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Title: RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH ENTERTAINMENT CONVENTION CENTER AUTHORITY (DECC) TO DOCUMENT THE CITY AND DECC'S OBLIGATIONS TO TEMPORARILY MOVE THE WILLIAM A. IRVIN.

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Attachments: 1. Exhibit A

Date	Ver.	Action By	Action	Result
6/11/2018	1	City Council	adopted	

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH ENTERTAINMENT CONVENTION CENTER AUTHORITY (DECC) TO DOCUMENT THE CITY AND DECC'S OBLIGATIONS TO TEMPORARILY MOVE THE *WILLIAM A. IRVIN*.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to execute an agreement, substantially in the form attached as Exhibit A, with the Duluth Entertainment Convention Center Authority (DECC) outlining the City and DECC's obligations to temporarily move the *Steamship William A. Irvin* from the Minnesota Slip.

STATEMENT OF PURPOSE: This resolution authorizes the execution of an agreement with the Duluth Entertainment Convention Center Authority (DECC) outlining the City and DECC's obligations to temporarily move the *Steamship William A. Irvin* (the "Ship") from the Minnesota Slip.

The City has undertaken a project to, among other things, reconstruct a portion of the seawall within the Minnesota Slip (the "Reconstruction Project"). The Ship needs to be temporarily relocated from the Minnesota Slip during a portion of the Reconstruction Project, and the City and the DECC have agreed to jointly fund the costs associated with the movement of the Ship.

The City's obligations in relation to movement of the Ship include:

- a. providing complete project management services, including convening an expert technical working group to develop and implement the plan to move the Ship;
- b. bidding, holding and managing all contracts;
- c. obtaining all necessary permits and licenses;
- d. paying for one-half of the relocation costs to the extent that said costs do not exceed \$600,000;
- e. in the event the relocation costs exceed \$600,000, paying one hundred percent of the relocation costs in excess of \$600,000;
- f. providing DECC copies of contracts and monthly updates on expenditures of the relocation costs;
- g. when the relocation costs have been fully incurred, submitting an invoice to DECC for reimbursement of DECC's portion of the relocation costs; and

- h. ensuring that the insurance required by the agreement is in place at all times when the Ship is being moved by the City.

Under the terms of the agreement, the City is not responsible for the condition of the Ship or for any repairs necessary to put the Ship into a condition that will allow it to be safely moved.

The City's financial obligations under this agreement are authorized under Resolution No. 18-0457.