

ORDINANCE NO. 44-2008

AN ORDINANCE APPROVING THE EXECUTION OF A DEVELOPER PARTICIPATION CONTRACT BETWEEN THE CITY OF ABILENE AND CONNECTING CARING COMMUNITIES FOR THE PURPOSE OF MAKING CERTAIN PUBLIC IMPROVEMENTS AS AUTHORIZED BY LAW.

WHEREAS, The Local Government Code allows a municipality to enter an agreement with a developer of land to provide funding for infrastructure and related improvements related to the development, and;

WHEREAS, The improvements cannot include the construction of buildings, and the municipality may not participate at a level that would exceed thirty percent of the total project cost, and;

WHEREAS, The participation by the City would be through the provision of certificate of obligation funds identified as "Infill Development Funds", and;

WHEREAS, the Comprehensive Plan of the City of Abilene placed an emphasis on infill development, and;

WHEREAS, it is in the City's best interest to encourage, and where possible, contribute to private efforts to provide affordable housing and community amenities,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

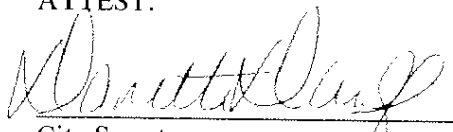
PART 1: That the City Manager is authorized to execute a Developer Participation Agreement between the City of Abilene and Connecting Caring Communities for the purpose providing funding for infrastructure improvements, as set out in Exhibit "A", attached hereto and made a part of this Ordinance for all purposes.


PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

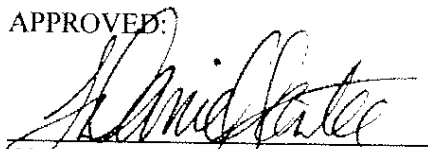
PASSED ON FIRST READING this 14<sup>th</sup> day of August, A.D., 2008.

PASSED ON SECOND AND FINAL READING this 28<sup>th</sup> day of August, A.D., 2008.

ATTEST:

  
\_\_\_\_\_  
City Secretary

  
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Mayor

APPROVED:  
  
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City Attorney