458A.25 CONTRACTS; PROPERTY.

Subdivision 1. **Bus transportation system defined.** Wherever the words "bus transportation system" are used in sections 458A.21 to 458A.37, such words shall mean and include any bus transportation system established or acquired under authority of sections 458A.21 to 458A.37, including any land, buildings or other appurtenances incidental and necessary to the operation of such bus transportation system.

Subd. 2. **Authority powers and duties.** Notwithstanding anything to the contrary contained in any law or in the charter of the city of Duluth, or in any ordinance thereof, there is hereby conferred upon such authority the following powers and duties:

(1) to sue and be sued;

(2) to enter into and execute agreements, instruments, and other arrangements which are necessary, proper and convenient to the exercise of its powers;

(3) to acquire by purchase, lease, or gift any real or personal property, franchises, easements, or other rights which may be necessary or proper for the operation of a bus transit system; and may acquire real property in such manner for use as terminal facilities, maintenance and garage facilities, ramps, parking facilities and other facilities used or useful for a bus transportation system; provided, however, that the acquisition of any real property by purchase, lease, or gift shall require the approval of the city council by resolution;

(4) to acquire by purchase, lease, or gift all or any part of the plant, equipment, property, real, personal, or mixed, rights and property, revenue, funds, special funds, franchises, licenses, patents, permits, papers, documents, and records after June 20, 1969, belonging to the operator of a bus transit system within the city of Duluth, and may in connection therewith assume any and all liabilities of any operator of such public transit system; all with the approval of the city council, evidenced by resolution;

(5) to acquire, construct, equip, improve, operate, and maintain terminal facilities, maintenance and garage facilities, ramps, transit lanes or rights-of-way, parking areas, rolling stock, and other facilities useful for or related to a public transportation system;

(6) to lease, sell, and otherwise dispose of any of its property, or to contract with any person or any operator, for use by such person or operator, any real or personal property under its control, with the approval of the city council, evidenced by resolution; provided, however, that the authority may lease or sell real and personal property that may be surplus to the continued operations of the transit system without approval of the council;

(7) to accept gifts, grants, or loans of money or other property from the United States, the state, or any person or entity; and for such purposes may enter into any agreement required in connection therewith, subject to approval of the city council, evidenced by resolution.

Subd. 3. **Management contracts.** Notwithstanding any of the provisions of sections 458A.21 to 458A.37, the authority shall have the power, in lieu of directly operating any public transportation system, or any part thereof, to enter into management contracts with any persons, firms or corporations for the management of said system, for such period or periods of time, and for such purposes, and under such compensation and other terms and conditions as shall be deemed advisable and proper by the authority and such persons, firms or corporations, subject to the approval, by resolution, of the city council.

History: *1969 c 720 s 5*