

RESOLUTION NO. 132-2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A GROUND LEASE AND A CITY FACILITIES LEASE WITH THE ABILENE CONVENTION CENTER HOTEL DEVELOPMENT CORPORATION, AND A CITY FACILITIES DEVELOPMENT AGREEMENT WITH GARFIELD PUBLIC/PRIVATE LLC, ALL BEING PART OF THE DOWNTOWN HOTEL PROJECT.

WHEREAS, on June 23, 2021, the Abilene Convention Center Hotel Development Corporation entered into a Design-Build construction agreement with DPR Construction to build a downtown convention center hotel; and

WHEREAS, construction of the hotel is part of the Downtown Convention Center Hotel project with the City of Abilene; and

WHEREAS, as part of the project, the City of Abilene will enter into a ground lease with the Abilene Convention Center Hotel Development Corporation for an approximately 1 acre site across from the Convention Center on which the hotel will be built; and

WHEREAS, the ground lease will be for a term of 40 years with an annual rent of \$1.00; and

WHEREAS, on June 23, 2021, the City of Abilene entered into a Design-Build construction agreement with DPR Construction to build the downtown city convention facilities, which are part of the Downtown Convention Center Hotel project with the Abilene Convention Center Hotel Development Corporation; and

WHEREAS, the city convention facilities will be constructed with the downtown hotel; and

WHEREAS, in addition to the city convention facilities, surface parking will be constructed to serve the downtown hotel and convention facilities; and

WHEREAS, as part of the project, the City of Abilene will enter into a city facilities lease with the Abilene Convention Center Hotel Development Corporation in order that the downtown hotel and the city convention facilities, including the surface parking, may be operated, maintained and managed as a single facility; and

WHEREAS, the city facilities lease will be for a term of 40 years with an annual rent of \$1.00; and

WHEREAS, on October 7, 2019, the City of Abilene, the Abilene Convention Center Hotel Development Corporation, and Garfield Public/Private LLC entered into a Master Development Agreement for design and construction of a downtown convention center hotel and convention facilities project; and

WHEREAS, the Master Development Agreement set forth the process whereby Garfield Public/Private would develop the project; and

WHEREAS, pursuant to the Master Development Agreement, the City and Garfield would enter into a separate City Facilities Development Agreement to set forth the parties' duties and obligations regarding the design and construction of the city convention facilities; and

WHEREAS, a corresponding, separate Hotel Development Agreement has been entered into between Garfield and the Abilene Convention Center Hotel Development Corporation which set forth those parties' duties and obligations regarding the design and construction of the hotel facilities; and

WHEREAS, as part of the project the City will enter into the City Facilities Development Agreement with Garfield Public/Private LLC to complete the design and construction agreements for the project; and

WHEREAS, staff makes its recommendation for the City Council to approve a ground lease and a city facilities lease with the Abilene Convention Center Hotel Development Corporation, and approve the City Facilities Development Agreement with Garfield Public/Private LLC, all being part of the downtown convention center hotel project.

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

Part 1: The City Council authorizes the City Manager to execute a Ground Lease with the Abilene Convention Center Hotel Development Corporation for the purpose of construction and operation of the downtown convention center hotel.

Part 2: The City Council authorizes the City Manager to execute a City Facilities Lease with the Abilene Convention Center Hotel Development Corporation for the purpose of operating, maintaining and managing the city convention facilities along with the downtown convention center hotel.


Part 3: The City Council authorizes the City Manager to execute a City Facilities Development Agreement with Garfield Public/Private, LLC for the purpose of design and construction of the city facilities portion of the downtown convention center hotel.

Part 4. That this Resolution takes effect immediately upon its adoption.

ADOPTED this 12th day of August, 2021.

ATTEST:


Shawna Atkinson, City Secretary


Anthony Williams, Mayor

APPROVED:


Stanley Smith, City Attorney