

**MEMORANDUM OF UNDERSTANDING REGARDING THE  
PRESERVATION OF THE LEVEL OF SERVICES IN THE  
DOWNTOWN WATERFRONT SPECIAL SERVICE DISTRICT**

This Memorandum of Understanding Regarding the Preservation of the Level of Services in the Downtown Waterfront Special Service District (“Memorandum”) is made by and between the Greater Downtown Council, a non-profit Minnesota corporation and civic organization, d/b/a Downtown Duluth (“Downtown Duluth”) and the City of Duluth, a Minnesota municipal corporation (“City”) and is effective as of January 1, 2025.

**RECITALS**

A. The City has received a petition (the “Petition”) from property owners in the Downtown Waterfront who want to improve the safety, cleanliness, and economic vitality of the Downtown Waterfront area by establishing a Special Service District in accordance with Minn. Stat. §§ 428A.01-428A.101 (the “Act”). The Petition has been signed by owners of more than 50 percent of the net tax capacity of property that will be subject to service charges and by owners of more than 25 percent of the land area of property that will be subject to service charges.

B. The City Council, by Ordinance Number 9688, adopted on September 13, 2004, established a district pursuant to the Act and also, by Resolution Number 04-0595R, adopted on September 13, 2004, assessed service charges (“Service Charges”) against certain property within that district on the basis of net tax capacity.

C. The City Council renewed the District in 2009, 2014 and 2019, as well as expanded the boundary of the District in 2019.

D. The City Council, by Ordinance Number 24-042-O adopted on October 15, 2024, reestablished the district (the “District”) from January 1, 2025 through December 31, 2027, and, by Resolution No. 24-0742R adopted on October 15, 2024, imposed new Service Charges.

E. Minn. Stat. § 428A.01, subd. 3, provides that “special services” may not include a service that is ordinarily provided throughout the City from general fund revenues of the City unless an increased level of the service is provided in the Special Service District. In addition, Minn. Stat. § 428A.03, subd. 1, provides that service charges may not be imposed to finance a special service if the service is ordinarily provided by the City from its general fund revenues unless the service is provided in the district at an increased level.

F. The purpose of this Memorandum is to set forth the existing level of City services being provided within the District and to obtain City’s agreement not to decrease the level of services being provided in the District except to the extent that a similar decrease in services is being imposed throughout the City.

**UNDERSTANDINGS**

1. Attached hereto as **Exhibit A** is a description of the municipal services City is currently providing within the Special Service District (the “Established Level of Services”).

2. City agrees that it will not reduce services to the District below the Established Level of Services except where there is a proportionate reduction in services throughout the City.

**GREATER DOWNTOWN COUNCIL**

**CITY OF DULUTH**

By: \_\_\_\_\_  
Its: President

By: \_\_\_\_\_  
Its: Mayor

Attest:

By: \_\_\_\_\_  
Its: City Clerk

Countersigned:

By: \_\_\_\_\_  
Its: City Auditor

Approved as to form:

By: \_\_\_\_\_  
Its: City Attorney

**EXHIBIT A**

## Exhibit A.

### SPECIAL SERVICE DISTRICT - CITY SERVICES

AREA	SERVICE	SERVICE PERIOD	FREQUENCY	COMMENTS	
STREETS	Plowing	10/1-4/30	As Needed		
	Snow Removal	10/1-4/30	As Needed		
	Ice Control	10/1-4/30	As Needed		
	Street Sweeping	4/1-10-1	As Needed	Weather Permitting	
	Pothole Patching		As Needed		
	Street Painting - Long Line	5/1 - 9/1	1-2/year	Weather Permitting	
	Cross Walk Painting/Parking Stall	5/1 - 9/1	1/year	Weather Permitting	
	Traffic Signs	All Year	As Needed	Work Orders and Routine	
	Street Signs	All Year	As Needed	Work Orders and Routine	
	Parking Meters	All Year	As Needed	Regular Collection, Work Orders	
	Clean Catch Basins		As Needed		
	Write Parking Tickets		As Needed		
	Assist Utilities		As Needed	Water Breaks, Ice Cutting	
	Skywalk Lights		1/year	Bulb Replacement and Major Repairs	
SIDEWALKS	Sidewalk Sweeping	Spring	1/year	Spring Clean-Up	
	Snow Removal		As Needed	Clearing Crosswalk, Canal Park and Viaducts	
	Snow Shoveling		As Needed	Clearing Crosswalk, Canal Park and Viaducts	
	Trash Pick-Up	All Year	As Needed	Servicing one can by Wm. A. Irvin	
	Bench Maintenance	All Year	As Needed		
	Plant Maintenance	All Year	Weekly	Pruning, Weeding and Planting - we no longer do maintenance on center island teardrops and parking lots in Canal Park.	
	Mowing				
	Boulevard Tree Maintenance	All Year	As Needed		
	Graffiti Removal	All Year	As Needed		
	Bollard Maintenance		As Needed		
	Concrete Planters - Plant/Move/Store	Spring & Fall	2/year		
	Trees - Pruning, Removal, Planting	All Year	As Needed	Set out and remove planters. Built-in planter on Superior St. annually in spring	
	Plant Maintenance	All Year	Weekly		
	Mowing		Weekly	Trees, flowers, shrubs	
Plowing		As Needed	Pruning, Weeding and Planting		
5TH AVENUE WEST	Snow Removal		As Needed		
	Sweeping	5/15 - 11/15	Mon - Wed - Fri	Regular Collection, Work Orders	
	Clean Catch Basins		As Needed	Weather Permitting	
	Pothole Patching		As Needed	Weather Permitting	
	BAYFRONT	Snow Plowing		As Needed	Work Orders and Routine
		Snow Removal		As Needed	Work Orders and Routine
		Patching		As Needed	Provide water access - May-Sept. as needed.
		Sweeping		As Needed	
		Clean Catch Basins			
		Parking Meters	All Year	4/month	
		Street Painting - Long Line	5/1 -11/1	1-2/year	
		Cross Walk Painting/Parking Stall	5/1 - 11/1	1/year	
		Traffic Signs	All Year	As Needed	
		Street Signs	All Year	As Needed	
Bollard Maintenance			As Needed		
Flower Gardens			Weekly		
Playground Maintenance		All Year	As Needed		
Maintain Bathrooms		All Year	Daily		
Graffiti Removal	All Year	As Needed			
Garbage Pick-Up (Cans/Dumpsters)	May - September	5/week & 2/week			
Litter Pick-Up	May - September	Daily			
Grass Cutting		Weekly			
Maintain Irrigation Systems	May - September				
Trees - Planting, Pruning, Removal	All Year	As Needed			
Picnic Table Maintenance	All Year	As Needed			

Bench Maintenance		As Needed
BBQ Grill Maintenance		As Needed
Boardwalk Maintenance	All Year	As Needed
Skating Rink Maintenance		As Needed
Mutt Mitts	All Year	As Needed
Grade Parking Lot		As Needed
Gravel Parking Lot		As Needed
Animal Control	May - September	As Needed
Washout Repairs		As Needed

Gichi-ode' Akiing, Sisters  
Cities Park,  
Lakewalk/Carriage Trail

Sweeping	May - September	1-2/week
Snow Shoveling		As Needed
Flower Gardens		Daily
Graffiti Removal	All Year	As Needed
Garbage Pick-Up (Cans/Dumpsters)	All Year	Daily
Litter Pick-Up	May - September	Daily
Grass Cutting		Weekly
Maintain Irrigation Systems	May - September	Daily
Trees - Pruning and Removal	All Year	As Needed
Picnic Table Maintenance	All Year	As Needed
Bench Maintenance		As Needed
Boardwalk Maintenance	All Year	As Needed
Grade Carriage Trail		As Needed
Gravel Carriage Trail		As Needed
Storm Clean-Up		As Needed
Maintain Bathrooms	All Year	Daily
Washout Repairs		As Needed

In park spaces, Lakewalk and carriage trail.

Special Events

Gichi-ode' Akiing	May - September	As Needed
Bayfront Festival Park	May - September	As Needed
Lake Superior Plaza West	May - September	As Needed
Lakewalk	All Year	As Needed
Cold Front	January	As Needed
Race Events	All Year	As Needed
Sisters Cities Park	May - September	As Needed

Sweep, flush, post signs, barricades & cones, planters, permitting  
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Sweep, flush, post signs, barricades & cones, planters, permitting  
Set-up, permitting  
Sweep, flush, post signs, barricades & cones, planters, permitting  
Sweep, flush, post signs, barricades & cones, planters, permitting



# MEMO

September 6, 2024

TO: David Montgomery, CAO

FR: Mike Ceynowa, Chief of Police

RE: Current Special Service District Police Services

The Police Department provides many services in the area identified by the Greater Downtown Council as the Special Service District. This area is part of two distinct policing districts in the city, including Police District 26 and 27. The following services have been identified as baseline services provided by the Department in that area.

### **District Stations**

- Duluth Transit Center

### **Patrol District**

Five – six police officers patrol the special service district 24 hours per day, seven days per week. These officers' primary duties involve response to calls for service in that area. They also provide proactive enforcement of events occurring in their presence and/or identified by district community-oriented policing officers.

One patrol lieutenant and three police sergeants supervise police activities in each of these police districts and respond as needed to these areas 24 hours per day, seven days per week.

From June – early September, four bike patrol officers cover the downtown and Canal Park areas. Bike patrol is also supplemented with additional overtime staff and are a visual presence every day of the week.

### **Community Engagement – Problem Oriented Policing Unit (CE-POP)**

Our COP Unit underwent a few changes this year. We now have one area commander and three sergeants who direct the work of three problem-oriented police officers, HRA officer, a life safety officer, four school resource officers, and our behavioral health unit. These officers work to reduce or eliminate habitual or predictable problem incidents and offenders. One sergeant and two officers work the service district out of the DTC along with four civilian peer recovery specialists and two licensed social workers. An additional two CE-POP officers work in this district as well. One is assigned to the downtown area, while the other one is assigned to the DTA.

### **Behavioral Health Unit**

Our Behavioral Health Unit combines our Core and SURT Teams to provide cohesive support for those in need.

The CORE Team consists of two embedded social workers, one funded through St. Louis County Health and Human Services and the other by the Human Development Center, who partner with two sworn officers. This unit works to



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reduce calls for service involving the police department and partner agencies by providing those experiencing mental health crises with immediate services. Immediate responses also help to improve the quality of life for these individuals.

The Substance Use Response Team consists of four peer recovery specialist who make contacts with those folks experiencing substance use disorder. They work with individuals where they are and provide information and ways to access recovery services. They also provide comprehensive assessments within 24-hours of referral.

## **Investigative Support Services**

Investigators from the Department's investigative unit provide follow up investigation on crimes as needed or requested including:

- Violent crimes - including all death investigations, robbery, physical assaults, sexual assaults, firearms crimes, and crimes involving terroristic threats
- Family crimes - including domestic assault, child abuse and neglect, and child sexual abuse
- Drug crimes
- Property crimes
- Financial crimes
- Crime scene investigations on all major crimes

## **Special Events**

The area commander, one police sergeant, and one police officer spend **25%** of their time planning, coordinating, and executing special events occurring in the special service district. Some of these events include:

- Grandma's Marathon
- In-line skating marathon
- Several running races
- Downtown sidewalk days
- Christmas City of the North parade
- Street dances and parades
- Bentleyville
- Kids, Cops and Cars
- Bayfront events
- DECC events
- Boo at the Zoo
- Dignitary protection
- Other community and city sponsored events

The Department hires police officers on an overtime basis to staff these events.

## **Parking Services**

The parking services division serves to enhance public safety and fair, consistent parking access through parking education and enforcement. Parking services employs six full-time parking services agents working primarily Monday – Friday, but with some evening and weekend duty as needed. Currently the parking manager works closely with the downtown officer. The parking services division are dispatched via 911 and other sources to respond to parking and related items on an as-needed basis. Parking services agents look for concerns such as parking within mandated setback



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distances from crosswalks, driveways, and traffic control devices, abuse of ADA-signed parking zones, expired meters and time limit violations, alternate side parking, and expired license plates. Parking services agents also devote time to maintenance and administration of the city's various permit systems, public outreach efforts, parking studies, and recommendations for improvement to Duluth's public parking system.

Please let me know if you have any questions.