

22-1426

Proposed Amended for ~~J&A 1.5.2023~~ Council 1.12.2023

Resolution regarding Harry J. Olson Multipurpose Senior Center, Inc.

AMENDED RESOLUTION

WHEREAS, ~~the Common Council~~, on January 14, 2016, the Common Council passed a ~~Resolution~~ Resolution #15-1219 regarding approval of a lease with Harry J. Olson Multipurpose Senior Center, Inc., for City-~~owned~~ property located at 1607 North Street; and

WHEREAS, the ~~Resolution~~ Resolution's recitals identify that the Board of Public Works recommended the sale of the property at 1607 North Street to Harry J. Olson Multipurpose Senior Center, Inc. after the end of the lease for \$1.00; and

WHEREAS, the Resolution's recitals also provided that if the Harry J. Olson Multipurpose Senior Center, Inc. did not wish to purchase the property, it should be declared surplus property and sold to a third party under such terms and conditions as the City required; and

WHEREAS, the Harry J. Olson Multipurpose Senior Center, Inc. desires to purchase the property and has so notified the City; and

WHEREAS, the City, ~~asserts it will not transfer the property without it being subject to certain restrictions and covenants which the Harry J. Olson Multipurpose Senior Center, Inc. will not accept and the parties are at an impasse~~ desiring to honor the Harry J. Olson Multipurpose Senior Center, Inc.'s expressed desire, has a duty to establish an agreement for the transfer of ownership that includes covenants and restrictions necessary to protect the public interest when selling a public asset and Public Purpose for making an offer of sale for the price of one dollar (\$1.00),

WHEREAS, ~~the City has threatened eviction of the Harry J Olson Multipurpose Senior Center, Inc. from the subject premises.~~

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La

Crosse that in order to achieve an outcome that satisfies the obligations incumbent upon the City and the desired interests of the Harry J. Olson Multipurpose Senior Center, Inc.:

1. The Mayor is directed to establish a negotiation task force composed of himself and three council members, specifically Council Member _____, Council Member _____, and Council Member _____, approved by the Common Council, to represent the City's interests in negotiations that will be pursued by the City's legal representation with the Harry J. Olson Multipurpose Center, Inc. representative.
2. The negotiations will achieve an agreement for sale that is acceptable to all parties within three months of the establishment of the task force; failing this, a report of the progress made to that point shall be brought back to the Common Council with a request for a prolongation of the negotiation period if there is evidence of good faith progress. IN the case that the Common Council decides that the negotiation outcome to that point has been inadequate and that there is little evidence the negotiation process will become utile and successful in the future, then the City will withdraw from further attempts to negotiate with the Harry J. Olson Multipurpose Senior Center, Inc. and the building will be given over to other purposes as would be determined by the Common Council.
3. The Harry J. Olson Multipurpose Senior Center, Inc. is advised that its current occupation of the 1607 North Street ~~City~~ premises is not in order, and it is therefore advised to pursue negotiations to rectify its status with all deliberate speed and in good faith.
- 3.4. If the parties fail to reach an agreement, the Legal Department is authorized to seek all legal remedies against Harry J. Olson Multipurpose Senior Center, Inc., including, without limitation, eviction.
- 4.5. The City and its various ~~subdivisions and~~ departments are authorized to take any and all steps necessary to effectuate this Resolution.

~~1. The City shall transfer, with all deliberate speed, the subject property to The Harry J. Olson Multipurpose Senior Center, Inc. for \$1.00 and subject to the following terms and conditions:~~

~~A. The subject property shall only be used as a Senior Center in substantially the same way and manner as it has been used heretofore.~~

~~B. If for any reasons the property is not nor cannot be used as a Senior Center as contemplated herein, the City shall have the option to repurchase for \$1.00.~~

~~C. The property shall remain a polling place for the City of La Crosse in the same manner that it has been used heretofore.~~

~~2. The City shall not commence a legal action to evict the Harry J Olson Multipurpose Senior Center, Inc. from the subject premises.~~