

RESOLUTION NO. 21-364

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF COUNCIL BLUFFS, IOWA AND DEVELOPERS QUESTA LLC AND GABLE CORPORATION.

WHEREAS, On January 16, 2009, parties entered into a Development Agreement and on December 20, 2011, an Amendment to Development Agreement was entered for the development of what is commonly referred to as the Google Southland Project that modified the cap on the amount of franchise fees that the Developers would be required to pay; and

WHEREAS, Inadvertently the modification to the cap was never implemented until the current fiscal year which has led to an inequity between the parties and in order to address this inequity, the parties have agreed to the terms of a Second Amendment to Development Agreement which will address the provisions regarding the modifications to the abatement schedule so as to eliminate the aforementioned inequities over a period of time; and

WHEREAS, It is in the best interest of the City of Council Bluffs to execute this Second Amendment to Development Agreement by and Between the City of Council Bluffs, Iowa and Developers Questa LLC and Gable Corporation.

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

That the Mayor is hereby authorized and directed to execute the Second Amendment to Development Agreement by and between the City of Council Bluffs, Iowa and Questa LLC and Gable Corporation.

ADOPTED
AND
APPROVED

December 13, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk