



Item: Sale of City-Owned Property: Med-Tech Lot 3E, Parcel 1079544, 2100 21st Avenue South

From: Mike Haynes, AICP, Director of Planning and Community Development

Initiated By: City Manager's Office

Presented By: Mike Haynes, AICP, Director of Planning and Community Development

Action Requested: City Commission conduct the public hearing for Sale of City-Owned Property

Public Hearing:

1. Mayor conducts public hearing, calling three times for opponents and proponents.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

“I move the City Commission (approve/disapprove) the sale of property at 2100 21st Avenue South (Parcel 1079544) to Bresnan Communications, LLC and authorize the City Manager to execute the necessary documents.”

2. Mayor calls for a second, discussion, and calls for the vote (Requires four-fifths vote of the Commission).
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Staff Recommendation: Staff recommends the City Commission approve the sale of the ±1.31 acre city-owned Med-Tech Park Lot 3E at 2100 21st Avenue South.

Background: In 2004, the City of Great Falls purchased 10 acres of land for the purpose of creating a subdivision that would provide office development sites compatible with existing development in that part of the city known as the “Medical District.”

Utilities were extended to the site, a segment of 21st Avenue South was built connecting to 23rd Street South, and 8 lots of 1 acre+ each in size were created at a total cost to the city of about \$1.2 million. On July 18, 2006, City Commission approved the final plat for the project.

The Med-Tech lots were appraised by McKay Rowen Associates in July 2006. The Summary Appraisal Report dated July 25, 2006 estimated market value of the lots at \$4.00 to \$4.50 per square ft. The Med-Tech lots are zoned M-1 (Mixed use district).

The city sold the first lot (Lot 3D) in September 2006 for \$4.00 per square ft. for the purpose of constructing the Social Security Building. In July 2008, the city sold Lot 3F at \$4.25 per square ft. for construction of the Homeland Security building. In May and June 2009, Lots 3G and 3H, respectively, were sold for \$4.25 per square ft. to Premier Care Pediatrics, although those lots have yet to be developed. Lots A, B, C and E remain available for purchase and development.

After receiving recent inquiries regarding purchase of lots in the Med-Tech Park, Lot 3E was offered for public bid. City code (Section 3.04.050 Bidding) requires "An advertisement for bids shall be made once in a paper of general circulation in the City with the publication to be not less than five nor more than twelve days before consideration of bids."

The subject property (Lot 3E) is ±1.31 acres and the minimum bid price was set at \$256,786 or \$4.50 per square ft. with a requirement that every bid be accompanied by a cashier's check made payable to the City of Great Falls or a bid bond executed by an authorized surety corporation for an amount not less than 10 percent of the bid price.

The legal advertisement ran in the *Great Falls Tribune* on Wednesday, June 27, 2012, for a bid opening at 2 p.m. on Friday, July 6, 2012 in the City Clerk's Office.

Prior to the bid opening deadline on July 6, 2012, one bid was received in the City Clerk's Office. The sealed bid was submitted by Mark Macek on behalf of Bresnan Communications, LLC. The offer was to purchase the subject property for \$265,000 and was duly accompanied by a cashier's check for 10 percent of the offered purchase price (\$26,500).

If Bresnan Communications, LLC, is successful in acquiring the subject property they intend to build a new facility there and relocate from their current building at 2910 10th Avenue South. The proposed new Bresnan project would consist of a retail center, private office space, head-end (cable signal distribution center) and a warehouse. The retail center and private office space would be approximately 3,500 SF. The warehouse and head-end would be approximately 5,800 SF. All of this would be housed in one structure. Outside the building would be four (4) satellite dishes that will cover an area of approximately 3,900 SF, a forty five (45) foot high tower that would rest on a 15 x 15 foot concrete pad (225 SF) and a standby generator. The satellite dishes would be 4.5 meters in diameter and at a height of 17 feet. Each dish would rest on a 10 x 10 foot concrete pad with 5 feet in between each pad. An outside storage area of approximately 4,000 SF would be used for material such a conduit, cable, pedestals, etc. The area containing the satellite dishes, generator and outside storage would be fenced along with a fenced area for company vehicles. The telecommunications component of the facility does require conditional use approval in the M-1 zoning district, so the offer to purchase is contingent on the buyer applying for and receiving a Conditional Use Permit.

City Commission set this public hearing at their meeting held on July 17, 2012. The notice of this public hearing was published in the *Great Falls Tribune* on July 22, 2012.

Please note that pursuant to City Code a decision by City Commission to sell, trade or lease city-owned property must be passed by four-fifths (4/5) of all the members of the City Commission (Sec. 3.04.010 Sale, trade or lease).

Concurrences: N/A

Fiscal Impact: Sale of the subject property will generate revenue for the City to offset initial development costs and will relieve the City of maintenance responsibility for the property. Sale of the subject property will accommodate new development and expand the city's tax base.

Alternatives: The City Commission can approve or deny the sale of the land.

Attachments/Exhibits: Bid Tabulation Summary
Notice To All Bidders
Bid Offers

CITY OF GREAT FALLS
P.O. BOX 5021
GREAT FALLS, MT 59403

BID TABULATION SUMMARY
Sale of City-Owned Property

Parcel 1079544
Bids taken at Civic Center
July 6, 2012 – 2:00 P.M.
Tabulated by Lisa Kunz

	Name and Address of Bidder	Minimum Bid Price - \$256,786 (\$4.50 SF)	Total Bid	10% Bid Security
1	Bresnan Communications LLC c/o Macek Companies, Inc. 104 2 nd Street South Suite 100 Great Falls, MT 59401	X	\$265,000	Chase Cashier's Check \$26,500
2				
3				
4				
5				

NOTICE TO ALL BIDDERS
SALE OF CITY-OWNED PROPERTY

NOTICE IS HEREBY GIVEN that the City of Great Falls, Montana, will receive sealed bids at the City Clerk's Office, Room 204, Civic Center Building, #2 Park Drive, Great Falls, Montana, until 2:00 p.m., July 6, 2012, at which place and time they will be publicly opened, read and considered, together with all bidding for the sale of the City-owned property described as follows:

Med-Tech Lot 3E, Parcel 1079544, containing \pm 1.310 acres, located at 2100 21st Avenue South, Great Falls, MT 59403.

Each and every bid shall be accompanied by a cashier's check drawn on a responsible bank payable to the City of Great Falls or a bid bond executed by a surety corporation authorized to do business in the State of Montana, for an amount not less than ten percent of the bid price. Minimum bids shall not be less than the appraised value as indicated below:

The minimum bid price shall be \$256,786 (\$4.50 SF).

The bids shall be marked on the outside: "Bid on City-owned property to be opened July 6, 2012."

Map exhibits of the City owned property to be sold are on file at the Offices of the Planning & Community Development Department, City of Great Falls, Montana. Potential bidders are encouraged to contact Mike Haynes, Director of Planning & Community Development, for additional information prior to submitting a bid, at 455-8433.

The City Commission of the City of Great Falls reserves the right to reject any or all bids and to accept any bid should it be deemed in the public interest to do so.

Lisa Kunz, City Clerk

PUBLICATION DATE: June 27, 2012

July 2, 2012

BY HAND

City of Great Falls, Montana
City Clerk's Office, Room 204
Civic Center Building
#2 Park Drive
Great Falls, Montana 59401

**Re: Sale of city owned property described as Med-Tech Lot 3E,
Parcel 1079544, containing ±1.310 acres, located at 2100 21st
Avenue South, Great Falls, MT 59403 (the "Property")**

Dear City Clerk:

Bresnan Communications, LLC ("Bresnan") hereby submits its bid to purchase the Property for the amount of \$265,000.00 (the "Bid Amount") upon the terms and conditions stated in this bid. Enclosed is a check in the amount of \$26,500.00 (the "Down Payment").

Bresnan's obligation to acquire the Property and pay the balance of the Bid Amount in excess of the Down Payment is contingent upon: (i) the City of Great Falls and Bresnan entering into a commercially reasonable purchase and sale agreement with customary due diligence provisions, including, without limitation, relating to title, environmental issues, and zoning issues and (ii) receipt by Bresnan of any required conditional use and other permits to allow the contemplated use of the Property by Bresnan. If, for any reason, Bresnan does not acquire the Property, the Down Payment shall be returned to Bresnan, and the City of Great Falls accepts this bid and receives the Down Payment upon the condition that it will be returned if Bresnan is not the successful bidder or does not acquire the Property.

Sincerely,

BRESNAN COMMUNICATIONS, LLC

By: 

Name: Gerard Genova

Title: ERP - Network Management and
Field Operations



Keep this receipt as a record of your purchase.

FOR YOUR PROTECTION SAVE THIS COPY
CASHIER'S CHECK

Customer Copy

9784103684

07/03/2012

New York

Remitter BRESNAN COMMUNICATIONS, LLC

Pay To The Order Of CITY OF GREAT FALLS
CITY CLERKS OFFICE

\$ *****26,500.00 ***

Drawn: JPMORGAN CHASE BANK, N.A.

NON NEGOTIABLE

TERMS

KEEP THIS COPY FOR YOUR RECORD OF THE TRANSACTION.
PLEASE CONTACT CHASE TO REPORT A LOSS OR FOR ANY OTHER INFORMATION ABOUT THIS ITEM.

282111107 NEW 01/08 8910004306

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

CASHIER'S CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



9784103684

25-3
440

Date 07/03/2012

Remitter BRESNAN COMMUNICATIONS, LLC

Pay: TWENTY SIX THOUSAND FIVE HUNDRED DOLLARS AND 00 CENTS

Pay To The Order Of CITY OF GREAT FALLS
CITY CLERKS OFFICE

\$ *****26,500.00 ***

Drawn: JPMORGAN CHASE BANK, N.A.

Michael Andrews

Senior Vice President
JPMorgan Chase Bank, N.A.
Columbus, OH

