Resolution 24-197

ITEM TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA
July 22, 2024
7:30 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 Amendment No. 1 to the 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.

July 22, 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 AMENDMENT NO. 1 TO THE 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. 24-197

RESOLUTION DETERMINING THE NECESSITY AND FIXING A DATE FOR A PUBLIC HEARING ON THE MATTER OF THE ADOPTION OF A PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED CONSOLIDATED URBAN REVITALIZATION PLAN

WHEREAS, pursuant to the provisions of Iowa Code Chapter 404, on April 1, 2024, the City of Council Bluffs, Iowa (the "City") adopted the Amended and Restated Consolidated Urban Revitalization Plan (the "Amended and Restated Plan" or "Plan") for the Council Bluffs Consolidated Urban Revitalization Area (the "Revitalization Area" or "Area"); and

WHEREAS, by the foregoing action, the Council has determined that the Revitalization Area within the City can be revitalized as authorized by Iowa Code Chapter 404; and

WHEREAS, a proposed Amendment No. 1 to the Amended and Restated Plan ("Amendment") has been prepared, the purpose of which is to (i) designate additional land as an urban revitalization area to be a new subarea of the Revitalization Area, to be known as the 1st Ave and 17th Street Subarea, and (ii) amend the exemption schedule available under the Plan for multi-residential properties; and

WHEREAS, before such Amendment 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 Area is necessary in the interest of the public health, safety, or welfare of the residents of the City, and the Area, including the proposed 1st Ave and 17th Street Subarea, substantially meets the criteria of Iowa Code Section 404.1 and the proposed Amendment, 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 Amendment at a regularly scheduled meeting of the City Council, on August 26, 2024, at 7:00 P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs.

Section 3. That the City Clerk. be and is hereby directed to publish a notice of a public hearing on the Amendment, 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). August 26, 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 1st Ave and 17th Street Subarea, 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. Be it further resolved that copies of the Amendment 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 AMENDMENT NO. 1 TO THE 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 August 26, 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 Amendment No. 1 ("Amendment") to the Amended and Restated Consolidated Urban Revitalization Plan ("Amended and Restated Plan") for the Council Bluffs Consolidated Urban Revitalization Area ("Area") described therein, under the authority of Iowa Code Chapter 404, as amended.

The purpose of the Amendment is to (i) designate additional land as an urban revitalization area to be a new subarea of the Revitalization Area, to be known as the 1st Ave and 17th Street Subarea, and (ii) amend the exemption schedule available under the Plan for multi-residential properties.

Any persons interested may appear at said meeting of the Council and present evidence for or against the adoption of the Amendment. The proposed Amendment 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.

Dated this _____ day of _____, 2024.

_____

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

PASSED AND APPROVED this 22nd day of July, 2024.

_____
Mayor

ATTEST:

_____
City Clerk

ATTACH AMENDMENT NO. 1
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 23rd day of July, 2024.

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

(SEAL)

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