RESOLUTION 20-68

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA
February 24, 2020
7:00 P.M.

West Broadway Urban Renewal Plan

- Resolution declaring the intent of the City to accept a proposal received in accordance with the requests for proposals and to enter into a purchase, sale, and development agreement based on the selected proposal

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 IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

February 24, 2020

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

_____

_____

Absent: _____

Council Member _____ introduced the following proposed Resolution entitled "RESOLUTION DECLARING THE INTENT OF THE CITY TO ACCEPT A PROPOSAL RECEIVED IN ACCORDANCE WITH THE REQUESTS FOR PROPOSALS AND TO ENTER INTO A PURCHASE, SALE, AND DEVELOPMENT AGREEMENT BASED ON THE SELECTED PROPOSAL" and moved that the same be adopted. 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. 20-68

RESOLUTION DECLARING THE INTENT OF THE CITY TO ACCEPT A PROPOSAL RECEIVED IN ACCORDANCE WITH THE REQUESTS FOR PROPOSALS AND TO ENTER INTO A PURCHASE, SALE, AND DEVELOPMENT AGREEMENT BASED ON THE SELECTED PROPOSAL

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, by Resolutions No. 19-243 and 19-244, both adopted October 21, 2019, this Council approved a Request for Proposals to purchase and develop the Development Property into multi-family or mixed-use housing, which Request for Proposals set forth minimum requirements for proposals to develop the Development Property and evaluation criteria for such proposals; Council determined that the minimum development requirements, competitive criteria, and procedures set forth in the Request for Proposals were “reasonable competitive bidding procedures” in substantial conformance with the provisions of Iowa Code Section 403.8; and directed that notice of the City’s intention to accept proposals for the sale and redevelopment of the Development Property in accordance with the procedures set forth in the Request for Proposals be published; and

WHEREAS, notice of the City’s intention to accept proposals for the sale and redevelopment of the Development Property in accordance with the procedures set forth in the Request for Proposals was duly published in the NonPareil, a legal newspaper published at least once weekly and having general circulation in said City, in conformance with Iowa Code Section 362.3; and

WHEREAS, following evaluation of the submitted proposals, this Council has selected one proposal that it intends to accept; and

WHEREAS, this Council desires to declare its intent to accept a proposal, subject to the approval of a purchase, sale, and development agreement to be drafted by the City's legal counsel.

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 the Request for Proposals, subject to the approval of a purchase, sale, and development agreement, 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 proposal submitted by White Lotus Group (the "Proposal") satisfies the requirements of the Request for Proposals and, subject to the drafting and execution of a purchase, sale, and development agreement drafted by the City's legal counsel for the sale and redevelopment of the Development Property under the terms of the Proposal, with such modifications as determined appropriate by the City Council, the City intends to accept the Proposal no sooner than thirty (30) days from the date of this resolution and following completion of a public hearing.

3. City staff is hereby authorized and directed to work with the City's legal counsel to draft and negotiate a purchase, sale, and development agreement consistent with the terms of the Proposal, subject to modifications as determined appropriate by the City Council; to set a public hearing to consider the purchase, sale and redevelopment agreement no sooner than thirty (30) days from the date of this resolution; and to publish notice of such public hearing in a manner consistent with Iowa law.

PASSED AND APPROVED this 24th day of February 2020.

_____
Mayor

ATTEST:

_____
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)