

RESOLUTION NO. 22-23-38

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON  
THE PROPOSAL TO LEASE CERTAIN REAL PROPERTY  
LOCALLY KNOWN AS 145 COUNTRY CLUB ROAD, FOREST  
CITY, IOWA TO BEAR CREEK RUN GOLF CLUB, INC. AS  
PART OF A GOLF COURSE MANAGEMENT AGREEMENT

WHEREAS, the City Council of the City of Forest City (the “City”) has received a proposal in the form of a proposed Golf Course Management Agreement (the “Agreement”) with Bear Creek Run Golf Club, Inc. (the “Manager”), which Agreement proposes the lease of certain City-owned real property to the Manager, and the Manager would continue to operate its business on property located at 145 Country Club Road, Forest City, Iowa, and continue to employ employees therein; and

WHEREAS, the real property proposed to be leased to the Manager under the Agreement is legally described as follows:

See attached Addendum A

(the “Golf Course Property”); and

WHEREAS, the Agreement further proposes that the City will make up to ten (10) consecutive annual payments of Operational Grants to Manager each in the amount of up to \$50,000, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, Developer’s business is a public golf course that provides recreational opportunities within the community, and attracts and retains employers and employees within the City; and

WHEREAS, Iowa Code Chapter 15A authorizes cities to make grants for economic development and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapter, and to levy taxes and assessments for such purposes; and

WHEREAS, it is appropriate, pursuant to Iowa Code Section 364.7, for this Council to set a date for public hearing on the proposed lease of the City’s interests in the Golf Course Property and for the City to publish a notice of the public hearing.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF FOREST CITY IN THE STATE OF IOWA:

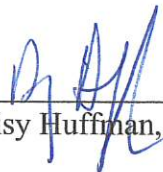
Section 1. That this Council meet in the Council Chambers, City Hall, 305 North Clark Street, Forest City, Iowa, at 7:00 P.M. on May 1, 2023, for the purpose of taking action on the matter of the proposal to enter into a Golf Course Management Agreement with Bear Creek Run Golf Club, Inc. and the proposal to lease real property thereunder.

Section 2. That the City Clerk is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

PASSED AND APPROVED this 17<sup>th</sup> day of April, 2023.

  
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Ronald Holland, Mayor

ATTEST:

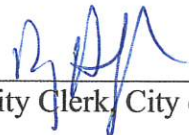
  
\_\_\_\_\_  
Daisy Huffinan, City Clerk

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WINNEBAGO )

I, the undersigned City Clerk of the City of Forest City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 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 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 City offices as indicated therein, that no Council vacancy existed except as may be stated in the 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 individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 17<sup>th</sup> day of April, 2023.

  
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City Clerk, City of Forest City, State of Iowa