



**Background Paper for Proposed
Ordinance**

COUNCIL MEETING DATE: June 13, 2022

TO: President Heather Graham and Members of City Council
CC: Mayor Nicholas A. Gradisar
VIA: Marisa Stoller, City Clerk
FROM: Daniel C. Kogovsek, City Attorney
SUBJECT: AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE (1) A CONTRACT TO BUY AND SELL REAL ESTATE BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AS SELLER, AND INHABX, LLC, A COLORADO LIMITED LIABILITY COMPANY, AS BUYER, AND (2) A CONTRACT TO BUY AND SELL REAL ESTATE BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AS BUYER, AND INHABX, LLC, A COLORADO LIMITED LIABILITY COMPANY, AS SELLER, RELATING TO RFP 22-017 FOR THE SALE OF PROPERTY LOCATED IN "THE BLUFFS" SECTION OF "THE BLOCKS"

SUMMARY:

Attached is an Ordinance approving and authorizing the Mayor to sign (1) an agreement for the City to sell 2 parcels of unimproved land located to InhabX, LLC, a Colorado limited liability company ("Company") and (2) an agreement for the City to purchase a parcel of unimproved land from the Company. All 3 parcels are located in "the Bluffs" section of "the Blocks."

PREVIOUS COUNCIL ACTION:

Not applicable to this Ordinance.

BACKGROUND:

On February 4, 2022, the City's Purchasing Department issued RFP 22-0017 for the sale of the following 2 parcels of unimproved land located in "the Bluffs" section of "the Blocks." The Company was the successful bidder, as follows:

Assessor Parcel Number	Square Feet	Bid Amount
536320007	11,200	\$4,000.00
536306001	5,300	2,000.00

The Company's bid also included an offer to transfer Parcel No. 536208004, consisting of approximately 39,500 square feet, to the City for no consideration.

FINANCIAL IMPLICATIONS:

The City will receive \$6,000.00 plus Parcel No. 536208004. Title insurance premiums and closing costs will be paid by both the City and the Company, respectively.

BOARD/COMMISSION RECOMMENDATION:

Not applicable to this Ordinance.

STAKEHOLDER PROCESS:

Not applicable to this Ordinance.

ALTERNATIVES:

City Council could decide not to sell the 2 parcels to the Company.

RECOMMENDATION:

Approval of this Ordinance.

Attachments:

Proposed Ordinance;

2 proposed Contracts to Buy and Sell Real Estate and proposed Special Warranty Deeds

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE (1) A CONTRACT TO BUY AND SELL REAL ESTATE BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AS SELLER, AND INHABX, LLC, A COLORADO LIMITED LIABILITY COMPANY, AS BUYER, AND (2) A CONTRACT TO BUY AND SELL REAL ESTATE BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AS BUYER, AND INHABX, LLC, A COLORADO LIMITED LIABILITY COMPANY, AS SELLER, RELATING TO RFP 22-017 FOR THE SALE OF PROPERTY LOCATED IN "THE BLUFFS" SECTION OF "THE BLOCKS

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

The following two (2) Contracts to Buy and Sell Real Estate ("Agreements") between the City of Pueblo, a Colorado municipal corporation ("City") and InhabX, LLC, a Colorado limited liability company ("Company"), both dated June 27, 2022, relating to the following real estate parcels, copies of which are attached hereto and are incorporated herein by this reference, having been approved as to form by the City Attorney, are hereby approved:

Assessor Number	Parcel	Seller	Buyer
536320007		City	Company
536306001		City	Company

Assessor Number	Parcel	Seller	Buyer
536208004		Company	City

The Mayor is authorized to execute and deliver said Agreements in the name of the City and the City Clerk is authorized to affix the seal of the City thereto and attest same. The Mayor is further authorized to execute and deliver Special Warranty Deeds and related documents at closing, selling the properties owned by the City, and purchasing the property owned by the Company, as identified in and in the manner described in the attached Agreements.

SECTION 2.

The officers and staff of the City are authorized to perform any and all acts consistent with this Ordinance and the attached Agreements which are necessary or appropriate to implement the transactions described therein.

SECTION 3.

This Ordinance shall become effective on the date of final action by the Mayor and City Council.

Action by City Council:

Introduced and initial adoption of Ordinance by City Council on _____.

Final adoption of Ordinance by City Council on _____.

President of City Council

Action by the Mayor:

- ☐ Approved on _____.
- ☐ Disapproved on _____ based on the following objections:

Mayor

Action by City Council After Disapproval by the Mayor:

- ☐ Council did not act to override the Mayor's veto.
- ☐ Ordinance re-adopted on a vote of _____, on _____
- ☐ Council action on _____ failed to override the Mayor's veto.

President of City Council

ATTEST

City Clerk

