

Council Agenda Item 26-0466R



MEETING DATE: May 26, 2026

SUBJECT/TITLE: RESOLUTION AUTHORIZING LICENSE AGREEMENT WITH THE DULUTH SEAWAY PORT AUTHORITY FOR THE TEMPORARY USE OF PROPERTY ON RICE'S POINT TO MAKE CERTAIN IMPROVEMENTS ON LIFT STATION 40, AT NO COST TO THE CITY.

SUBMITTED BY: Danielle Erjavec, Senior Property Services Specialist

RECOMMENDATION: Approve

BOARD/COMMISSION/COMMITTEE RECOMMENDATION: N/A

PREVIOUS COUNCIL ACTIONS: 26-0090 – RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH FOR THE LIFT STATION 3, 27, AND 40 IMPROVEMENTS PROJECT IN THE AMOUNT OF \$1,149,200.00

BACKGROUND: This resolution authorizes a license agreement, substantially the same as the agreement attached as Exhibit 1, with the Duluth Seaway Port Authority for the temporary use of certain real property on Rice's Point for a project to make improvements on Lift Station 40, at no cost to the city. Improvements constructed as part of the project include the following: modifications to the existing site, along with new structures, pumps, electrical controls, and internal piping while improving the reliability of the sanitary system for which they serve.

DSPA turned over Lift Station 40 to the City in the 1980s and it has been operated as part of the City's sanitary sewer system, but no easement was granted for the infrastructure nor access to the site. As part of the project, the City will survey the lift station and related infrastructure and seek an easement to formalize the City and public's rights. DSPA is willing to grant this license to the City so that we can complete the project as long as the City indemnifies DSPA. Upon completion of the project, the City will restore DSPA's property to its prior equivalent.

The property subject to the license agreement is depicted on Exhibit B attached to Exhibit 1. The plans and specs for the project will be attached to the license agreement as Exhibit A at the time of execution, but are intentionally omitted from the license attached to this resolution due to file size.

BUDGET/FISCAL IMPACT: None

OPTIONS: Authorize license agreement or the City will be unable to complete the project to Lift Station 40

RESOLUTION AUTHORIZING LICENSE AGREEMENT WITH THE DULUTH SEAWAY PORT AUTHORITY FOR THE TEMPORARY USE OF PROPERTY ON RICE'S POINT TO MAKE CERTAIN IMPROVEMENTS ON LIFT STATION 40, AT NO COST TO THE CITY.

NECESSARY ACTION: Approve resolution

ATTACHMENTS: Exhibit I, License Agreement