RESOLUTION NO. 24-240

RESOLUTION APPROVING MINIMUM DEVELOPMENT REQUIREMENTS, COMPETITIVE CRITERIA, AND PROCEDURES FOR DISPOSITION OF CERTAIN PROPERTY LOCATED WITHIN THE URBAN RENEWAL AREA; AND SOLICITING PROPOSALS IN ACCORDANCE WITH THE REQUEST FOR PROPOSALS

WHEREAS, this Council has previously found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and, by Resolution No. 87-570 in 1987, approved and adopted the West Broadway Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the West Broadway Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Pottawattamie County; and

WHEREAS, the Plan has been amended five times by amendments adopted in 1988, 2001, 2002, 2014, and 2015; and

WHEREAS, the City owns certain real property located within the Urban Renewal Area consisting of the 2800 block between 1st and 2nd Avenues, approximately 2.5 acres in size (the "Development Property"); and

WHEREAS, the Plan provides for, among other things, the disposition of properties for development or redevelopment as an urban renewal project; and

WHEREAS, the City desires to sell the Development Property to a private developer for development into multi-family housing in accordance with the provisions of the Request for Proposals approved by this Council on September 9, 2024 for the Development Property, which sets forth minimum requirements for proposals to develop the Development Property and evaluation criteria for such proposals; and

WHEREAS, in order to comply with Iowa Code Section 403.8, the City is establishing reasonably competitive bidding procedures for the disposition of the Development Property and all developers interested in submitting a proposal to compete for the sale and redevelopment of the Development Property must submit a proposal meeting the requirements set forth in the Request for Proposal and set forth herein; and

WHEREAS, to give full and fair opportunity for developers interested in submitting a proposal for the sale and redevelopment of the Development Property, this Council should by this Resolution:

1. Approve the minimum requirements for the sale of and redevelopment of the Development Property.

2. Set a date for receipt of competing proposals and the opening thereof; and provide for review of such proposals with recommendations to this Council in accordance with established procedures.

3. Approve and direct publication of a notice to advise any would-be bidders of the opportunity to compete for the sale of the Development Property on the terms and conditions set forth herein.

WHEREAS, this Council believes it is in the best interest of the City and the Plan to act as expeditiously as possible to offer the Development Property for redevelopment as set out herein.

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

1. The Development Property offered for sale and redevelopment in accordance with the terms and conditions contained in this Resolution, the Plan, and the Request for Proposals is legally described as follows:

   Lots 1 thru 16, Block 12 and all of the vacated alley, Bryant and Clark Addition

2. It is hereby determined that the requirements set forth in the Request for Proposals shall be considered the minimum development requirements, which requires that each proposal must (1) provide for a minimum of 80 residential units with at least 51% being affordable, (2) include and provide for the developer's purchase of the Development Property at not less than the fair value for use in accordance with the Plan, and (3) include the following information:

   a. Application – Included in the Request for Proposals;

   b. Project Summary – A brief written description of the project;

   c. Project Plans – A scaled plot plan of the proposed development. The plot plan should illustrate the location of structures, parking areas, ingress and egress, open or landscape areas, etc. The developer must also submit additional information such as elevation drawings, photos of similar projects, typical floor plans, etc.;

   d. Developer Experience – Provide a listing of previous projects completed, especially with regard to projects that are relevant to the proposed development;

   e. Project Timeline – A timeline for the project design, bidding, construction and occupancy;

   f. Financial Summary – Developer must provide a proposed cost and source of funding for the project, including a 10-year project proforma. Developer must also outline expected funding sources and projected date all financing will be secured; and

g. Project Contingencies – Indicate any special assistance needed to implement the project, such as financial assistance, state or federal applications, or other public participation;

3. It is hereby determined that the evaluation criteria set forth in the Request for Proposals shall constitute the competitive criteria by which any proposals submitted shall be evaluated, which includes the following criteria:

a. Design, Aesthetics and Quality of Construction Materials and Landscaping (40%): As the first affordable redevelopment project along the corridor, the quality of design and materials is essential. A combination of durable materials and transparency with an urban appearance must be utilized. Preference will be given to developers that:

i. Create an urban environment with a higher density style building on the northern half of the block and a lower density style building on the southern half, providing a transition to the single-family neighborhood.
ii. Utilize architectural details such as color changes, material changes, minor wall offsets, height variations, wall setbacks, accent lines and upper floor step back to articulate building elevations. A list of acceptable building materials is outlined in the "architectural standards" of the corridor design overlay. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal.
iii. Maximize the "exterior construction (durability)" points in the IFA 2025 QAP.

b. Developer's Experience and Capacity (30%): The makeup/description of the developer's project team. The preferred developer will have significant experience in the construction of urban-style, multi-family complexes. The names of individuals involved and the roles they will perform must be listed. Provide a description of the qualifications and experience of the specific individuals who will be involved in the work described in this RFP, including staff and other professionals.

c. Number of Units Proposed, Unit Sizes and Timeline (15%):

i. Preference will be given to developers who maximize the number of units as well as the number of market rate units. A maximum of 80 affordable units will be allowed. Affordable is defined as at or below 80% of the median family income. Provide a target resident type (senior, family, etc.) if applicable. Maximize the "market rate incentive" points in the IFA 2025 QAP.
ii. Proposals will also be scored on the length of time it will take to construct and occupy the project.

d. Funding Sources (15%): Preference will be given to Developers not utilizing either 4% or 9% Low Income Housing Tax Credits (LIHTC). Provide a list of proposed funding sources and when the funds are expected to be awarded/confirmed.

4. This action of the Council shall be considered to be and does hereby constitute notice to all concerned of the intention of this Council to accept proposals for the sale and redevelopment of the Development Property in accordance with the procedures set forth in this Resolution and in the Request for Proposals, which Request for

Proposals is on file for public inspection at the office of the City Clerk, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503.

7. The City Clerk is authorized and directed to secure immediate publication of the text of this Resolution in the NonPareil, a newspaper having general circulation in the community.

8. Proposals for the purchase of the Development Property must be received by the City's electronic submission system at https://cbiabids.ionwave.net/ on or before 5:00 P.M. on October 25, 2024. Said proposals must be electronically submitted in accordance with the instructions set forth in the Request for Proposals. The Community Development Director, or his designee, is hereby authorized and directed to make a preliminary analysis of each such proposal for compliance with the minimum requirements established by this Resolution and by the Request for Proposals, and to advise the Council with respect thereto. Proposals meeting the minimum requirements will then be presented to the City Council at 7:00 P.M. on November 18, 2024 at its meeting to be held in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503. The Council shall judge the strength of the proposals meeting the foregoing minimum requirements by the criteria set forth above and shall make the final evaluation and selection of a proposal.

9. The minimum development requirements, competitive criteria, and procedures set forth in this Resolution and in the Request for Proposals are hereby determined to be "reasonable competitive bidding procedures" in substantial conformance with the provisions of Iowa Code Section 403.8. If there is any discrepancy between this Resolution and the Request for Proposal, the more detailed Request for Proposal shall control.

10. In the event qualified proposals are timely submitted and the City Council accepts a proposal, the City will file or publish notice of the intent of the City of Council Bluffs, Iowa to accept a proposal, to the extent required by law.

PASSED AND APPROVED this 9th day of September 2024.

_____
Matthew J. Walsh, Mayor

ATTEST:

_____
Jodi Quakenbush, City Clerk

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 said City showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said 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 (a copy of the face sheet of said agenda being attached hereto) 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 said 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 offices as indicated therein, that no vacancy existed except as may be stated in said 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 individual named therein as officers to their respective positions.

WITNESS my hand and the seal of said Council hereto affixed this _____ day of _____, 2020.

_____
City Clerk, City of Council Bluffs, Iowa

(SEAL)