

RESOLUTION NO. 251-20

**RESOLUTION SETTING A DATE FOR PUBLIC HEARING AND REQUEST FOR PROPOSALS FOR THE DISPOSAL AND DEVELOPMENT OF CERTAIN CITY-OWNED REAL PROPERTY**

WHEREAS, the City of Bettendorf, Iowa (the “City”) is the owner of certain alley right-of-way adjacent to the former Village Inn on State Street, specifically described on Exhibit A (the “Property”);

WHEREAS, the City has received interest from property owners adjacent to the Property that the City vacate and convey the Property for development purposes, and the City desires to issue a request for proposal regarding same, it being acknowledged that the Property by itself is not developable and is subject to easements as described herein;

WHEREAS, there is no current or anticipated public benefit or need for the Property proposed to be vacated and conveyed;

WHEREAS, the City will require an easement upon the Property for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same;

WHEREAS, the City has previously established the Downtown Bettendorf Urban Renewal Area (the “Urban Renewal Area”);

WHEREAS, disposal of the Property will not cut off access to adjacent properties; and

WHEREAS, it is now necessary to make provision for the possible disposition of the Property, in accordance with the provisions of Section 403.8 and 364.7 of the Code of Iowa, to a developer who can undertake the development thereof;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Bettendorf, Iowa, as follows:

Section 1. In accordance with the provisions of Section 403.8 of the Code of Iowa, the City Council hereby prescribes the following process for the disposition of the Property:

A. The City Council directs the issuance of a request for proposal (“RFP”) for the development of the Property and directs the advertisement of such issuance in a newspaper of general circulation in the City at least once not less than 30 days in advance of the date on which the proposals shall be due. In addition, the City shall advertise the RFP by posting the advertisement at City Hall and through available electronic means as soon as may be practical.

B. The RFP shall set forth the development objectives for the Property and the expectations to be placed upon the developer of the Property. The RFP will be available in the Office of the City Clerk. Proposals are due by no later than 4:00 p.m. on September 30, 2020, at the office of the Economic Development Director at City Hall, Bettendorf, Iowa. Each proposal submitted shall set forth the proposed developer’s plan for developing the Property in accordance with the RFP.

C. A public hearing will be held on the proposal to sell the Property as set forth in Section 2 of this Resolution. Following the public hearing, the City Council may determine to dispose of the Property to the developer whose proposal, if carried out, would be in the best interests of the City in light of the urban renewal and development objectives the City as set forth in the RFP.

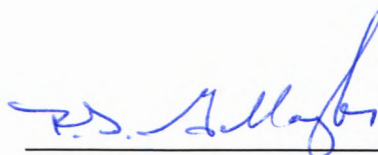
Section 2. The City Council will hold a public hearing on the proposal to sell the Property as set out in the preamble hereof at 7 o'clock p.m., on the 6th day of October, 2020. Following the public hearing the City Council may accept the proposal deemed to be in the best interests of the City and proceed with the disposition of the Property.

Section 3. The City Clerk is hereby authorized and directed to give notice of this resolution and of the public hearing on the proposal to sell the Property, by publication, at least once, not less than thirty days prior to the date set for the public hearing and consideration or acceptance of proposals, in a newspaper of general circulation in the City. Furthermore, the City Clerk is hereby authorized and directed to give notice by posting notice in City Hall and by such reasonable electronic means as may be available to the City as soon as practical following the adoption of this resolution.

Section 4. The City Council hereby declares that if, after review and public hearing, an acceptable proposal is received which represents the best interests of the City with respect to the development of the Property as set forth in the RFP, such proposal shall be approved and finally accepted by the City Council on October 6, 2020, and the Property shall be subsequently disposed of in accordance therewith. The City Council further declares that this Resolution constitutes the notification of intent to accept a proposal as provided for in Section 403.8 of the Code of Iowa. The City reserves the right to consider the legal and financial ability of developers submitting proposals to carry out the desired development of the Property. Furthermore, the City reserves the right to negotiate for proposals with respect to the desired development of the Property.

Section 5. All resolutions or parts thereof which are in conflict herewith are hereby repealed.

Passed and approved this 18<sup>th</sup> day of August, 2020.



Mayor Robert S. Gallagher

Attest:



Decker P. Ploehn, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF A PUBLIC ALLEY LOCATED IN BLOCK 3 IN THE TOWN OF LILLIENTHAL, NOW CITY OF BETTENDORF, SCOTT COUNTY, IOWA, BEING PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 11 IN SAID BLOCK 3; THENCE SOUTH 89° 15' 49" WEST ALONG THE SOUTH LINE OF SAID ALLEY, A DISTANCE OF 147.39 FEET TO THE NORTHEAST CORNER OF TRACT A AS SURVEYED AND DESCRIBED IN DOCUMENT NO. 2014-32149; THENCE NORTH 15° 59' 48" EAST ALONG AN EXTENSION OF THE MOST NORTHEASTERLY LINE OF SAID TRACT A, A DISTANCE OF 27.15 FEET TO THE NORTH LINE OF SAID PUBLIC ALLEY; THENCE NORTH 89° 15' 59" EAST ALONG SAID NORTH LINE, A DISTANCE OF 138.90 FEET; THENCE SOUTH 02° 08' 43" EAST, DISTANCE OF 26.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3,721 S.F., MORE OR LESS. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD. A BLANKET EASEMENT IS RESERVED WITHIN THE ABOVE DESCRIBED TRACT FOR SEWER, WATER AND UTILITY FACILITIES.

# **NOTICE TO BIDDERS**

## **Request for Proposals for an Alley Vacation Between 12<sup>th</sup> and 13<sup>th</sup> Streets in Downtown Bettendorf City of Bettendorf, Iowa**

A request from a private entity has been made to the City of Bettendorf to vacate a section of alley between 12<sup>th</sup> Street and 13<sup>th</sup> Street in Downtown Bettendorf. As per Section 403.8 of the Iowa Code (Urban Renewal), the City of Bettendorf may sell, lease or otherwise transfer real property or any interest in real property acquired by it, and may enter into contracts for such purposes, in an urban renewal area for residential, recreational, commercial, industrial or other uses, or for public use, subject to covenants, conditions and restrictions, including covenants running with the land, it deems to be necessary or desirable to assist in preventing the development or spread of future slums or blighted areas, or to otherwise carry out the purposes of this chapter.

Parties interested in responding to this RFP shall develop the site with a use indicative of what is traditionally found in a high traffic urban setting. The property resides within the Downtown Urban Renewal Area, which is set forth in the City of Bettendorf's Urban Renewal Plan. All proposals shall further the objectives of the Downtown Urban Renewal Plan, and the Downtown Master Plan overlay, as well as comply with all Ordinances and statutory obligations that run with the land.

The City of Bettendorf has determined that the property in question will serve no future public purpose, but will require a utility easement to run with the vacation, in order to service any utility needs that may arise. Additionally, parties responding to this RFP shall at no time construct or develop any structure on the property for any purpose.

All submittals shall be addressed as specified below and received no later than the submittal due date, at which time all submittals will be opened and read as a matter of public record. Electronic submittals will be disqualified. The front of the envelope shall be marked "Request for Proposals for an Alley Vacation Between 12<sup>th</sup> and 13<sup>th</sup> Streets." All submittals received after the closing date and time will be returned unopened and will be disqualified. The City of Bettendorf reserves the right to reject any and all submittals. All submittals are subject to further negotiation.

**Submittal Due Date: September 30, 2020 at 4:00 p.m. CDT**

Submittals shall be delivered to:

Economic Development Office  
City of Bettendorf, Iowa  
1609 State Street  
Bettendorf, Iowa 52722

City offices are open Monday through Friday, 8 a.m. - 5 p.m., excluding holidays.

This RFP will be posted on the City's website at [www.bettendorf.org](http://www.bettendorf.org).

Any questions regarding the RFP shall be directed to:

Jeff Reiter  
Economic Development Director  
City of Bettendorf, Iowa  
1609 State Street  
Bettendorf, Iowa 52722  
Telephone: (563) 344-4060  
Email: [jreiter@bettendorf.org](mailto:jreiter@bettendorf.org)

## **1. About Bettendorf**

The City of Bettendorf is a vibrant community in eastern Iowa, located on the banks of the Mississippi River. The City has an approximate 2019 population of 34,000, and is located within the Iowa/Illinois Quad Cities Region, which has an approximate population of 475,000, making it one of the top 100 largest incorporated places in the United States. The City of Bettendorf is an affluent, predominantly residential community. Over the past five years, Bettendorf has averaged approximately 150 new home builds annually, with an average new home build price of over \$350,000. In 2018, Bettendorf was named one of the safest cities in Iowa, and has also been named among the “best small cities in the nation for families”. Bettendorf is known for its excellent schools, parks, bike trails, and most recently, Bettendorf is seeing a revitalization of its downtown.

Bettendorf has a downtown corridor defined in its Downtown Master Plan, with a central area residing between 6<sup>th</sup> Street and 26<sup>th</sup> Street. US Highway 67 and Interstate 74 intersect within the downtown. There is also a 40 acre land-based casino and hotel operation owned by Eldorado Resorts, a new 40,000sf Ascentra Headquarters, and the new 132 unit Bridges Lofts apartment complex anchoring the downtown district. All of these anchor projects are currently open and operating. Additionally, the City of Bettendorf owns the Quad Cities Waterfront Convention Center, located at 2021 State Street. This state of the art property regularly hosts concerts, receptions and conferences within the downtown.

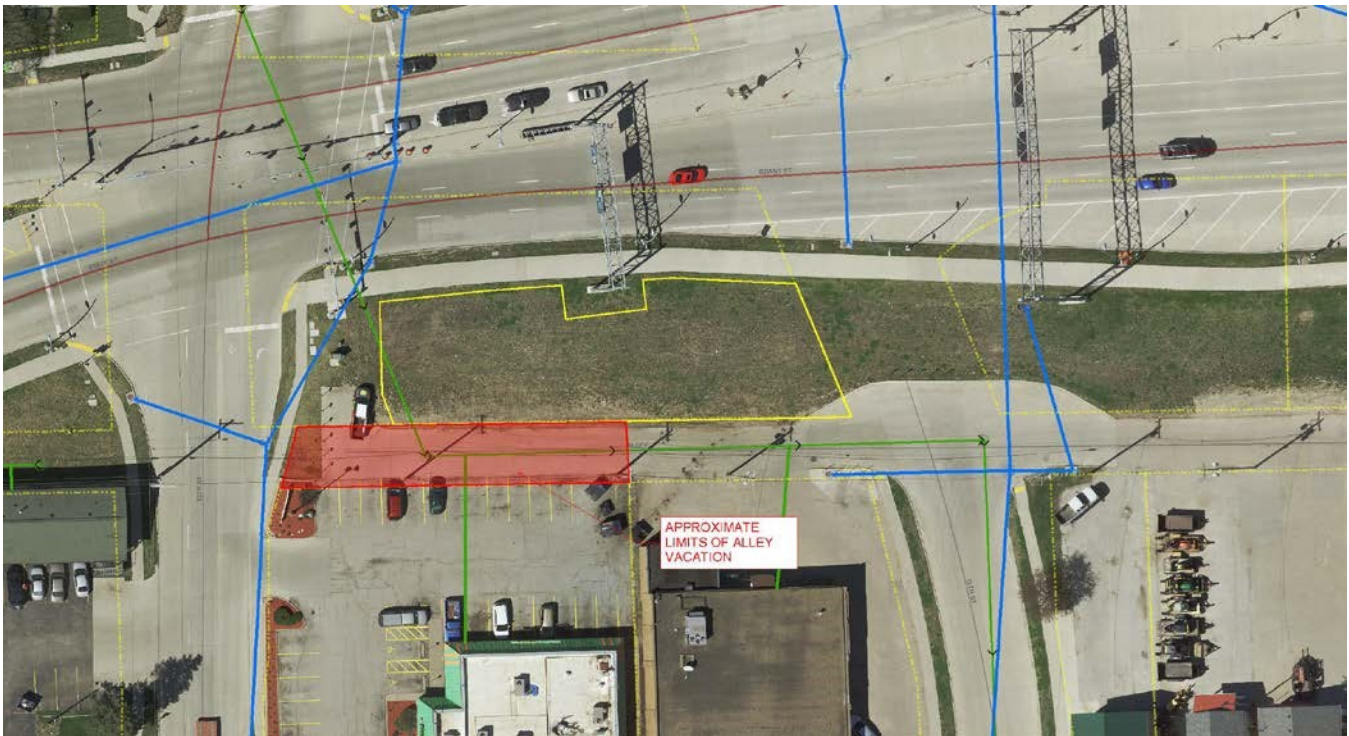
The biggest project in downtown Bettendorf is the construction of the new I-74 bridge across the Mississippi River. This bridge connects the city of Bettendorf to the city of Moline, Illinois. Construction is well underway, with completion expected in 2022. The new bridge will be both beautiful and functional. It will contain a scenic overlook, pedestrian/bike path, an urban park, and pedestrian elevator access.

## **2. The Details**

A legal description and aerial view of the property are listed below. The City of Bettendorf will review qualified bids to prepare a Development and Implementation Plan for this property. The area is approximately 140 ft running east and west, and approximately 25 ft running north and south. The utilities located in the alley of this property would need to remain or be relocated within the site. The Development and Implementation Plan for the contemplated site should provide a framework for the development of the property. The City of Bettendorf will require all proposals to meet the standards and guidelines set forth in the City's Downtown Master Plan and overlay district. While certain uses may be allowed in the current zoning classification, or possibly a future zoning class, the City of Bettendorf reserves the right to prohibit certain types of uses, as part of this RFP.

## LEGAL DESCRIPTION

A PORTION OF A PUBLIC ALLEY LOCATED IN BLOCK 3 IN THE TOWN OF LILLIENTHAL, NOW CITY OF BETTENDORF, SCOTT COUNTY, IOWA, BEING PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 11 IN SAID BLOCK 3; THENCE SOUTH  $89^{\circ} 15' 49''$  WEST ALONG THE SOUTH LINE OF SAID ALLEY, A DISTANCE OF 147.39 FEET TO THE NORTHEAST CORNER OF TRACT A AS SURVEYED AND DESCRIBED IN DOCUMENT NO. 2014-32149; THENCE NORTH  $15^{\circ} 59' 48''$  EAST ALONG AN EXTENSION OF THE MOST NORTHEASTERLY LINE OF SAID TRACT A, A DISTANCE OF 27.15 FEET TO THE NORTH LINE OF SAID PUBLIC ALLEY; THENCE NORTH  $89^{\circ} 15' 59''$  EAST ALONG SAID NORTH LINE, A DISTANCE OF 138.90 FEET; THENCE SOUTH  $02^{\circ} 08' 43''$  EAST, DISTANCE OF 26.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3,721 S.F., MORE OR LESS. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD. A BLANKET EASEMENT IS RESERVED WITHIN THE ABOVE DESCRIBED TRACT FOR SEWER, WATER AND UTILITY FACILITIES.



The Development and Implementation Plan should contain the following:

- The City's intent is to sell this property and to have this property remain as a taxable commercial property. The property shall command a minimum bid amount of no less than \$1.00 per square foot, or \$3,721.00.
- The bidder's response to this RFP should include an offer to purchase amount that will be offered to the City of Bettendorf. The City of Bettendorf will not lease the property to the end user or bidder in any fashion.
- At this time, the City would not contemplate the use of Tax Increment Financing.
- A project commencement schedule shall be included with this RFP. Only real projects will be considered.
- A narrative describing the aspects of your proposed project.
- At a minimum, the proposal must include a concept plan for the entire site, and the concept plan should include conceptual drawings depicting the finished product.
- Projects that lack the necessary financing to carry out the project will be disqualified.
- Please list any conflicts of interest that the bidder may have with the City of Bettendorf, as they pertain to this development.

The design standards within the City Code should be adhered to when final design is drafted and the site plan is submitted. Any and all bidders will be required to go through any site plan and zoning approval processes, as well as securing all necessary permits and/or licensing associated with demolition, construction, occupancy, and operation.

#### **4. Questions**

All questions regarding this RFP must be submitted in writing or via email, and directed to the Economic Development Director no later than September 28, 2020 at 10:00 a.m. CDT. All questions and answers will be posted on the City's website at [www.bettendorf.org](http://www.bettendorf.org).

#### **5. Selection Process and Schedule**

An evaluation/selection committee comprised of City officials will review the proposals. A public hearing will be held prior to sale of any City-owned property. Following the public hearing, the City Council may determine to dispose of the property to the developer whose proposal, if carried out, would be in the best interests of the City in light of the urban renewal and development objectives of the City. A final candidate will be identified thereafter, and the City will begin the property transfer process with said candidate. Proposals will be considered based on the viability of the project, adherence to applicable law, and the reality of the timeline for completion as the City Council may determine to be in the best interest of the City. The City of Bettendorf reserves the right to reject any and all submittals.