

**RESOLUTION NO. 111-2022**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ABILENE AND HABITAT FOR HUMANITY ABILENE, INC. REGARDING DEMOLITION OF 1350 CYPRESS STREET, ABILENE, TEXAS**

**WHEREAS**, the State of Texas has authorized cities to create economic development programs in accordance with Article III, Chapter 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code; and

**WHEREAS**, the State of Texas has authorized cities to create neighborhood empowerment zones in accordance with Chapter 378 of the Texas Local Government Code; and

**WHEREAS**, the City Council of the City of Abilene passed and approved Resolution No. 49-2016 creating a Chapter 380 economic development program; and

**WHEREAS**, the City Council of the City of Abilene adopted Resolution 203-2021 amending the Abilene Neighborhood Empowerment Zone No. 1, and creating the Abilene Neighborhood Empowerment Zone No. 2, and established certain economic development incentive programs within the Zones; and

**WHEREAS**, the City desires to enter into an Economic Development Agreement with Habitat for Humanity Abilene, Inc., the Developer, in order to implement the economic development program developed by the City to enhance and expand the City's commercial economic and employment base to the long term interest and benefit of the City and the State of Texas; and

**WHEREAS**, the City has determined that making an economic development grant for the Economic Incentives to Habitat for Humanity Abilene, Inc. in accordance with the Economic Development Agreement will further the objectives of the City, will benefit the City and the City's inhabitants, will increase the quality of life of the City, will foster and promote additional economic development and will protect and safeguard the public health, safety and welfare by improving a highly visible downtown area of the City; and

**WHEREAS**, Habitat for Humanity Abilene, Inc. intends to acquire fee simple ownership of 1350 Cypress Street, Abilene, Texas, the former St. Ann Hospital (Property), for the removal of blight, and that the Property is located within the Abilene Neighborhood Empowerment Zone No. 1; and

**WHEREAS**, Habitat for Humanity Abilene, Inc. intends to demolish the Property located at 1350 Cypress Street, and develop the property into a single-family residential neighborhood; and

**WHEREAS**, the Property in its current state is creating downward economic pressure on the economic vitality of the area, and it is anticipated that the demolition and development of the Property will have a direct and positive economic benefit to the City; and

**WHEREAS**, pursuant to Chapter 380 of the Texas Local Government Code, the Developer shall acquire fee simple title to the Property, and shall demolish the Property, within one year from the date of the Agreement, and additionally will develop, or cause to be developed, the Property into a single-family residential neighborhood within five years from the date of obtaining fee simple title; and

**WHEREAS**, pursuant to Chapter 380 of the Texas Local Government Code, the City shall reimburse the Developer up to the sum of \$500,000.00 toward the Developer's actual and incurred demolition expense of the Property; and

**WHEREAS**, in the event that Habitat for Humanity Abilene, Inc. fails to complete, or cause to be completed, demolition and development of the Property, the City shall be entitled to damages or specific performance of the Agreement terms; and

**WHEREAS**, the City hereby finds that the Agreement embodies an eligible "project" and clearly promotes economic development in the City and, as such, meets the requisites under Chapter 380 of the Texas Local Government Code and is in the best interests of the City; and

**WHEREAS**, the City hereby finds that this Agreement promotes infill development within the neighborhood empowerment zone and, as such, meets the requisite under Chapter 378 of the Texas Local Government Code and is in the best interest of the City; and

**WHEREAS**, the development serve the public's interest and meets a public purpose; and

**WHEREAS**, a grant of public money for the purpose of constructing this infrastructure improvement will promote state or local economic development and stimulate businesses and commercial activity in the City of Abilene.

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

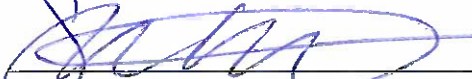
Part 1: That the City Manager is hereby authorized to negotiate and execute the Economic Development Agreement between the City of Abilene and Habitat for Humanity Abilene, Inc. for the public improvement project.

Part 2: That the City Council adopts and confirms the findings stated in the Whereas clauses above.

Part 3. That this Resolution takes effect immediately upon its adoption.

**ADOPTED this 14<sup>th</sup> day of July, 2022.**

ATTEST:

  
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Shawna Atkinson, City Secretary



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Anthony Williams, Mayor

APPROVED

  
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Stanley Smith, City Attorney

