements and other selected information serve as the key financial data and indicators for management, monitoring, and planning. Comments regarding budget-to-actual variances and year-to-year variances are included in each section by the name of the statement or account.

Condensed Statement of Net Position			
(000s)			
	<u>2019</u>	<u>2018</u>	<u>Dollar Change Increase (Decrease) 2018 to 2019</u>
Assets			
Current and other assets	\$ 4,155	\$ 5,104	\$ (949)
Capital assets	<u>80,806</u>	<u>83,263</u>	<u>(2,457)</u>
Total Assets	<u>\$ 84,961</u>	<u>\$ 88,367</u>	<u>\$ (3,406)</u>
Deferred Outflows of Resources			
Deferred pension outflows	<u>\$ 312</u>	<u>\$ 683</u>	<u>\$ (371)</u>
Liabilities			
Current liabilities	\$ 2,664	\$ 3,179	\$ (515)
Long-term liabilities	<u>4,846</u>	<u>4,995</u>	<u>(149)</u>
Total Liabilities	<u>\$ 7,510</u>	<u>\$ 8,174</u>	<u>\$ (664)</u>
Deferred Inflows of Resources			
Deferred pension inflows	\$ 747	\$ 980	\$ (233)
Deferred other postemployment benefit inflows	<u>107</u>	<u>76</u>	<u>31</u>
Total Deferred Inflows of Resources	<u>\$ 854</u>	<u>\$ 1,056</u>	<u>\$ (202)</u>
Net Position			
Net investment in capital assets	\$ 80,806	\$ 83,263	\$ (2,457)
Unrestricted	<u>(3,897)</u>	<u>(3,443)</u>	<u>(454)</u>
Total Net Position	<u>\$ 76,909</u>	<u>\$ 79,820</u>	<u>\$ (2,911)</u>

In 2019, net position decreased \$2.9 million compared to 2018. Total assets decreased \$3.4 million mainly due to depreciation of \$3.7 million in 2019. Total liabilities decreased \$0.7 million due to a decrease in restricted customer deposits payable due to the timing of events and conventions at year-end.

**Condensed Statement of Revenues, Expenses, and Changes in Net Position
(000s)**

	2019	2018	Dollar Change Increase (Decrease) 2018 to 2019
Operating revenues	\$ 10,088	\$ 9,347	\$ 741
Nonoperating revenues	2,098	2,048	50
Total Revenues	\$ 12,186	\$ 11,395	\$ 791
Operating expenses	15,450	14,778	(672)
Excess of Revenues Over (Under) Expenses	\$ (3,264)	\$ (3,383)	\$ 119
Capital contributions	353	-	353
Change in Net Position	\$ (2,911)	\$ (3,383)	\$ 472
Net Position – January 1	79,820	83,203	(3,383)
Net Position – December 31	<u>\$ 76,909</u>	<u>\$ 79,820</u>	<u>\$ (2,911)</u>

**Comparison with Budget
(000s)**

	2019 Actual	2019 Budget	Variance with Budget	Percent Change (%)
Operating revenues	\$ 10,088	\$ 9,884	\$ 204	2.1
Nonoperating revenues	2,098	1,974	124	6.3
Total Revenues	\$ 12,186	\$ 11,858	\$ 328	2.8
Operating expenses	15,450	15,945	495	3.1
Excess of Revenues Over (Under) Expenses	\$ (3,264)	\$ (4,087)	\$ 823	20.1
Capital contributions	353	-	353	N/A
Change in Net Position	\$ (2,911)	\$ (4,087)	\$ 1,176	28.8
Net Position – January 1	79,820	79,820	-	-
Net Position – December 31	<u>\$ 76,909</u>	<u>\$ 75,733</u>	<u>\$ 1,176</u>	1.6

Revenues

The Authority's operating revenues increased \$0.7 million to \$10.1 million in 2019 compared to last year mainly due an increase in show and convention revenues.

Expenses

The Authority's operating expenses increased \$0.7 million to \$15.5 million in 2019 due an increase in cost of supplies and services associated with increased entertainment sales.

Budgetary Highlights

Operating revenues were over budget by \$204,000 in 2019 due, in part, to an increase in building rent, catering and concessions sales, and ticket office revenues related to concerts and hockey. Nonoperating revenues were over budget by \$124,000 due to larger hotel/motel tax revenue than projected. Operating expenses were \$495,000 under budget in 2019 mainly due to payroll, entertainment expenses, and parking lot maintenance and repairs.

CAPITAL ASSETS

	Capital Assets (000s)			Percent Change (%)
	2019	2018	Dollar Change	
Land	\$ 906	\$ 906	\$ -	-
Land improvements	303	303	-	-
Buildings	137,372	137,191	181	0.1
Equipment	12,358	11,990	368	3.1
Construction in progress	717	-	717	100.0
Total	\$ 151,656	\$ 150,390	\$ 1,266	0.8
Less: accumulated depreciation	(70,850)	(67,127)	(3,723)	5.5
Net Capital Assets	\$ 80,806	\$ 83,263	\$ (2,457)	(3.0)

By the end of 2019, the Authority had invested \$151.7 million in capital assets. The increase in buildings and structures is mainly due to the point-of-sale system upgrade, plus security camera and key card lock system. For more information, see Note 2.C. to the financial statements.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET

Many factors were considered when completing the budget for 2020. The budget included the William A. Irvin to be open for a strong tourist season after being closed for two summers. Convention business in 2020 was projected to be comparable to 2019. Overall, a slight decrease in revenue was projected for 2020 compared to 2019 mainly due to a decrease in concerts/shows affecting ticket office revenue and bar sales. The beginning of 2020 started strong and on budget through February. Unfortunately, the impact of coronavirus (COVID-19) and government mandates to stay home has drastically reduced events and conventions for the remainder of 2020. April, traditionally one the busiest months, had no events with an estimated revenue loss around \$1 million. With the concerns due to the pandemic and uncertainty of summer and fall events, the economic outlook is concerning. In addition to lost business, the Authority will see significant loss in the tourism tax contribution from city hotel/motel taxes. The Authority's management is working closely with the City of Duluth and monitoring state and federal legislation for tourism relief packages.

REQUESTS FOR INFORMATION

This financial report is designed to provide a general overview of the Authority's finances and to demonstrate the Authority's accountability for the money it receives. If you have any questions about this report, or need additional financial information, contact the Finance Director, Duluth Entertainment and Convention Center Authority, 350 Harbor Drive, Duluth, Minnesota 55802.

BASIC FINANCIAL STATEMENTS

This page was left blank intentionally.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

EXHIBIT 1

**STATEMENT OF NET POSITION
DECEMBER 31, 2019**

Assets

Current assets

Cash and cash equivalents	\$ 779,530
Accounts receivable	1,195,792
Due from City of Duluth	814,282
Inventory	202,405
Prepaid items	45,698
	\$ 3,037,707

Total current assets

Restricted current assets

Assets restricted for customer deposits	
Cash and cash equivalents	\$ 1,115,918
Accounts receivable	1,195
Assets restricted for employee flexible benefits plan	
Cash and cash equivalents	806
	\$ 1,117,919

Total restricted current assets

Total current assets

Noncurrent assets

Capital assets	
Not depreciated	\$ 1,622,243
Depreciated	150,033,685
Less: accumulated depreciation	(70,850,288)
	\$ 80,805,640

Total noncurrent assets – net of accumulated depreciation

Total Assets

Deferred Outflows of Resources

Deferred pension outflows	\$ 312,013
---------------------------	------------

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

**EXHIBIT 1
(Continued)**

**STATEMENT OF NET POSITION
DECEMBER 31, 2019**

Liabilities

Current liabilities

Accounts payable	\$	459,074
Salaries payable		81,331
Compensated absences payable – current		163,062
Unearned revenue		850,377
		850,377

Total current liabilities **\$ 1,553,844**

Current liabilities payable from restricted assets

Customer deposits	\$	1,109,358
Employee flexible benefits plan payable		660
		660

Total current liabilities payable from restricted assets **\$ 1,110,018**

Total current liabilities **\$ 2,663,862**

Noncurrent liabilities

Compensated absences payable – long-term	\$	63,003
Net pension liability		3,228,805
Other postemployment benefits liability		1,553,850
		1,553,850

Total noncurrent liabilities **\$ 4,845,658**

Total Liabilities **\$ 7,509,520**

Deferred Inflows of Resources

Deferred pension inflows	\$	747,425
Deferred other postemployment benefits inflows		107,048
		107,048

Total Deferred Inflows of Resources **\$ 854,473**

Net Position

Net investment in capital assets	\$	80,805,640
Unrestricted		(3,896,354)
		(3,896,354)

Total Net Position **\$ 76,909,286**

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

EXHIBIT 2

**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
FOR THE YEAR ENDED DECEMBER 31, 2019**

Operating Revenues	
Sales	\$ 4,225,911
Charges for services	5,326,092
Miscellaneous	535,989
	<hr/>
Total Operating Revenues	\$ 10,087,992
Operating Expenses	
Personal services	\$ 5,841,883
Supplies and services	2,068,648
Utilities	1,444,863
Other services and charges	2,371,734
Depreciation	3,722,886
	<hr/>
Total Operating Expenses	\$ 15,450,014
Operating Income (Loss)	\$ (5,362,022)
Nonoperating Revenues (Expenses)	
Interest income	\$ 28,862
Hotel/motel tax revenue	1,869,144
Naming rights revenue	200,000
	<hr/>
Total Nonoperating Revenues (Expenses)	\$ 2,098,006
Income (Loss) Before Contributions	\$ (3,264,016)
Capital contributions	
Capital contributions from State of Minnesota	352,800
	<hr/>
Change in Net Position	\$ (2,911,216)
Net Position – January 1	79,820,502
	<hr/>
Net Position – December 31	\$ 76,909,286
	<hr/> <hr/>

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

EXHIBIT 3

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2019**

Cash Flows from Operating Activities	
Cash received from customers	\$ 8,984,037
Payments to suppliers	(5,900,129)
Payments to employees	(5,770,438)
Other operating revenues	<u>535,989</u>
Net cash provided by (used in) operating activities	<u>\$ (2,150,541)</u>
Cash Flows from Noncapital Financing Activities	
City of Duluth hotel/motel taxes	<u>\$ 1,836,053</u>
Cash Flows from Capital and Related Financing Activities	
Capital contributions	\$ 352,800
Payment received for naming rights	200,000
Acquisition or construction of capital assets	<u>(1,265,363)</u>
Net cash provided by (used in) capital and related financing activities	<u>\$ (712,563)</u>
Cash Flows from Investing Activities	
Interest on investments	<u>\$ 28,862</u>
Net Increase (Decrease) in Cash and Cash Equivalents	\$ (998,189)
Cash and Cash Equivalents – January 1	<u>2,894,443</u>
Cash and Cash Equivalents – December 31	<u><u>\$ 1,896,254</u></u>

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

***EXHIBIT 3
(Continued)***

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2019**

Reconciliation of Operating Income (Loss) to Net Cash Provided by (Used in) Operating Activities	
Operating income (loss)	\$ (5,362,022)
 Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities	
Depreciation	3,722,886
(Increase) decrease in accounts receivable	(10,447)
(Increase) decrease in inventory	(14,937)
(Increase) decrease in prepaid items	8,588
(Increase) decrease in deferred pension outflows	370,456
Increase (decrease) in accounts payable	(8,535)
Increase (decrease) in salaries payable	12,565
Increase (decrease) in unearned revenue	(21,290)
Increase (decrease) in customer deposits	(536,229)
Increase (decrease) in compensated absences payable	41,504
Increase (decrease) in other postemployment benefits liability	(85,911)
Increase (decrease) in deferred other postemployment benefits inflows	31,527
Increase (decrease) in deferred pension inflows	(232,233)
Increase (decrease) in net pension liability	(66,463)
	(66,463)
 Net Cash Provided by (Used in) Operating Activities	 <u><u>\$ (2,150,541)</u></u>

This page was left blank intentionally.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

NOTES TO THE FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED DECEMBER 31, 2019

1. Summary of Significant Accounting Policies

The Duluth Entertainment and Convention Center Authority was created by Minn. Laws 1963, ch. 305; Minn. Laws 1985, 1st Spec. Sess., ch. 15, § 36, as amended; and by Minn. Laws 1998, ch. 404, § 61. The Authority has the power to contract, administer, promote, control, direct, manage, and operate the Duluth Entertainment and Convention Center for the City of Duluth and the State of Minnesota. The Authority consists of seven Directors appointed by the Mayor of the City of Duluth and approved by resolution of the City Council and four Directors appointed by the Governor of Minnesota.

The accounting policies of the Authority conform with accounting principles generally accepted in the United State of America (GAAP). The Governmental Accounting Standards Board (GASB) is responsible for establishing GAAP for state and local governments through its pronouncements (statements and interpretations). The more significant accounting policies established in GAAP and used by the Authority are discussed below.

A. Financial Reporting Entity

For financial reporting purposes, a reporting entity includes all funds, organizations, agencies, boards, commissions, and authorities for which it is financially accountable and other organizations for which the nature and significance of their relationship with it are such that exclusion would cause its financial statements to be misleading or incomplete. The GASB has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body and (1) the ability of the reporting entity to impose its will on that organization; or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the reporting entity.

As required by accounting principles generally accepted in the United State of America, these financial statements present the Duluth Entertainment and Convention Center Authority, a component unit of the City of Duluth. The Authority is included in the City of Duluth's reporting entity because of the significance of its operational or financial relationships with the City.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

1. Summary of Significant Accounting Policies (Continued)

B. Basis of Presentation

The accounts of the Duluth Entertainment and Convention Center Authority are presented as an enterprise fund. Enterprise funds are used to account for operations that are financed and operated in a manner similar to private business enterprises—where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges.

C. Basis of Accounting

Accounting records are maintained on a full accrual, economic resource basis, under which revenues are recorded when earned and expenses are recorded when liabilities are incurred.

D. Budget and Budgetary Accounting

Budgetary control is maintained through an annual budget adopted by the Duluth Entertainment and Convention Center Authority. The budget is prepared on the accrual basis of accounting.

E. Cash and Cash Equivalents

Cash and cash equivalents consist of cash and investments held by the Treasurer of the City of Duluth. Investments are stated at fair value, and investment revenue is recorded as it is earned. For purposes of the statement of cash flows, all highly liquid investments (including restricted assets) with a maturity of three months or less when purchased are considered to be cash equivalents.

F. Inventories of Merchandise for Resale

Inventories are priced at the lower of cost or market value on a first-in, first-out basis and are recorded as expenses when consumed.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

1. Summary of Significant Accounting Policies (Continued)

G. Capital Assets

All capital assets are valued at historical or estimated historical cost. Donated capital assets are recorded at acquisition value on the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized.

H. Depreciation

Depreciation of capital assets is determined using the straight-line method. The estimated useful lives of the assets are 40 years for buildings, 20 years for land improvements, and three to 20 years for equipment.

I. Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position reports a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and will not be recognized as an outflow of resources (expense) until then. The Authority reports deferred outflows of resources associated with pension plans in the statement of net position.

In addition to liabilities, the statement of financial position reports a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The Authority reports deferred inflows of resources associated with pension and other postemployment benefits (OPEB).

J. Restricted Assets

Restricted assets consist of promoter-escrowed funds and the employee flexible benefits plan account. Promoter-escrowed funds consist of cash and receivables escrowed on behalf of various promoters related to advance ticket sales for upcoming

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

1. Summary of Significant Accounting Policies

J. Restricted Assets (Continued)

events. The employee flexible spending plan account consists of amounts withheld from employees pursuant to Internal Revenue Service regulations designated for reimbursement to employees for specific plan expenses.

K. Unearned Revenue

Unearned revenue represents advance deposits to reserve Authority facilities for future events, proceeds from the sale of gift certificates and gift cards that have not been redeemed as of year-end, and lease revenues that have not been earned as of year-end.

L. Classification of Net Position

Net position is classified in the following categories:

- Net investment in capital assets – the amount of net position representing capital assets, net of accumulated depreciation.
- Restricted net position – the amount of net position for which external restrictions have been imposed by creditors, grantors, contributors, or laws, or constitutional provisions or enabling legislation.
- Unrestricted net position – the amount of net position that does not meet the definition of restricted or net investment in capital assets.

When both restricted and unrestricted resources are available for use, it is the Authority's policy to use restricted resources first and then unrestricted resources as needed.

M. Operating Revenues

Operating revenues, such as sales and charges for services, result from exchange transactions associated with the principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal values. Nonoperating revenues, such as subsidies and investment earnings, result from nonexchange transactions or incidental activities.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

1. Summary of Significant Accounting Policies (Continued)

N. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make certain estimates and assumptions that affect the reported amounts of assets, deferred outflows of resources, liabilities, and deferred inflows or resources; and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

O. Trade-Offs

The Authority exchanges scoreboard advertising, attraction admissions, building rent, and other services for other non-monetary assets or services such as radio, television, or print advertising. The value of the services exchanged is debited to the appropriate expense accounts and credited to the appropriate revenue accounts.

P. Pension Plan

For purposes of measuring the net pension liability, deferred outflows/inflows of resources, and pension expense, information about the fiduciary net position of the Public Employees Retirement Association of Minnesota (PERA) and additions to/deductions from PERA's fiduciary net position have been determined on the same basis as they are reported by PERA, except that PERA's fiscal year-end is June 30. For this purpose, plan contributions are recognized as of employer payroll paid dates, and benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Plan investments are reported at fair value.

2. Detailed Notes

A. Deposits and Investments

The City of Duluth Treasurer is designated by Minn. Laws 1963, ch. 305, as the Treasurer of the Authority. The City Treasurer is authorized by Minn. Stat. §§ 118A.02 and 118A.04 to deposit the Authority's cash and to invest in certificates of deposit in financial institutions designated by the Duluth City Council. Minnesota statutes require that all of the Authority's deposits be covered by insurance, surety bond, or collateral.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

A. Deposits and Investments (Continued)

The Authority invests funds in the City of Duluth's investment pool. The fair value of the investment is the fair value per share of the underlying portfolio. The Authority invests in this pool for the purpose of joint investment with the City in order to enhance investment earnings. There are no redemption limitations. The types of investment securities available to the City of Duluth Treasurer are authorized by Minn. Stat. §§ 118A.04 and 118A.05.

Additional disclosures required by GASB Statement No. 40, *Deposit and Investment Risk Disclosures*, are disclosed on an entity-wide basis in the City of Duluth's Comprehensive Annual Financial Report. The Authority is a component unit of the City of Duluth.

The following is a summary of the Authority's cash and investments at December 31, 2019:

Current assets	
City of Duluth pooled cash account	\$ 9,858
Checking account – ticket office	7,000
Checking account – employee flexible benefits plan	7,372
Savings account – operating reserve	700,000
Petty cash and change funds	<u>55,300</u>
Total current assets	<u>\$ 779,530</u>
Restricted current assets	
Ticket office customer deposits – checking	\$ 1,098,718
Ticket office change fund	17,200
Employee flexible benefits plan – checking	<u>806</u>
Total restricted current assets	<u>\$ 1,116,724</u>
Total	<u><u>\$ 1,896,254</u></u>

B. Due From City of Duluth

The amount due from the City of Duluth at December 31, 2019, is as follows:

Current	
Hotel/motel tax	<u>\$ 814,282</u>

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes (Continued)

C. Capital Assets

A summary of the changes in the capital asset accounts for the year ended December 31, 2019, follows:

	Balance January 1, 2019	Increase	Decrease	Balance December 31, 2019
Capital assets not depreciated				
Land	\$ 905,601	\$ -	\$ -	\$ 905,601
Construction in progress	-	716,642	-	716,642
Total capital assets not depreciated	\$ 905,601	\$ 716,642	\$ -	\$ 1,622,243
Capital assets depreciated				
Land improvements	\$ 302,957	\$ -	\$ -	\$ 302,957
Buildings	137,191,464	180,975	-	137,372,439
Equipment	11,990,543	367,746	-	12,358,289
Total capital assets depreciated	\$ 149,484,964	\$ 548,721	\$ -	\$ 150,033,685
Less: accumulated depreciation for				
Land improvements	\$ 302,957	\$ -	\$ -	\$ 302,957
Buildings	57,597,799	3,223,846	-	60,821,645
Equipment	9,226,646	499,040	-	9,725,686
Total accumulated depreciation	\$ 67,127,402	\$ 3,722,886	\$ -	\$ 70,850,288
Total capital assets depreciated, net	\$ 82,357,562	\$ (3,174,165)	\$ -	\$ 79,183,397
Total Capital Assets, Net	\$ 83,263,163	\$ (2,457,523)	\$ -	\$ 80,805,640

D. Risk Management

The Authority is exposed to various risks of loss related to torts; injuries to employees; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. These risks are covered by commercial insurance purchased from independent third parties. Settled claims from these risks have not exceeded commercial insurance coverage for the past three years. There were no significant reductions in insurance coverage from the previous year. The Authority retains the risk of loss for the first \$10,000 per occurrence.

Permanent employees are eligible to participate in the City of Duluth Joint Powers Enterprise Trust for the benefit of governmental units of the City. The Authority pays an annual premium for health and dental insurance coverage.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes (Continued)

E. Defined Benefit Pension Plan

1. Plan Description

All full-time and certain part-time employees of the Duluth Entertainment and Convention Center Authority are covered by a defined benefit pension plan administered by the Public Employees Retirement Association of Minnesota (PERA). PERA administers the General Employees Retirement Plan (the General Employees Plan), which is a cost-sharing, multiple-employer retirement plan. The plan is established and administered in accordance with Minn. Stat. chs. 353 and 356. PERA's defined benefit pension plan is a tax qualified plan under Section 401(a) of the Internal Revenue Code.

The General Employees Plan (accounted for in the General Employees Fund) has multiple benefit structures with members belonging to the Coordinated Plan, the Basic Plan, or the Minneapolis Employees Retirement Fund. Coordinated Plan members are covered by Social Security, and Basic Plan and Minneapolis Employees Retirement Fund members are not. The Basic Plan was closed to new members in 1967. The Minneapolis Employees Retirement Fund was closed to new members during 1978 and merged into the General Employees Plan in 2015. All new members must participate in the Coordinated Plan, for which benefits vest after five years of credited service. No Duluth Entertainment and Convention Center Authority employees belong to either the Basic Plan or the Minneapolis Employees Retirement Fund.

2. Benefits Provided

PERA provides retirement benefits as well as disability benefits to members and benefits to survivors upon death of eligible members. Benefit provisions are established by state statute and can be modified only by the state legislature. Benefit increases are provided to benefit recipients each January.

Beginning January 1, 2019, General Employees Plan benefit recipients will receive a post-retirement increase equal to 50 percent of the cost of living adjustment announced by the Social Security Administration, with a minimum increase of at least 1.00 percent and maximum of 1.50 percent. Recipients that have been receiving the annuity or benefit for at least a full year as of the June 30 before the effective date of the increase will receive the full increase.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

E. Defined Benefit Pension Plan

2. Benefits Provided (Continued)

For recipients receiving the annuity or benefit for at least one month but less than a full year as of the June 30 before the effective date of the increase will receive a reduced prorated increase. For members retiring on January 1, 2024, or later, the increase will be delayed until normal retirement age (age 65 if hired prior to July 1, 1989, or age 66 for individuals hired on or after July 1, 1989). Members retiring under the Rule of 90 are exempt from the delay to normal retirement.

The benefit provisions stated in the following paragraph of this section are current provisions and apply to active plan participants. Vested, terminated employees who are entitled to benefits, but are not yet receiving them, are bound by the provisions in effect at the time they last terminated their public service.

Benefits are based on a member's highest average salary for any 60 consecutive months of allowable service, age, and years of credit at termination of service. Two methods are used to compute benefits for Coordinated Plan members. Members hired prior to July 1, 1989, receive the higher of a step-rate benefit accrual formula (Method 1) or a level accrual formula (Method 2). Under Method 1, the annuity accrual rate for a Coordinated Plan member is 1.20 percent of average salary for each of the first ten years of service and 1.70 percent of average salary for each remaining year. Under Method 2, the annuity accrual rate is 1.70 percent for Coordinated Plan members for each year of service. Only Method 2 is used for members hired after June 30, 1989.

For General Employees Plan members hired prior to July 1, 1989, a full annuity is available when age plus years of service equal 90, and normal retirement age is 65. For members hired on or after July 1, 1989, normal retirement age is the age for unreduced Social Security benefits capped at 66. Disability benefits are available for vested members and are based on years of service and average high-five salary.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

E. Defined Benefit Pension Plan (Continued)

3. Contributions

Pension benefits are funded from member and employer contributions and income from the investment of fund assets. Rates for employer and employee contributions are set by Minn. Stat. ch. 353. These statutes are established and amended by the state legislature. General Employees Plan members were required to contribute 6.50 percent of their annual covered salary in 2019.

In 2019, the Authority was required to contribute 7.50 percent of annual covered salary. The employee and employer rates did not change from the previous year.

The Authority's contributions for the General Employees Plan for the year ended December 31 2019, were \$317,245. The contributions are equal to the statutorily required contributions as set by state statute.

4. Pension Costs

At December 31, 2019, the Authority reported a liability of \$3,228,805 for its proportionate share of the General Employees Plan's net pension liability. The net pension liability was measured as of June 30, 2019, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The Authority's proportion of the net pension liability was based on the Authority's contributions received by PERA during the measurement period for employer payroll paid dates from July 1, 2018, through June 30, 2019, relative to the total employer contributions received from all of PERA's participating employers. At June 30, 2019, the Authority's proportion was 0.0584 percent. It was 0.0594 percent measured as of June 30, 2018. The Authority recognized pension expense of \$389,008 for its proportionate share of the General Employees Plan's pension expense.

The Authority also recognized \$7,514 as revenue, which results in a reduction of the net pension liability, for its proportionate share of the State of Minnesota's contribution to the General Employees Plan, which qualifies as a special funding situation. Legislation requires the State of Minnesota to contribute \$16 million to the General Employees Plan annually.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

E. Defined Benefit Pension Plan

4. Pension Costs (Continued)

The Authority's proportionate share of the net pension liability	\$	3,228,805
State of Minnesota's proportionate share of the net pension liability associated with the Authority		100,329
Total	\$	3,329,134

The Authority reported its proportionate share of the General Employees Plan's deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ 92,261	\$ -
Changes in actuarial assumptions	-	263,417
Difference between projected and actual investment earnings	-	349,834
Changes in proportion	64,956	134,174
Contributions paid to PERA subsequent to the measurement date	154,796	-
Total	\$ 312,013	\$ 747,425

The \$154,796 reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended December 31, 2020. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ended December 31	Pension Expense Amount
2020	\$ (183,336)
2021	(332,414)
2022	(79,666)
2023	5,208

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

E. Defined Benefit Pension Plan (Continued)

5. Actuarial Assumptions

The total pension liability in the June 30, 2019, actuarial valuation was determined using the individual entry-age normal actuarial cost method and the following additional actuarial assumptions:

Inflation	2.50 percent per year
Active member payroll growth	3.25 percent per year
Investment rate of return	7.50 percent

Salary increases were based on a service-related table. Mortality rates for active members, retirees, survivors, and disabilitants for all plans were based on RP-2014 tables for males or females, as appropriate, with slight adjustments. Cost of living benefit increases for retirees are assumed to be 1.25 percent.

Actuarial assumptions used in the June 30, 2019, valuation were based on the results of actuarial experience studies. The experience study for the General Employees Plan was dated June 30, 2015. Inflation and investment assumptions were reviewed in the experience study report for the General Employees Plan dated June 27, 2019.

The long-term expected rate of return on pension plan investments is 7.50 percent. The State Board of Investment, which manages the investments of PERA, prepares an analysis of the reasonableness of the long-term expected rate of return on a regular basis using a building-block method in which best-estimate ranges of expected future rates of return are developed for each major asset class. These ranges are combined to produce an expected long-term rate of return by weighting the expected future rates of return by the target asset allocation percentages. The target allocation and best estimates of geometric real rates of return for each major asset class are summarized in the following table:

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Long-Term Expected Real Rate of Return</u>
Domestic equity	35.50%	5.10%
International equity	17.50	5.30
Fixed income	20.00	0.75
Private markets	25.00	5.90
Cash equivalents	2.00	0.00

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

E. Defined Benefit Pension Plan (Continued)

6. Discount Rate

The discount rate used to measure the total pension liability was 7.50 percent in 2019, which remained consistent with 2018. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rate specified in statute. Based on that assumption, the fiduciary net position of the General Employees Plan was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

7. Changes in Actuarial Assumptions

The following change in actuarial assumption occurred in 2019.

- The mortality projection scale was changed from MP-2017 to MP-2018.

8. Pension Liability Sensitivity

The following presents the Authority's proportionate share of the net pension liability calculated using the discount rate previously disclosed, as well as what the Authority's proportionate share of the net pension liability would be if it were calculated using a discount rate one percentage point lower or one percentage point higher than the current discount rate:

	Proportionate Share of the	
	Discount Rate	Net Pension Liability
1% Decrease	6.50%	\$ 5,307,982
Current	7.50	3,228,805
1% Increase	8.50	1,512,031

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

E. Defined Benefit Pension Plan (Continued)

9. Pension Plan Fiduciary Net Position

Detailed information about the pension plan's fiduciary net position is available in a separately issued PERA financial report that includes financial statements and required supplementary information. That report may be obtained on the internet at www.mnpera.org; by writing to PERA at 60 Empire Drive, Suite 200, St. Paul, Minnesota 55103-2088; or by calling 651-296-7460 or 1-800-652-9026.

F. Other Postemployment Benefits (OPEB)

1. Plan Description

The Duluth Entertainment and Convention Center Authority provides postemployment health insurance benefits for certain retired employees under a single-employer defined benefit health care plan. Employees who retired between January 1, 1983, and January 1, 1995, and employees who were full-time employees prior to January 1, 1995, and retire from the Authority at or after age 62 with at least ten years of full-time service, are eligible to receive hospital/medical benefits to the same extent as active employees for the life of the retiree or surviving spouse. The Authority will pay 80 percent of the premium for these qualifying retirees.

Active employees who retire from the Authority when eligible to receive a retirement benefit from PERA who do not qualify for the aforementioned benefits, and do not participate in any other health benefits program providing coverage similar to that herein described, will be eligible to continue coverage with respect to both themselves and their eligible dependents under the Authority's health benefits program. These retirees are required to pay 100 percent of the total premium cost. Since the premium is a blended rate determined on the entire active and retiree population, the retirees are receiving an implicit rate subsidy.

The Authority's employment contract with the Executive Director provides for continuing family health insurance coverage for a period of 18 months following the termination of her employment contract. The Authority will provide this benefit.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

F. Other Postemployment Benefits (OPEB)

1. Plan Description (Continued)

The Authority participates in the City of Duluth's Joint Powers Enterprise Trust and pays the required premiums to provide health care benefits for eligible retirees and claimed dependents. Premiums paid for eligible retirees and claimed dependents for health care insurance totaled \$98,395 in 2019.

No assets have been accumulated in a trust that meets the criteria in paragraph four of GASB 75. The OPEB plan does not issue a stand-alone financial report.

As of the January 1, 2019, actuarial valuation, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefit payments	25
Active plan participants	<u>35</u>
Total	<u>60</u>

2. Total OPEB Liability

The Authority's total OPEB liability of \$1,553,850 was measured as of December 31, 2019, and was determined by an actuarial valuation as of January 1, 2019.

The total OPEB liability in the January 1, 2019, actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.20 percent
Salary increases	3.50 percent, average wage inflation plus merit/productivity increases
Health care cost trend	10.00 percent, decreasing 0.50 percent per year to an ultimate rate of 5.00 percent

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

F. Other Postemployment Benefits (OPEB)

2. Total OPEB Liability (Continued)

The current year discount rate is 3.64 percent, which is a change from the prior year rate of 3.70 percent. For the current valuation, the discount rate was based from the S&P Municipal Bond 20-Year High Grade Rate Index.

Mortality rates are based on SOA RPH-2014 Total Dataset Headcount-weighted Mortality projected with Scale MP-2018.

3. Changes in the Total OPEB Liability

	Total OPEB Liability
Balance at December 31, 2018	\$ 1,639,761
Changes for the year	
Service cost	\$ 10,323
Interest	56,444
Differences between expected and actual experience	(23,193)
Changes in assumptions	(12,701)
Benefit payments	(116,784)
Net change	\$ (85,911)
Balance at December 31, 2019	\$ 1,553,850

4. OPEB Liability Sensitivity

The following presents the total OPEB liability of the Authority, calculated using the discount rate previously disclosed, as well as what the Authority's total OPEB liability would be if it were calculated using a discount rate that is one percentage point lower or one percentage point higher than the current discount rate:

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

F. Other Postemployment Benefits (OPEB)

4. OPEB Liability Sensitivity (Continued)

	<u>Discount Rate</u>	<u>Total OPEB Liability</u>
1% Decrease	2.64%	\$ 1,754,217
Current	3.64	1,553,850
1% Increase	4.64	1,387,985

The following presents the total OPEB liability of the Authority, calculated using the health care cost trend previously disclosed, as well as what the Authority's total OPEB liability would be if it were calculated using health care cost trend rates that are one percentage point lower or one percentage point higher than the current health care cost trend rate:

	<u>Health Care Trend Rate</u>	<u>Total OPEB Liability</u>
1% Decrease	9.00% Decreasing to 4.00%	\$ 1,391,140
Current	10.00% Decreasing to 5.00%	1,553,850
1% Increase	11.00% Decreasing to 6.00%	1,747,653

5. OPEB Expense

For the year ended December 31, 2019, the Authority recognized OPEB expense of \$54,384. The Authority reported deferred inflows of resources related to OPEB from the following source:

	<u>Deferred Inflows of Resources</u>
Changes in actuarial assumptions	<u>\$ 107,048</u>

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

F. Other Postemployment Benefits (OPEB)

5. OPEB Expense (Continued)

Amounts reported as deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Year Ended December 31	OPEB Expense Amount
2020	\$ (14,784)
2021	(14,784)
2022	(14,784)
2023	(14,784)
2024	(14,784)
Thereafter	(33,128)

6. Changes in Actuarial Assumptions

The following changes in actuarial assumptions occurred for the 2019 valuation:

- The discount rate was decreased from 3.70 percent to 3.64 percent based on changes in the municipal bond market.
- The per-capita costs were updated to reflect experience since the previous valuation.
- An additional one percent load was applied to Plan liabilities to estimate the impact of potential future excise taxes on high-cost (“Cadillac”) plan benefits.
- The mortality improvement scale was updated from MP-2016 to MP-2018.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes (Continued)

G. Compensated Absences

Full-time employees are granted from ten to 25 days of vacation time per year depending on their years of service. Vacation earned during one year must be taken within the following year. The Executive Director is allowed to carry forward up to 50 days of vacation. Upon termination of employment, employees are compensated for the full value of all unused vacation pay. To comply with the City of Duluth earned sick and safe mandate, effective January 1, 2019, part-time employees accrue PTO at the start of their employment. The rate of accrual is based on longevity and ranges from 0.02 hours to 0.05 hours of earned PTO for every hour worked. Unused vacation and personal leave earned as of December 31, 2019, is estimated to be \$163,062 and is recognized as a liability in the financial statements.

The Executive Director's employment contract provides a benefit of six months of current salary upon termination. This has been accrued in the financial statements in the amount of \$63,003 as of December 31, 2019.

Sick leave is earned at the rate of 1.50 days per month for full-time personnel. No more than 150 days may be carried at any time. Employees are not compensated for unused sick leave upon termination of employment.

The contingent liability for sick leave at December 31, 2019, was estimated to be \$723,093 and is not recognized as a liability in the financial statements.

H. Unearned Revenue

Unearned revenue as of December 31, 2019, consists of the following:

Advance deposits for future events	\$ 129,215
Gift certificates	12,962
Unearned lease revenue	<u>708,200</u>
Total	<u>\$ 850,377</u>

I. Minimum Future Rents Receivable

On January 1, 2012, the Authority entered into a lease agreement with Vista Cruises, Inc., for ten years, with two five-year options to renew. This agreement is for the lease of space and facilities. Rent is adjusted by three percent annually. In 2019, rent was \$67,643.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

I. Minimum Future Rents Receivable (Continued)

On April 13, 2004, the Authority entered into a lease agreement with Cinema Entertainment Corporation (CEC) for 20 years, with two five-year options to renew. This agreement is for the lease of property on which CEC constructed a theater. The annual rent of \$175,000 will be increased by two percent each year in years two through ten and three percent each year in years 11 through 20. In May 2007, Marcus Theatre Corporation purchased the Duluth 10 theater from CEC and is now responsible for the lease. On January 1, 2012, an amended lease agreement was signed with B & G Realty, LLC, to include the OMNIMAX Theatre space in the leased premises for an additional \$36,000 per year, with an annual Consumer Price Index increase beginning January 1, 2015. In addition, the Authority agreed to reimburse B & G Realty, through lease payment deductions, \$25,000 for expenses related to the conversion and remodeling of said space. On April 18 and August 1, 2012, the reimbursable amount to B & G Realty was increased \$10,000 and \$11,417, respectively, for a total of \$46,417 for conversion and remodeling.

On November 18, 2010, the Authority entered into a lease agreement with the University of Minnesota for 25 years to rent space, facilities, and advertising for the men's and women's hockey programs in the new AMSOIL Arena. The annual rent ranges from \$468,800 in 2011 to \$898,270 in 2033. These lease revenues are dedicated to repay the City of Duluth bonds which were used to construct the new arena.

On October 1, 2015, the Authority entered into a 22-year lease agreement with the Duluth Curling Club, Inc., to occupy a portion of the Pioneer Hall Clubrooms for year-round rental at an annual rate of \$43,358, and the Pioneer Hall Annex Ice Arena for a rental rate of \$43,358 for pre-defined curling season dates. The rental rate increases annually by two percent.

Minimum future rents on non-cancellable leases are:

Year		
2020	\$	1,068,827
2021		1,099,966
2022		1,058,103
2023		1,088,882
2024		1,065,271
After 2024		8,788,711
Total	\$	14,169,760

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes (Continued)

J. Naming Rights Agreement

On June 29, 2010, the Authority entered into an agreement with AMSOIL, Inc., for naming rights to the new arena which was completed in 2010. The agreement grants AMSOIL, Inc., the rights to name the new arena in exchange for an initial payment of \$2,000,000 in 2010 and payments of \$200,000 per year for the years 2011 through 2031.

Minimum future rents on this agreement are:

Year	
2020	\$ 200,000
2021	200,000
2022	200,000
2023	200,000
2024	200,000
After 2024	1,200,000
Total	\$ 2,200,000

K. Long-Term Liabilities

The following is a schedule of long-term liability activity of the Duluth Entertainment and Convention Center Authority for the year ended December 31, 2019:

	Balance January 1, 2019	Additions	Reductions	Balance December 31, 2019	Due Within One Year
Compensated absences payable	\$ 184,561	\$ 197,216	\$ 155,712	\$ 226,065	\$ 163,062

L. Pledge Agreement with City of Duluth

In 2010, the Authority completed construction on a new arena and parking ramp. The total project cost of \$78,285,000 was funded by a state grant of \$38,000,000 and City of Duluth general obligation bond proceeds of \$40,285,000.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

2. Detailed Notes

L. Pledge Agreement with City of Duluth (Continued)

In March 2016, the City of Duluth issued \$33,440,000 in General Obligation Duluth Entertainment and Convention Center Authority Improvement Refunding Bonds, Series 2016A, to refund the City of Duluth's Series 2008A Duluth Entertainment and Convention Center Authority Improvement Bonds of \$40,285,000. The transaction resulted in a net present value savings of \$5,414,950.

The Authority entered into a pledge agreement with the City of Duluth dated August 7, 2008, that requires the Authority to pledge \$461,000 per year of Authority revenues beginning in 2012 through the life of the bonds ending in 2034. The pledged revenues will be used in combination with City of Duluth 0.75 percent food and beverage taxes and University of Minnesota Duluth lease revenues to repay the principal and interest on the bonds.

M. Budget to Actual for 2019

The Duluth Entertainment and Convention Center Authority adopts a budget to be approved by the Duluth City Council. A summary of the operating budget compared to actual for the year ended December 31, 2019, follows.

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Operating Revenues	\$ 9,883,625	\$ 10,087,992	\$ 204,367
Operating Expenses	<u>15,945,332</u>	<u>15,450,014</u>	<u>495,318</u>
Operating Income (Loss)	\$ (6,061,707)	\$ (5,362,022)	\$ 699,685
Nonoperating Revenues (Expenses)	<u>1,973,700</u>	<u>2,098,006</u>	<u>124,306</u>
Income (Loss) Before Contributions	\$ (4,088,007)	\$ (3,264,016)	823,991
Capital contributions	<u>-</u>	<u>352,800</u>	<u>352,800</u>
Change in Net Position	<u>\$ (4,088,007)</u>	<u>\$ (2,911,216)</u>	<u>\$ 1,176,791</u>

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

3. Subsequent Event

On March 11, 2020, the World Health Organization declared the outbreak of coronavirus (COVID-19) a pandemic. The impact of COVID-19 and government mandates to stay home has drastically reduced events and conventions for the remainder of 2020, which will reduce sales and charges for services. The total impact is unknown at this time.

This page was left blank intentionally.

REQUIRED SUPPLEMENTARY INFORMATION

This page was left blank intentionally.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

EXHIBIT A-1

**SCHEDULE OF CHANGES IN TOTAL OPEB LIABILITY AND RELATED RATIOS
OTHER POSTEMPLOYMENT BENEFITS
DECEMBER 31, 2019**

	<u>2019</u>	<u>2018</u>
Total OPEB Liability		
Service cost	\$ 10,323	\$ 20,995
Interest	56,444	54,083
Benefit payments	(116,784)	(100,717)
Differences between expected and actual experience	(23,193)	-
Changes of assumption or other inputs	<u>(12,701)</u>	<u>(85,938)</u>
Net change in total OPEB liability	\$ (85,911)	\$ (111,577)
Total OPEB Liability – Beginning	<u>1,639,761</u>	<u>1,751,338</u>
Total OPEB Liability – Ending	<u><u>\$ 1,553,850</u></u>	<u><u>\$ 1,639,761</u></u>
Covered-employee payroll	\$ 1,846,454	\$ 1,783,617
Total OPEB liability (asset) as a percentage of covered-employee payroll	84.15%	91.93%

This schedule is intended to show information for ten years. Additional years will be displayed as they become available.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

EXHIBIT A-2

**SCHEDULE OF PROPORTIONATE SHARE OF NET PENSION LIABILITY
PERA GENERAL EMPLOYEES RETIREMENT PLAN
DECEMBER 31, 2019**

Measurement Date	Employer's Proportion of the Net Pension Liability (Asset)	Employer's Proportionate Share of the Net Pension Liability (Asset) (a)	State's Proportionate Share of the Net Pension Liability Associated with the Authority (b)	Employer's Proportionate Share of the Net Pension Liability and the State's Related Share of the Net Pension Liability (Asset) (a + b)	Covered Payroll (c)	Employer's Proportionate Share of the Net Pension Liability (Asset) as a Percentage of Covered Payroll (a/c)	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability
2019	0.0584 %	\$ 3,228,805	\$ 100,329	\$ 3,329,134	\$ 4,123,080	78.31 %	80.23 %
2018	0.0594	3,295,268	108,005	3,403,273	3,986,093	82.67	79.53
2017	0.0623	3,977,191	50,003	4,027,194	3,635,889	109.39	75.90
2016	0.0591	4,798,627	62,701	4,861,328	3,620,162	132.55	68.91
2015	0.0590	3,057,686	N/A	3,057,686	3,463,401	88.29	78.19

This schedule is intended to show information for ten years. Additional years will be displayed as they become available.
The measurement date for each year is June 30.
N/A – Not Applicable

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

EXHIBIT A-3

**SCHEDULE OF CONTRIBUTIONS
PERA GENERAL EMPLOYEES RETIREMENT PLAN
DECEMBER 31, 2019**

Year Ending	Statutorily Required Contributions (a)	Actual Contributions in Relation to Statutorily Required Contributions (b)	Contribution (Deficiency) Excess (b - a)	Covered Payroll (c)	Actual Contributions as a Percentage of Covered Payroll (b/c)
2019	\$ 317,245	\$ 317,245	\$ -	\$ 4,229,933	7.50 %
2018	296,680	296,680	-	3,955,733	7.50
2017	300,466	300,466	-	4,006,219	7.50
2016	267,844	267,844	-	3,715,149	7.21
2015	277,570	264,824	(12,746)	3,700,932	7.16

This schedule is intended to show information for ten years. Additional years will be displayed as they become available. The Authority's year-end is December 31.

This page was left blank intentionally.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION
FOR THE YEAR ENDED DECEMBER 31, 2019

1. Other Postemployment Benefits Funded Status

In 2018, the Duluth Entertainment and Convention Center Authority implemented Governmental Accounting Standards Board (GASB) Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*. See Note 2.F. in the notes to the financial statements for additional information regarding the Authority's other postemployment benefits.

2. Other Postemployment Benefits – Changes in Significant Actuarial Methods and Assumptions

Assets have not been accumulated in a trust that meets the criteria in paragraph four of GASB Statement 75 to pay related benefits.

The following changes in actuarial assumptions occurred for the valuation:

2019

- The discount rate was decreased from 3.70 percent to 3.64 percent based on changes in the municipal bond market.
- The per-capita costs were updated to reflect experience since the previous valuation.
- An additional one percent load was applied to Plan liabilities to estimate the impact of potential future excise taxes on high-cost (“Cadillac”) plan benefits.
- The mortality improvement scale was updated from MP-2016 to MP-2018.

2018

- The per-capita costs were updated to reflect experience.
- The health care trend was shifted to maintain the same immediate rate.
- The mortality was updated to reflect more current rates based on the 2014 SOA study.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER
DULUTH, MINNESOTA**

2. Other Postemployment Benefits – Changes in Significant Actuarial Methods and Assumptions

2018 (Continued)

- The actuarial cost method was changed to Entry Age Normal as a level percentage of payroll, per GASB 75 standards.
- The discount rate increased from 3.25 percent to 3.70 percent to reflect the current municipal bond market.

3. Defined Benefit Pension Plan – Changes in Significant Plan Provisions, Actuarial Methods, and Assumptions

The following changes were reflected in the valuation performed on behalf of the Public Employees Retirement Association for the General Employees Retirement Fund for fiscal year June 30:

2019

- The mortality projection scale was changed from MP-2017 to MP-2018.

2018

- The mortality projection scale was changed from MP-2015 to MP-2017.
- The assumed benefit increase rate was changed from 1.00 percent per year through 2044 and 2.50 percent per year thereafter, to 1.25 percent per year.
- The augmentation adjustment in early retirement factors is eliminated over a five-year period starting July 1, 2019, resulting in actuarial equivalence after June 30, 2024.
- Interest credited on member contributions decreased from 4.00 percent to 3.00 percent, beginning July 1, 2018.
- Deferred augmentation was changed to 0.00 percent, effective January 1, 2019. Augmentation that has already accrued for deferred members will still apply.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER
DULUTH, MINNESOTA**

3. Defined Benefit Pension Plan – Changes in Significant Plan Provisions, Actuarial Methods, and Assumptions

2018 (Continued)

- Contribution stabilizer provisions were repealed.
- Post-retirement benefit increases were changed from 1.00 percent per year with a provision to increase to 2.50 percent upon attainment of 90 percent funding to 50 percent of the Social Security cost of living adjustment, not less than 1.00 percent and not more than 1.50 percent, beginning January 1, 2019.
- For retirements on or after January 1, 2024, the first benefit increase is delayed until the retiree reaches normal retirement age; does not apply to the Rule of 90 retirees, disability benefit recipients, or survivors.
- Actuarial equivalent factors were updated to reflect revised mortality and interest assumptions.

2017

- The Combined Service Annuity (CSA) loads were changed from 0.80 percent for active members and 60 percent for vested and non-vested deferred members (30 percent for deferred Minneapolis Employees Retirement Fund members). The revised CSA loads are now 0.00 percent for active member liability, 15 percent for vested deferred member liability, and 3.00 percent for non-vested deferred member liability.
- The assumed post-retirement benefit increase rate was changed from 1.00 percent per year for all years to 1.00 percent per year through 2044 and 2.50 percent per year thereafter.
- Minneapolis Employees Retirement Fund plan provisions change the employer supplemental contribution to \$21 million in calendar years 2017 and 2018 and returns to \$31 million through calendar year 2031. The state's required contribution is \$16 million in PERA's fiscal years 2018 and 2019 and returns to \$6 million annually through calendar year 2031.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER
DULUTH, MINNESOTA**

3. Defined Benefit Pension Plan – Changes in Significant Plan Provisions, Actuarial Methods, and Assumptions (Continued)

2016

- The assumed post-retirement benefit increase rate was changed from 1.00 percent per year through 2035 and 2.50 percent per year thereafter, to 1.00 percent for all future years.
- The assumed investment rate was changed from 7.90 percent to 7.50 percent. The single discount rate was also changed from 7.90 percent to 7.50 percent.
- Other assumptions were changed pursuant to the experience study dated June 30, 2015. The assumed payroll growth and inflation were decreased by 0.25 percent. Payroll growth was reduced from 3.50 percent to 3.25 percent. Inflation was reduced from 2.75 percent to 2.50 percent.

This page was left blank intentionally.



JULIE BLAHA
STATE AUDITOR

STATE OF MINNESOTA OFFICE OF THE STATE AUDITOR

SUITE 500
525 PARK STREET
SAINT PAUL, MN 55103-2139

(651) 296-2551 (Voice)
(651) 296-4755 (Fax)
state.auditor@state.mn.us (E-mail)
1-800-627-3529 (Relay Service)

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Independent Auditor's Report

Mayor and City Council
City of Duluth, Minnesota

Board of Directors
Duluth Entertainment and Convention Center
Authority
Duluth, Minnesota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Duluth Entertainment and Convention Center Authority, a component unit of the City of Duluth, Minnesota, as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements, and have issued our report thereon dated May 20, 2020.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Duluth Entertainment and Convention Center Authority's internal control over financial reporting to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control over financial reporting.

A deficiency in internal control over financial reporting exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control over financial reporting such that there is a reasonable possibility that a material misstatement of the Authority's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or combination of deficiencies, in internal control over financial reporting that is less severe than a material weakness, yet important enough to merit the attention of those charged with governance.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Duluth Entertainment and Convention Center Authority's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Minnesota Legal Compliance

In connection with our audit, nothing came to our attention that caused us to believe that the Duluth Entertainment and Convention Center Authority failed to comply with the provisions of the contracting and bidding, deposits and investments, conflicts of interest, public indebtedness, claims and disbursements, and miscellaneous provisions sections of the *Minnesota Legal Compliance Audit Guide for Cities*, promulgated by the State Auditor pursuant to Minn. Stat. § 6.65, insofar as they relate to accounting matters, except as described in the Schedule of Findings and Recommendations as item 2019-001. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the Authority's noncompliance with the above referenced provisions, insofar as they relate to accounting matters.

Duluth Entertainment and Convention Center Authority's Response to Finding

The Duluth Entertainment and Convention Center Authority's response to the legal compliance finding identified in our audit is described in the Corrective Action Plan. The Authority's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control over financial reporting, compliance, and the provisions of the *Minnesota Legal Compliance Audit Guide for Cities* and the results of that testing, and not to provide an opinion on the effectiveness of the Authority's internal control over financial reporting or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Authority's internal control over financial reporting and compliance. Accordingly, this communication is not suitable for any other purpose.

/s/Julie Blaha

JULIE BLAHA
STATE AUDITOR

/s/Greg Hierlinger

GREG HIERLINGER, CPA
DEPUTY STATE AUDITOR

May 20, 2020

This page was left blank intentionally.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

**SCHEDULE OF FINDINGS AND RECOMMENDATIONS
FOR THE YEAR ENDED DECEMBER 31, 2019**

**I. FINDINGS RELATED TO FINANCIAL STATEMENTS AUDITED IN
ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

None.

II. OTHER FINDINGS AND RECOMMENDATIONS

MINNESOTA LEGAL COMPLIANCE

Finding Number: 2019-001

Prior Year Finding Number: N/A

Repeat Finding Since: N/A

Contracting and Bidding Compliance

Criteria: Minnesota statutes contain requirements for the contracting and bidding processes used by local governments.

Condition: During testing of compliance with the State of Minnesota contracting and bidding laws, noncompliance with the following requirements was noted:

- Withholding Affidavit for Contractors (IC-134): Referring to the withholding of income taxes by the contractor or subcontractor, Minn. Stat. § 270C.66 states that, “No . . . political or governmental subdivision of the state shall make final settlement with any contractor under a contract requiring the employment of employees for wages by said contractor and by subcontractors until satisfactory showing is made that said contractor or subcontractor has complied with the provisions of section 290.92.” For the contract tested that included the employment of individuals for wages by the contractor and where final payment had been made, the final payment was issued prior to receiving a Minnesota Department of Revenue approved Form IC-134, which requires the reporting of employee withholdings, from the contractor.

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

**SCHEDULE OF FINDINGS AND RECOMMENDATIONS (CONTINUED)
FOR THE YEAR ENDED DECEMBER 31, 2019**

- **Contractor's Performance and Payment Bond:** During 2019, Minn. Stat. § 574.26 required contractors doing public work to give both a performance bond and a payment bond in an amount not less than the contract price if the contract is more than \$175,000. For the contract tested, the Duluth Entertainment and Convention Center Authority could not provide evidence showing it received a performance bond or a payment bond. The contract totaled \$440,630.
- **Contract Language:** Minnesota Statute § 471.425, subd. 4a, requires that each contract of a municipality must require the prime contractor to pay any subcontractor within ten days of the prime contractor's receipt of payment from the municipality for undisputed services provided by the subcontractor. The contract must require the prime contractor to pay interest of one and one-half percent per month, or any part of a month, to the subcontractor on any undisputed amount not paid on time to the subcontractor. The contract tested did not contain this language.

Context: The Authority relied on a Project Engineer to manage the SS William A. Irvin's restoration project on its behalf. However, the Authority is ultimately responsible to verify that all legal requirements relating to contracting and bidding have been met.

Effect: Noncompliance with Minn. Stat. §§ 270C.66, 574.26, and 471.425.

Cause: The IC-134 was not obtained prior to final payment due to the Project Engineer being unaware of the requirements of Minn. Stat. § 270C.66. The requirement for performance and payments bonds was initially included in the contract, but was removed due to the additional costs that would be incurred if the contractor were to provide the bonds. The language required by Minn. Stat. § 471.425, subd. 4a, was left out of the contract due to an error made during the contract's preparation.

Recommendation: We recommend the Authority implement procedures to ensure that contracting and bidding is performed in accordance with applicable statutes for all future contracts.

View of Responsible Official: Acknowledge and concur

**DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

**SCHEDULE OF FINDINGS AND RECOMMENDATIONS (CONTINUED)
FOR THE YEAR ENDED DECEMBER 31, 2019**

III. PREVIOUSLY REPORTED ITEM RESOLVED

2017-001 Credit Card Policy and Procedures

This page was left blank intentionally.



REPRESENTATION OF DULUTH ENTERTAINMENT AND
CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA

CORRECTIVE ACTION PLAN
FOR THE YEAR ENDED DECEMBER 31, 2019

Finding Number: 2019-001

Finding Title: Contracting and Bidding Compliance

Name of Contact Person Responsible for Corrective Action:

Chelly Townsend, Executive Director

Corrective Action Planned:

The Authority will create a list of procedures and requirements to use to verify that future contracts comply with state statutes regarding contracting and bidding.

Anticipated Completion Date:

December 2020

This page was left blank intentionally.



**REPRESENTATION OF DULUTH ENTERTAINMENT AND
CONVENTION CENTER AUTHORITY
DULUTH, MINNESOTA**

**SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
FOR THE YEAR ENDED DECEMBER 31, 2019**

Finding Number: 2017-001

Finding Title: Credit Card Policy and Procedures

Summary of Condition: During the testing of four monthly credit card statements, seven purchases were found that did not have proper supporting documentation. Six of the seven purchases were made before the Authority's Board-approved credit card policy in November 2018, and one was made after the policy was approved.

Summary of Corrective Action Previously Reported: In November 2018, the Board of Directors adopted a credit card policy. All authorized credit card users were provided a copy of the policy and signed an acknowledgement letter that they read the policy.

Status: Fully Corrected. A credit card policy was approved by the board in November 2018 and was fully implemented in 2019.

Was corrective action taken significantly different than the action previously reported?

Yes _____ No X