

156.20

**ARTICLE 6**

156.21

**LOCAL GOVERNMENT POLICY**

156.22 Section 1. **[13D.001] DEFINITIONS.**

ADOPTED IN HF820 ON 4/29/21

156.23 Subdivision 1. **Applicability.** For the purposes of this chapter, the terms defined in this  
156.24 section have the meanings given.

156.25 Subd. 2. **Interactive technology.** "Interactive technology" means a device, software  
156.26 program, or other application that allows individuals in different physical locations to see  
156.27 and hear one another.

157.1 Sec. 2. Minnesota Statutes 2020, section 13D.01, subdivision 4, is amended to read:

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157.2 Subd. 4. **Votes to be kept in journal.** (a) The votes of the members of the state agency,  
157.3 board, commission, or department; or of the governing body, committee, subcommittee,  
157.4 board, department, or commission on an action taken in a meeting required by this section  
157.5 to be open to the public must be recorded in a journal kept for that purpose or minutes.

157.6 (b) The vote of each member must be recorded on each appropriation of money, except  
157.7 for payments of judgments, claims, and amounts fixed by statute.

157.8 Sec. 3. Minnesota Statutes 2020, section 13D.01, subdivision 5, is amended to read:

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157.9 Subd. 5. **Public access to journal.** The journal or any minutes used to record votes of  
157.10 a meeting subject to this chapter must be open to the public during all normal business hours  
157.11 where records of the public body are kept.

157.12 Sec. 4. Minnesota Statutes 2020, section 13D.015, is amended to read:

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157.13 **13D.015 STATE ENTITY MEETINGS BY TELEPHONE OR ~~OTHER~~**  
157.14 **ELECTRONIC MEANS INTERACTIVE TECHNOLOGY.**

157.15 Subdivision 1. **Application.** This section applies to:

157.16 (1) a state agency, board, commission, or department, and a statewide public pension  
157.17 plan defined in section 356A.01, subdivision 24; and

157.18 (2) a committee, subcommittee, board, department, or commission of an entity listed in  
157.19 clause (1).

157.20 Subd. 2. **Conditions.** An entity listed in subdivision 1 may conduct a meeting governed  
157.21 by this section and section 13D.01, subdivisions 1, 2, 4, and 5, by telephone or ~~other~~  
157.22 ~~electronic means~~ interactive technology so long as the following conditions are met:

157.23 (1) all members of the entity participating in the meeting, wherever their physical location,  
157.24 can hear one another and can hear all discussion and testimony;

157.25 (2) members of the public present at the regular meeting location of the entity can hear  
157.26 all discussion and all votes of members of the entity and participate in testimony;

157.27 (3) at least one member of the entity is physically present at the regular meeting location;  
157.28 and

157.29 (4) all votes are conducted by roll call, so each member's vote on each issue can be  
157.30 identified and recorded.

158.1 Subd. 3. **Quorum; participation.** Each member of the entity participating in a meeting  
158.2 by telephone or ~~other electronic means~~ interactive technology is considered present at the  
158.3 meeting for purposes of determining a quorum and participating in all proceedings.

158.4 Subd. 4. **Monitoring from remote site; costs.** If telephone or ~~another electronic means~~  
158.5 interactive technology is used to conduct a meeting, the entity, to the extent practical, shall  
158.6 allow a person to monitor the meeting electronically from a remote location. ~~The entity may~~  
158.7 ~~require the person making a connection to pay for documented marginal costs that the entity~~  
158.8 ~~incurs as a result of the additional connection.~~

158.9 Subd. 5. **Notice.** If telephone or ~~another electronic means~~ interactive technology is used  
158.10 to conduct a regular, special, or emergency meeting, the entity shall provide notice of the  
158.11 regular meeting location, of the fact that some members may participate by ~~electronic means~~  
158.12 interactive technology, and of the provisions of subdivision 4. The timing and method of  
158.13 providing notice is governed by section 13D.04. In addition, the entity must post the notice  
158.14 on its website at least ten days before any regular meeting as defined in section 13D.04,  
158.15 subdivision 1.

158.16 Sec. 5. Minnesota Statutes 2020, section 13D.02, is amended to read:

158.17 **13D.02 OTHER ENTITY MEETINGS CONDUCTED BY INTERACTIVE TV;**  
158.18 **CONDITIONS TECHNOLOGY.**

158.19 Subdivision 1. **Conditions.** (a) A meeting governed by section 13D.01, subdivisions 1,  
158.20 2, 4, and 5, and this section may be conducted by interactive ~~television~~ technology so long  
158.21 as:

158.22 (1) all members of the body participating in the meeting, wherever their physical location,  
158.23 can hear and see one another and can hear and see all discussion and testimony presented  
158.24 at any location at which at least one member is present;

158.25 (2) members of the public present at the regular meeting location of the body can hear  
158.26 and see all discussion and testimony and all votes of members of the body;

158.27 (3) at least one member of the body is physically present at the regular meeting location;

158.28 (4) all votes are conducted by roll call so each member's vote on each issue can be  
158.29 identified and recorded; and

ADOPTED IN HF820 ON 4/29/21

158.30 (5) each location at which a member of the body is present is open and accessible to the  
158.31 public.

159.1 (b) A meeting satisfies the requirements of paragraph (a), although a member of the  
159.2 public body participates from a location that is not open or accessible to the public, if the  
159.3 member has not participated more than three times in a calendar year from a location that  
159.4 is not open or accessible to the public, and:

159.5 (1) the member is serving in the military and is at a required drill, deployed, or on active  
159.6 duty; or

159.7 (2) the member has been advised by a health care professional against being in a public  
159.8 place for personal or family medical reasons. This clause only applies when a state of  
159.9 emergency has been declared under section 12.31, and expires 60 days after the removal of  
159.10 the state of emergency.

159.11 Subd. 1a. **Meeting exception.** This section applies to meetings of entities described in  
159.12 section 13D.01, subdivision 1, except meetings of:

159.13 (1) a state agency, board, commission, or department and a statewide public pension  
159.14 plan defined in section 356A.01, subdivision 24; and

159.15 (2) a committee, subcommittee, board, department, or commission of an entity listed in  
159.16 clause (1).

159.17 Subd. 2. **Members are present for quorum, participation.** Each member of a body  
159.18 participating in a meeting by interactive ~~television~~ technology is considered present at the  
159.19 meeting for purposes of determining a quorum and participating in all proceedings.

159.20 Subd. 3. **Monitoring from remote site; costs.** If interactive ~~television~~ technology is  
159.21 used to conduct a meeting, to the extent practical, a public body shall allow a person to  
159.22 monitor the meeting electronically from a remote location. ~~The body may require the person~~  
159.23 ~~making such a connection to pay for documented marginal costs that the public body incurs~~  
159.24 ~~as a result of the additional connection.~~

159.25 Subd. 4. **Notice of regular and all member sites.** If interactive ~~television~~ technology  
159.26 is used to conduct a regular, special, or emergency meeting, the public body shall provide  
159.27 notice of the regular meeting location and notice of any site where a member of the public  
159.28 body will be participating in the meeting by interactive ~~television~~ technology. The timing  
159.29 and method of providing notice must be as described in section 13D.04.

159.30 Subd. 5. **School boards; interactive technology with an audio and visual link.** A  
159.31 school board conducting a meeting under this section may use interactive technology with  
159.32 an audio and visual link to conduct the meeting if the school board complies with all other  
159.33 requirements under this section.

160.1 Subd. 6. **Record.** The minutes for a meeting conducted under this section must reflect  
160.2 the names of any members appearing by interactive television technology and state the  
160.3 reason or reasons for the appearance by interactive television technology.

160.4 Sec. 6. Minnesota Statutes 2020, section 13D.021, is amended to read:

160.5 **13D.021 MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS;**  
160.6 **CONDITIONS DURING PANDEMIC OR CHAPTER 12 EMERGENCY.**

160.7 Subdivision 1. **Conditions.** A meeting governed by this section and section 13D.01,  
160.8 subdivisions 1, 2, 4, and 5, may be conducted by telephone or ~~other electronic means~~  
160.9 interactive technology so long as the following conditions are met:

160.10 (1) the presiding officer, chief legal counsel, or chief administrative officer for the  
160.11 affected governing body determines that an in-person meeting or a meeting conducted under  
160.12 section 13D.015 or 13D.02 is not practical or prudent because of a health pandemic or an  
160.13 emergency declared under chapter 12;

160.14 (2) all members of the body participating in the meeting, wherever their physical location,  
160.15 can hear one another and can hear all discussion and testimony;

160.16 (3) members of the public present at the regular meeting location of the body can hear  
160.17 all discussion and testimony and all votes of the members of the body, unless attendance at  
160.18 the regular meeting location is not feasible due to the health pandemic or emergency  
160.19 declaration;

160.20 (4) at least one member of the body, chief legal counsel, or chief administrative officer  
160.21 is physically present at the regular meeting location, unless unfeasible due to the health  
160.22 pandemic or emergency declaration; and

160.23 (5) all votes are conducted by roll call, so each member's vote on each issue can be  
160.24 identified and recorded.

160.25 Subd. 2. **Members are present for quorum, participation.** Each member of the body  
160.26 participating in a meeting by telephone or ~~other electronic means~~ interactive technology is  
160.27 considered present at the meeting for purposes of determining a quorum and participating  
160.28 in all proceedings.

160.29 Subd. 3. **Monitoring from remote sites; costs.** If telephone or ~~another electronic means~~  
160.30 interactive technology is used to conduct a meeting, to the extent practical, the body shall  
160.31 allow a person to monitor the meeting electronically from a remote location. ~~The body may~~  
161.1 ~~require the person making a connection to pay for the documented additional cost that the~~  
161.2 ~~body incurs as a result of the additional connection.~~

161.3 Subd. 4. **Notice of regular and all member sites.** If telephone or ~~another electronic~~  
161.4 ~~means~~ interactive technology is used to conduct a regular, special, or emergency meeting,

ADOPTED IN HF820 ON 4/29/21

161.5 the public body shall provide notice of the regular meeting location, of the fact that some  
161.6 members may participate by telephone or ~~other electronic means~~ interactive technology,  
161.7 and of the provisions of subdivision 3. The timing and method of providing notice is governed  
161.8 by section 13D.04 of the ~~Open Meeting Law~~.

161.9 Subd. 5. **Public comment period during health pandemic or emergency.** If attendance  
161.10 at the regular meeting location is not feasible due to a health pandemic or emergency  
161.11 declaration and the public body offers a public comment period, members of the public  
161.12 shall be permitted to comment from a remote location during the public comment period  
161.13 of the meeting, to the extent practical.

161.14 Sec. 7. Minnesota Statutes 2020, section 462.358, is amended by adding a subdivision to  
161.15 read:

161.16 Subd. 2d. **Dedication fee; first class cities.** Notwithstanding subdivisions 2b and 2c,  
161.17 the city council or other chief governing body of a city of the first class, as defined in section  
161.18 410.01, may require that a reasonable portion of land be dedicated to the public or may  
161.19 impose a dedication fee in conjunction with the construction permit required for new housing  
161.20 units and new commercial and industrial development in the city, wherever located, for  
161.21 public parks, playgrounds, recreational facilities, wetlands, trails, or open space. The city  
161.22 council or other chief governing body of the city must enact an ordinance to impose a  
161.23 dedication of land or a dedication fee. The ordinance may exempt senior housing and  
161.24 affordable housing applicants from the dedication of land or the dedication fee requirements.  
161.25 The ordinance may set the cash fee based on current land prices at the time the permit is  
161.26 issued or set at a flat fee rate per net new residential unit or other standard basis for  
161.27 commercial and industrial property.

161.28 **EFFECTIVE DATE.** This section is effective for ordinances enacted on or after August  
161.29 1, 2021.

162.1 Sec. 8. Minnesota Statutes 2020, section 469.074, is amended by adding a subdivision to  
162.2 read:

162.3 Subd. 4. **Nonprofit corporation creation authority.** The Seaway Port Authority of  
162.4 Duluth may create a corporation as a nonprofit corporation under chapter 317A with the  
162.5 mission of furthering its goals and duties.

162.6 Sec. 9. Minnesota Statutes 2020, section 471.342, subdivision 1, is amended to read:

162.7 Subdivision 1. **City.** In this section, "city" means a home rule charter or statutory city,  
162.8 township, or any political subdivision of the state with statutory sewer ownership or  
162.9 operational responsibilities.

162.10 Sec. 10. Minnesota Statutes 2020, section 471.342, subdivision 4, is amended to read:

162.11 Subd. 4. **Program guidelines.** The city shall establish guidelines to govern the program.  
162.12 The guidelines shall establish criteria for program eligibility and standards for compliance

162.13 with the program. Prior to adoption of the program guidelines, the city council must conduct  
162.14 a public hearing on the proposed guidelines after giving at least ten days' published notice  
162.15 of the hearing.

162.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

162.17 Sec. 11. Minnesota Statutes 2020, section 471.345, subdivision 20, is amended to read:

162.18 Subd. 20. **Solicitations to small business enterprises or veteran-owned small**  
162.19 **businesses.** A contract, as defined in subdivision 2, estimated not to exceed \$250,000  
162.20 \$750,000 may be made pursuant to the provisions of subdivision 4 provided that a business  
162.21 that is directly solicited is: (1) certified as a small business enterprise by a county designated  
162.22 small business certification program; or (2) certified by the commissioner of administration  
162.23 as a small business that is majority-owned and operated by a veteran or a service-disabled  
162.24 veteran. This subdivision applies only to county boards.

162.25 Sec. 12. **[471.585] MUNICIPAL HOTEL LICENSING.**

162.26 (a) A statutory or home rule charter city or a town may adopt an ordinance requiring  
162.27 hotels operating within the boundaries of the city or town to have a valid license issued by  
162.28 the city or town. A fee for a license under this section may not exceed \$100.

163.1 (b) An ordinance adopted under this section is limited to requiring compliance with state  
163.2 and local laws as a condition of licensure. No other licensing conditions or requirements  
163.3 are permitted.

163.4 (c) A city or town that has adopted an ordinance under this section may refuse to issue  
163.5 a license, or may revoke an existing license, if the hotel fails to comply with the conditions  
163.6 of the license.

163.7 Sec. 13. Minnesota Statutes 2020, section 473.606, subdivision 5, is amended to read:

163.8 Subd. 5. **Employees, others, affirmative action; prevailing wage.** The corporation  
163.9 shall have the power to appoint engineers and other consultants, attorneys, and such other  
163.10 officers, agents, and employees as it may see fit, who shall perform such duties and receive  
163.11 such compensation as the corporation may determine notwithstanding the provisions of  
163.12 section 43A.17, subdivision 9, and be removable at the pleasure of the corporation. The  
163.13 corporation must adopt an affirmative action plan, which shall be submitted to the appropriate  
163.14 agency or office of the state for review and approval. The plan must include a yearly progress  
163.15 report to the agency or office. Whenever the corporation performs any work within the  
163.16 limits of a city of the first class, or establishes a minimum wage for skilled or unskilled  
163.17 labor in the specifications or any contract for work within one of the cities, the rate of pay  
163.18 to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that  
163.19 city.

163.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

163.21 Sec. 14. Laws 1963, chapter 305, section 2, as amended by Laws 1998, chapter 404,  
163.22 section 62, is amended to read:  
163.23 Sec. 2.

163.24 The authority created under this act shall consist of 11 directors, seven appointed by the  
163.25 city of Duluth and four appointed by the governor. The directors serve without compensation  
163.26 but may be reimbursed for authorized out-of-pocket expenses incurred in the fulfillment of  
163.27 their duties. The original term of three of the directors shall be for one year; the original  
163.28 term of two of the directors shall be for two years; and the original term of two of the  
163.29 directors shall be for three years, and until their respective successors are appointed and  
163.30 qualified. Subsequent terms of directors appointed by the city shall be for three years. All  
163.31 terms shall expire on June 30 of the appropriate year. Directors appointed by the governor  
163.32 serve at the pleasure of the governor. Whenever a vacancy on such authority shall occur by  
164.1 reason of resignation, death, removal from the city, or removal for failure or neglect to  
164.2 perform duties of a director, such vacancy shall be filled for the unexpired term. All  
164.3 appointments and removal of directors of the authority appointed by the city shall be made  
164.4 by the mayor, with the approval of the city council, evidenced by resolution. Every appointee  
164.5 who shall fail, within ten days after notification of his appointment, to file with the city  
164.6 clerk his the appointee's oath or affirmation to perform faithfully, honestly, and impartially  
164.7 the duties of his the office, shall be deemed to have refused such appointment, and thereupon  
164.8 another person shall be appointed in the manner prescribed in this section.

164.9 Sec. 15. Laws 1963, chapter 305, section 3, as amended by Laws 1998, chapter 404,  
164.10 section 63, is amended to read:  
164.11 Sec. 3.

164.12 Subdivision 1. Within 30 days after the members of the authority shall have qualified  
164.13 for office, the authority shall meet and organize, and adopt and thereafter may amend such  
164.14 rules and regulations for the conduct of the authority as the authority shall deem to be in  
164.15 the public interest and most likely to advance, enhance, foster, and promote the use of  
164.16 regional assets, the entertainment and convention center, and its facilities for activities,  
164.17 conventions, events, and athletic and cultural productions. Such rules and regulations shall  
164.18 at all times be in harmony with this act.

164.19 Subd. 2. Such directors shall elect from among their number a ~~president chair~~ and a  
164.20 ~~vice-president vice-chair~~, and shall also elect a treasurer or secretary ~~who may or may not~~  
164.21 ~~be a member of such authority, or both~~. No two of such offices may be held by one director.  
164.22 The officers shall have the duties and powers usually attendant upon such officers, and such  
164.23 other duties and powers not inconsistent herewith as may be provided by the authority.

164.24 Subd. 3. The authority shall select a specific site within the city of Duluth for location  
164.25 of a national class entertainment and convention center, and may spend money appropriated,  
164.26 or otherwise available to it for that purpose, to acquire property for the center and to plan,  
164.27 design, construct, equip, and furnish the center. The authority shall administer, promote,  
164.28 and operate the center as a state facility, but for which the state assumes no financial  
164.29 responsibility or liability beyond the amounts appropriated for the facility.

165.1 Sec. 16. Laws 1963, chapter 305, section 4, as amended by Laws 1998, chapter 404,  
165.2 section 64, is amended to read:  
165.3 Sec. 4.

165.4 Subdivision 1. The city treasurer of the city of Duluth shall be the ~~treasurer~~ fiscal agent  
165.5 of the authority. The ~~treasurer~~ fiscal agent shall receive and have the custody of all moneys  
165.6 of the authority from whatever source derived, and the same shall be deemed public funds.  
165.7 The ~~treasurer~~ city of Duluth shall disburse such funds only upon written orders drawn against  
165.8 such funds, signed by the manager and approved by the ~~president~~ chair, or in ~~his~~ the chair's  
165.9 absence, the ~~vice-president~~ vice-chair of such authority; and each order shall state the name  
165.10 of the payee and the nature of the claim for which the same is issued. The ~~treasurer~~ fiscal  
165.11 agent shall keep an account of all monies coming into ~~his~~ the fiscal agent's hands, showing  
165.12 the source of all receipts and the nature, purpose, and authority of all disbursements, and at  
165.13 least four times each year, at times and in a form to be determined by the city council, the  
165.14 authority shall file with the city clerk a financial statement of the authority, showing all  
165.15 receipts and disbursements, the nature of the same, the moneys on hand, and the purposes  
165.16 for which the same are applicable, the credits and assets of the authority, and its outstanding  
165.17 liabilities.

165.18 Subd. 2. The authority has the exclusive power to receive, control, and order the  
165.19 expenditure of any and all moneys and funds pertaining to the center operations.

165.20 Subd. 3. There are hereby created in the treasury of the city of Duluth a special  
165.21 entertainment and convention center fund, hereinafter referred to as the special fund, and  
165.22 an entertainment and convention center operating fund, hereinafter referred to as the operating  
165.23 fund. The moneys in the special fund shall be used solely for the acquisition and preparation  
165.24 of a site, and for the planning, construction, and equipping of the center. The special fund  
165.25 shall consist of:

165.26 (1) All moneys derived from the sale of bonds by the city to provide funds for the  
165.27 acquisition and preparation of a site, and for the planning, construction, and equipping of  
165.28 the center.

165.29 (2) All moneys appropriated or made available to the city of Duluth for the acquisition  
165.30 and preparation of a site, and for the planning, construction, and equipping of the center.

165.31 (3) The proceeds of all financial aid or assistance by the city or state governments for  
165.32 the acquisition and preparation of a site, and for the planning, construction, and equipping  
165.33 of the center.

166.1 (4) All moneys received from the United States of America to aid in the acquisition and  
166.2 preparation of a site, and for the planning, construction, and equipping of the center.

166.3 (5) All moneys received as gifts or contributions to the acquisition and preparation of a  
166.4 site, and for the planning, construction, and equipping of the center.

166.5 The operating fund shall be used for maintenance, marketing and promotion, operation,  
166.6 or betterment of the center, and for expenses of the authority. The operating fund shall  
166.7 consist of all moneys of the authority derived from any source other than moneys credited  
166.8 to the special fund as hereinabove provided.

166.9 Subd. 4. At least once in each year the city auditor shall make, or cause to be made, at  
166.10 the expense of the authority, a complete examination and audit of all books and accounts  
166.11 of the aforesaid authority; and for such purpose the city auditor shall have the authority and  
166.12 power to inspect and examine such books and accounts at any time during regular business  
166.13 hours and such intervals as ~~he may determine~~ determined by the city auditor. One copy of  
166.14 such yearly audit shall be filed by the city auditor with the city clerk as a public document.

166.15 Subd. 5. The authority shall annually submit to the governor and the legislature a report  
166.16 detailing its activities and finances for the previous year. The report shall also include a  
166.17 proposed budget for the succeeding two years, showing in reasonable detail estimated  
166.18 operating and nonoperating revenues from all sources, and estimated expenditures for  
166.19 operation, administration, ordinary repair, and debt service.

166.20 Subd. 6. The legislative auditor shall make an annual audit of the authority's books and  
166.21 accounts once each year or as often as the legislative auditor's funds and personnel permit.

166.22 Sec. 17. Laws 1963, chapter 305, section 5, as amended by Laws 1998, chapter 404,  
166.23 section 65, is amended to read:  
166.24 Sec. 5.

166.25 Subdivision 1. Wherever the word "center" is used in this act, it means the entertainment  
166.26 and convention center complex ~~of~~ and its facilities in the city of Duluth, including the land  
166.27 upon which it stands and land appurtenant thereto.

166.28 Subd. 2. Notwithstanding anything to the contrary contained in any law, or in the charter  
166.29 of the city of Duluth, or in any ordinance thereof, passed by the city council, or approved  
166.30 by the electors of the city, there is hereby conferred upon such authority the power and duty  
166.31 to contract for and superintend the erection, construction, equipping and furnishing of the  
167.1 center, and to administer, promote, control, direct, manage, and operate the center as a  
167.2 municipal facility.

167.3 Sec. 18. Laws 1963, chapter 305, section 8, as amended by Laws 1998, chapter 404,  
167.4 section 67, is amended to read:  
167.5 Sec. 8.

167.6 The authority shall have the power:

167.7 To adopt and alter all bylaws and rules and regulations which it shall from time to time  
167.8 deem best for the conduct of the business of the authority, and for the use of the facilities  
167.9 of the authority, and for the purposes of carrying out the objects of this act; but such bylaws,  
167.10 rules, and regulations shall not be in conflict with the terms of this act.

167.11 To appoint and remove a manager and such other employees as the authority may deem  
167.12 necessary, who shall not be within the civil service classifications of the city, and to prescribe  
167.13 the duties and fix the compensation and other benefits of such manager and employees,  
167.14 without regard to any provision contained in the charter or any ordinance of the city relating  
167.15 to civil service, or to any provision contained in Minnesota Statutes 1961, Sections 197.45  
167.16 to 197.47, inclusive.

167.17 To procure and provide for a policy or policies of insurance for the defense and  
167.18 indemnification of the city of Duluth, its officers and employees, and directors, manager,  
167.19 and employees of the authority, against claims arising against them out of the performance  
167.20 of duty, whether such claims be groundless, or otherwise. Premiums for any policies of  
167.21 insurance required by this act shall be paid for out of the funds of the entertainment  
167.22 convention center authority.

167.23 To implement and carry out the provisions of section 7 of this act.

167.24 To utilize the services and facilities of the city so far as the same are offered by  
167.25 appropriate city officials and accepted by the authority, and to pay the city for all charges  
167.26 and costs for such services.

167.27 To operate and maintain and to lease from others all facilities necessary or convenient  
167.28 in connection with the center and to contract for the operation and maintenance of any parts  
167.29 thereof or for services to be performed; to lease the whole or parts thereof, and grant  
167.30 concessions, all on such terms and conditions as the authority may determine.

168.1 To authorize and direct the city ~~treasurer~~ fiscal agent to invest, in the manner provided  
168.2 by law, any funds held in reserve, or sinking funds, or any funds not required for immediate  
168.3 disbursement.

168.4 To fix, alter, charge, and collect rates, fees, and all other charges to be made for all  
168.5 services or facilities furnished by the authority for the use of the center facilities by any  
168.6 persons or public or private agencies utilizing such services or facilities.

168.7 To make and execute contracts, agreements, instruments, and other arrangements  
168.8 necessary or convenient to the exercise of its powers.

168.9 Sec. 19. Laws 1963, chapter 305, section 9, as amended by Laws 1998, chapter 404,  
168.10 section 68, is amended to read:  
168.11 Sec. 9.

168.12 The manager of the center shall be responsible for the custody and control of all moneys  
168.13 received and collected from the daily operations of the center until such moneys are delivered  
168.14 to the city ~~treasurer~~ fiscal agent and ~~he~~ the fiscal agent shall have obtained a receipt therefor,  
168.15 or until such moneys are deposited in a bank account under control of the city ~~treasurer~~  
168.16 fiscal agent.

168.17 The manager shall give bond in favor of the city of Duluth in a sum equal to twice the  
168.18 amount of money which will probably be in ~~his~~ the manager's hands at any time during any

168.19 one year, that amount to be determined at least annually by the authority; such bond to be  
168.20 conditioned upon the faithful discharge of his the manager's official duties, and be approved  
168.21 as to form, correctness, and validity by the city attorney, and filed with the city auditor;  
168.22 such bond, however, shall not exceed \$300,000. Premiums for such bonds shall be paid out  
168.23 of funds of the authority.

168.24 Sec. 20. Laws 1963, chapter 305, section 10, as amended by Laws 1998, chapter 404,  
168.25 section 69, is amended to read:  
168.26 Sec. 10.

168.27 The authority shall regulate the making of bids and the letting of contracts through  
168.28 procedure established by the authority, subject to the following conditions:

168.29 (a) In all cases of work to be done by contract or the purchase of property of any kind,  
168.30 or the rendering of any service to the authority other than professional services, competitive  
169.1 bids shall be secured before any purchase is made or any contract awarded where the amount  
169.2 involved exceeds the sum of ~~\$2,000~~ \$50,000.

169.3 (b) All bids shall be sealed when received, shall be opened in public at the hour stated  
169.4 in the notice; and all original bids, together with all documents pertaining to the award of  
169.5 the contract, shall be retained and made a part of the permanent file or record, and shall be  
169.6 open to public inspection.

169.7 (c) Purchases of ~~\$2,000~~ \$50,000 or less may, through procedure established by the  
169.8 authority, be delegated to the center manager. Contracts involving more than ~~\$2,000~~ \$50,000  
169.9 shall be awarded only after authorization by the authority.

169.10 (d) The authority may reject, or through procedure established by the authority, authorize  
169.11 the center manager to reject, any and all bids.

169.12 (e) Contract shall be let to the lowest responsible bidder, and purchases shall be made  
169.13 from the responsible bidder who offers to furnish the article desired for the lowest sum.

169.14 (f) In determining the lowest responsible bidder, in addition to price, the following may  
169.15 be considered:

169.16 (1) The ability, capacity, and skill of the bidder to perform the contract or provide the  
169.17 service required.

169.18 (2) Whether the bidder can perform the contract or provide the service promptly, or  
169.19 within the time specified, without delay or interference.

169.20 (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.

169.21 (4) The quality of performance of previous contracts or services.

169.22 (5) The sufficiency of the financial resources and ability of the bidder to perform the  
169.23 contract or provide the service.

- 169.24 (6) The quality, availability, and adaptability of the supplies or contractual service to  
169.25 the particular use required.
- 169.26 (7) The ability of the bidder to provide future maintenance and service for the use of the  
169.27 subject of the contract.
- 169.28 (8) The number and scope of conditions attached to the bid.
- 169.29 (g) Specifications shall not be so prepared as to exclude all but one type or kind, but  
169.30 shall include competitive supplies and equipment; provided, however, that unique or  
170.1 noncompetitive articles which are determined by the authority to be sufficiently superior  
170.2 for the service intended by the authority, may be purchased without regard to other bids.
- 170.3 Sec. 21. Laws 2006, chapter 269, section 2, as amended by Laws 2008, chapter 331,  
170.4 section 11, Laws 2008, chapter 366, article 17, section 5, and Laws 2013, chapter 85, article  
170.5 5, section 43, is amended to read:  
170.6 Sec. 2. **DEDICATION FEE.**
- 170.7 Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the Minneapolis  
170.8 Park and Recreation Board and the Minneapolis City Council may jointly require that a  
170.9 reasonable portion of land be dedicated to the public or impose a dedication fee in conjunction  
170.10 with the construction permit required for new housing units and new commercial and  
170.11 industrial development in the city, wherever located, for public parks, playgrounds,  
170.12 recreational facilities, wetlands, trails, or open space. The dedication of land or dedication  
170.13 fee must be imposed by an ordinance jointly enacted by the park board and the city council.  
170.14 The cash fee may be set at a flat fee rate per net new residential unit. The ordinance may  
170.15 exclude senior housing and affordable housing from paying the fee or the dedication of  
170.16 land. The provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph  
170.17 (b), and 2c, apply to the application and use of the dedication of land or the dedication fee.
- 170.18 **EFFECTIVE DATE.** This section is effective August 1, 2021.
- 170.19 Sec. 22. Laws 2013, chapter 85, article 5, section 44, is amended to read:  
170.20 Sec. 44. **CITY OF ST. PAUL DEDICATION FEE.**
- 170.21 Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the city of St.  
170.22 Paul may require that a reasonable portion of land be dedicated to the public or impose a  
170.23 dedication fee in conjunction with the construction permit required for new housing units  
170.24 and new commercial and industrial development in the city, wherever located, for public  
170.25 parks, playgrounds, recreational facilities, wetlands, trails, or open space. The dedication  
170.26 of land or dedication fee must be imposed by an ordinance enacted by the city council. The  
170.27 cash fee may be set at a flat fee rate per net new residential unit. The ordinance may exclude  
170.28 senior housing and affordable housing from paying the fee or the dedication of land. The  
170.29 provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph (b); and 2c,  
170.30 apply to the application and use of the dedication of land or the dedication fee.

- 170.31 **EFFECTIVE DATE.** This section is effective August 1, 2021.
- 171.1 Sec. 23. **REPEALER.**
- 171.2 **Minnesota Statutes 2020, section 43A.17, subdivision 9, is repealed.**
- 171.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.