

**RESOLUTION NO. 167-2022**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS  
AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF  
ABILENE AND ALL KIND ANIMAL INITIATIVE**

**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 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 desires to enter into this Agreement with All Kind Animal Initiative 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 to All Kind Animal Initiative in accordance with this 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; and

**WHEREAS**, the City has acquired fee simple ownership of 610 ES 11<sup>th</sup> Street, Abilene, Taylor County, Texas; and

**WHEREAS**, the City Council, on July 28, 2022 by Resolution 118-2022, approved a Memorandum of Agreement ("MOA") with All Kind Animal Initiative wherein, in part, the City committed to provide \$4,000,000.00 towards the construction of a new pet and animal resource center at 610 ES 11<sup>th</sup> Street; and

**WHEREAS**, the City, to effectuate the MOA with All Kind Animal Initiative, now desires to enter into this economic development agreement with All Kind Animal Initiative for funding of the completion of the engineering and design work associated with the construction of the proposed pet and animal resource center; and

**WHEREAS**, the City, to further effectuate the MOA with All Kind Animal Initiative, also desires to enter into an economic development agreement with All Kind Animal Initiative for the funding of the construction of the proposed pet and animal resource center upon All Kind Animal Initiative successfully completing its private fundraising campaign in the amount of \$5,500,000.00; and

**WHEREAS**, the City hereby finds that this 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**, pursuant to Chapter 380 of the Texas Local Government Code, the City will grant to All Kind Animal Initiative the not-to-exceed sum of \$689,392.00 for their costs of the completion of the engineering and design work associated with the construction of the proposed pet and animal resource center at 610 ES 11<sup>th</sup> Street ; and

**WHEREAS**, pursuant to Chapter 380 of the Texas Local Government Code, the City will grant to All Kind Animal Initiative the sum of \$4,000,000.00 for their costs of construction of the proposed pet and animal resource center at 610 ES 11st Street, but deducting from that sum any amount paid to All Kind Animal Initiative for their costs of the completion of the engineering and design work, upon their successful completion of their private fundraising campaign in the amount of \$5,500,000.00 within 36 months of the date of the MOA; and

**WHEREAS**, a grant of public money for the purpose of development of the property 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 an Economic Development Agreement between the City of Abilene and All Kind Animal Initiative for the public improvement project.

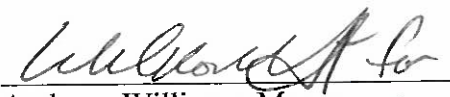
Part 2: That the City Council adopts and confirms the findings stated in the Whereas clauses above.

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

**ADOPTED this 22<sup>nd</sup> day of September, 2022.**

ATTEST:

  
Shawna Atkinson, City Secretary

  
Anthony Williams, Mayor

APPROVED:

  
Stanley Smith, City Attorney