

RESOLUTION NO. 238-2024

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AUTHORIZING THE DONATION OF CARVER PARK PLAYGROUND WITH SHADE
STRUCTURE AND PAVILION TO ABILENE VOLUNTEER SERVICES COUNCIL.**

WHEREAS, the citizens of Abilene voted to pass a 2023 bond for development of two recreation centers to replace existing Cesar Chavez and GV Daniels Recreation Centers; and

WHEREAS, the replacement of the existing playground next to G.V. Daniels Recreation Center located in Carver Park was included in the development of the new G.V. Daniels Recreation Center; and

WHEREAS, the Texas Constitution, Art. III, § 52(a) and Art. XI, § 3 generally prohibit the donation or gift of property by a municipality to a private entity or person; and

WHEREAS, a municipality may make a donation or gift of property if (1) the conveyance will serve a predominantly public purpose of the city; (2) the city will retain sufficient control to ensure the public purpose is carried out; and (3) the city will receive return benefit; and

WHEREAS, the playground and shade structure at Carver Park have minimal monetary value to the City of Abilene, and the public is better served if the Carver Park playground with shade structure and pavilion are donated to local non-profit organization for distribution to the public; and

WHEREAS, the City Council, City of Abilene, finds that the donation of the playground with shade structure and pavilion to Abilene Volunteer Services Council, a local non-profit organization, will serve a predominately public purpose, the city will retain sufficient control to ensure the public purpose is carried out, and the city will receive a benefit.

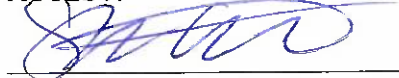
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1: That the City Manager is authorized to donate the Carver Park playground with shade structure and pavilion to Abilene Volunteer Services Council, a local non-profit organization, to serve the public purpose.

Part 2. That this Resolution takes effect immediately upon its adoption.

ADOPTED this 17th day of October 2024.

ATTEST:

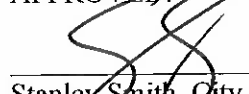


Shawna Atkinson, City Secretary



Weldon Hurt, Mayor

APPROVED:



Stanley Smith, City Attorney