RESOLUTION 24-48

ITEM TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA
February 26, 2024
7:00 P.M.

Amended and Restated Consolidated Urban Revitalization Plan

- Resolution determining the necessity and fixing a date for a public hearing on the matter of the adoption of a proposed Amended and Restated Consolidated Urban Revitalization Plan

IMPORTANT INFORMATION

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.

2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.

3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.

NOTICE MUST BE GIVEN PURSUANT TO CHAPTER 21,
CODE OF IOWA, AND THE LOCAL RULES OF THE CITY.

February 26, 2024

The City Council of the City of Council Bluffs in the State of Iowa, met in regular session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M., on the above date. There were present Mayor Walsh, in the chair, and the following named Council Members:

_____

Absent: _____

Vacant: _____

* * * * * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION DETERMINING THE NECESSITY AND FIXING A DATE FOR A PUBLIC HEARING ON THE MATTER OF THE ADOPTION OF A PROPOSED AMENDED AND RESTATED CONSOLIDATED URBAN REVITALIZATION PLAN", and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called, and the vote was:

AYES: _____

_____

NAYS: _____

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION NO. 24-48

RESOLUTION DETERMINING THE NECESSITY AND FIXING A DATE FOR A PUBLIC HEARING ON THE MATTER OF THE ADOPTION OF A PROPOSED AMENDED AND RESTATED CONSOLIDATED URBAN REVITALIZATION PLAN

WHEREAS, the City of Council Bluffs currently has sixteen urban revitalization plans for various urban revitalization areas within the City, including the 1st Avenue Urban Revitalization Plan, the 5th and West Broadway Urban Revitalization Plan, the 14th Avenue Urban Revitalization Plan, the 16th Avenue Urban Revitalization Plan, the 21st Avenue Urban Revitalization Plan, the American Games Urban Revitalization Plan, the Black Squirrel Flats Urban Revitalization Plan, the Bluffs Northway Urban Revitalization Plan, the College Road Urban Revitalization Plan, the Council Pointe Road Urban Revitalization Plan, the Mid-America Urban Revitalization Plan, the River Road Urban Revitalization Plan, the South Pointe Urban Revitalization Plan, the Valley View Urban Revitalization Plan, the Veterans Memorial Highway Urban Revitalization Plan, and the Whispering Oaks Urban Revitalization Plan; and

WHEREAS, the Council has previously determined that the urban revitalization areas within the City are suitable revitalization areas authorized by Iowa Code Chapter 404; and

WHEREAS, the Council has determined that the City would be best served by amending the existing urban revitalization plans to consolidate them into a single urban revitalization plan that incorporates and amends the provisions of the existing urban revitalization plans; and

WHEREAS, a proposed Amended and Restated Consolidated Urban Revitalization Plan ("Amended and Restated Plan") has been prepared, the purpose of which is to (i) consolidate the existing urban revitalization plans into the Amended and Restated Plan, (ii) amend and restate the provisions of the existing urban revitalization plans, (iii) consolidate the existing urban revitalization areas to be subareas of the Council Bluffs Consolidated Urban Revitalization Area (the "Revitalization Area"), and (iv) designate a new urban revitalization area, the South Expressway Revitalization Area, to be established as an additional subarea of the Council Bluffs Consolidated Urban Revitalization Area; and

WHEREAS, before such Amended and Restated Plan can be adopted, it is necessary that a public hearing be held thereon and that due notice be given in accordance with the requirements of Iowa Code Chapter 404.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, STATE OF IOWA:

Section 1. It is determined that the rehabilitation, conservation, redevelopment, economic development or a combination thereof of the Revitalization Area, as proposed to be amended, is necessary in the interest of the public health, safety, or welfare of the residents of the City, and the Revitalization Area substantially meets the criteria of Iowa Code Section 404.1 and the proposed

Amended and Restated Plan, attached to this Resolution as Exhibit 1, is declared to substantially meet the criteria of Iowa Code Section 404.2.

Section 2. It is determined that it is in the best interests of the citizens of the City to hold a public hearing on the matter of the adoption of the Amended and Restated Plan at a regularly scheduled meeting of the City Council, on April 1, 2024, at 7:00 P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa.

Section 3. That the City Clerk be and is hereby directed to publish a notice of a public hearing on the Amended and Restated Plan, at least (i) once not less than thirty days prior to the date of said public hearing and (ii) once not less than seven days prior to the date of said public hearing, as provided in Iowa Code Section 404.2(6). April 1, 2024 should be the next regularly scheduled City Council meeting after the second publication of notice.

Section 4. That the City Clerk shall cause notice of said hearing to be given by ordinary mail at the last known addresses of the owners of record of the property proposed to be added to the Revitalization Area as the South Expressway Revitalization Area, such notice to be mailed not less than thirty days prior to the date of said public hearing; to the extent that any occupants of such properties differ from the owners of record, the City Clerk shall also cause notice of said hearing to be mailed to the occupants, if addresses for the occupants are available.

Section 5. That copies of the Amended and Restated Plan be made available to the public through the office of the City Clerk.

Section 6. The notice of the proposed hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA, ON THE MATTER OF THE ADOPTION OF A PROPOSED AMENDED AND RESTATED CONSOLIDATED URBAN REVITALIZATION PLAN

Public notice is hereby given that the City Council of the City of Council Bluffs, Iowa, will hold a public hearing on April 1, 2024, at 7:00 P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take action on the adoption of an Amended and Restated Consolidated Urban Revitalization Plan ("Amended and Restated Plan") for the Council Bluffs Consolidated Revitalization Area (the "Urban Revitalization Area") described therein, under the authority of Iowa Code Chapter 404, as amended.

The purpose of the Amended and Restated Plan is to (i) consolidate the existing urban revitalization plans into this single Amended and Restated Plan, (ii) amend and restate the provisions of the existing urban revitalization plans, (iii) consolidate the existing urban revitalization areas to be subareas of the Council Bluffs Consolidated Urban Revitalization Area, and (iv) designate a new urban revitalization area, the South Expressway Revitalization Area, to be established as an additional subarea of the Council Bluffs Consolidated Urban Revitalization Area.

Any persons interested may appear at said meeting of the Council and present evidence for or against the adoption of the Amended and Restated Plan. The proposed Amended and Restated Plan is on file in the office of the City Clerk and available for public inspection or copying during ordinary business hours.

This notice is given by order of the City Council of the City of Council Bluffs, Iowa, pursuant to Section 404.2, Code of Iowa, 2023, as amended.

Dated this 23rd day of March, 2024.

_____

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

PASSED AND APPROVED this 26th day of February, 2024.

_____
Mayor

ATTEST:

_____
City Clerk

ATTACH AMENDED AND RESTATED PLAN LABELED AS EXHIBIT 1 HERE

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

I, the undersigned City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 27th day of February, 2024.

_____
City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

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