RESOLUTION NO. 22-49

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. 03-138 in 2003, approved and adopted the Playland Park Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Playland Park 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 2005, 2009, 2014, 2016, and 2019; and

WHEREAS, the City owns certain real property located within the Urban Renewal Area consisting of six-lots, approximately 4.91 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 mixed-use commercial/residential, townhomes, condominiums, and multi-family housing in accordance with the provisions of the Request for Proposals approved by this Council on February 14, 2022 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 development 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:

- Block 1, River's Edge Subdivision
- Lot 2, Block 3, River's Edge Subdivision, Replat 2
- Block 4, River's Edge Subdivision
- Lot 1, Block 5, River's Edge Subdivision, Replat 2
- Lot 3, Block 5, River's Edge Subdivision, Replat 2
- Lot 2, Block 5, River's Edge Subdivision, Replat 2

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 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 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%): River's Edge is a master planned, mixed-use development. The City has an adopted master plan that functions as the primary regulatory document relative to: building setbacks and heights, architectural designs, block designs and mix of land uses, public art, on and off-street parking, street connectivity and design, pedestrians and cyclists, and other special design requirements within the neighborhood. All buildings and their associated architectural appearance/site layouts shall be designed in manner that is deemed compatible with this master development plan and existing development within the neighborhood. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal.

b. Developer's Experience and Capacity (25%): The makeup/description of the developer's project team. The preferred developer will have significant experience in the construction of urban-style, mixed-use commercial and residential development. 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 and Unit Sizes, Building Square Footage, and Minimum Assessed Value (20%): Preference will be given to developers who maximize the number of units, building square footage, and minimum assessed values on each of the identified properties. 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). No income restrictions are applicable to the property. Preference will be given to developers who propose projects with 80% or more market rate housing. 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 March 25, 2022. 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 April 11, 2022, 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 14th day of February 2022.

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Matthew J. Walsh, Mayor

ATTEST:

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Jodi Quakenbush, City Clerk