

RESOLUTION NO. 257-2024

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AUTHORIZING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE
CITY OF ABILENE AND CHICK-FIL-A, INC.**

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. 142-2024 creating a Chapter 380 economic development program; and

WHEREAS, the City desires to enter into an Economic Development Agreement with Chick-Fil-A, Inc., 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 Chick-Fil-A, 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 of the City; and

WHEREAS, the Chick-Fil-A, Inc. intends to develop and make substantial design and construction improvements to property leased from the City located at 4300 Southwest Drive, Abilene, Taylor County, Texas; and

WHEREAS, the anticipated costs of construction of the improvements have increased since the date of the lease agreement, and the scope of work of the construction of the improvements has been modified to maximize the facility; and

WHEREAS, the City will grant and pay to Chick-Fil-A, Inc., a maximum of \$600,000.00 over a ten-year period, consisting of payments of \$50,000.00 for years 1 and 2, and 100% of the 1.5% local sales and use tax collected by the Developer and paid to the Comptroller on gross taxable sales exceeding \$12,000,000.00, capped at \$75,000.00 annually, for years 3 through 10; and

WHEREAS, the City desires to enter into this Economic Development Agreement with 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 to the Developer 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 of its residents; and

WHEREAS, it is anticipated that the development of the Project Area will have a direct and positive economic benefit to the City; 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.

WHEREAS, the development serves 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:

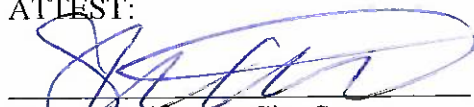
Part 1: That the City Manager is hereby authorized to negotiate and execute the Economic Development Agreement between the City of Abilene and Chick-Fil-A, Inc. for the public improvement project.

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 7th day of November, 2024

ATTEST:

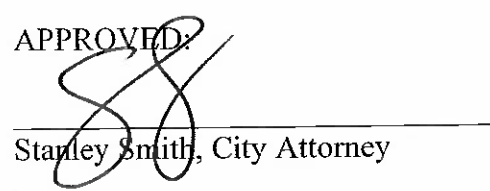


Shawna Atkinson, City Secretary



Weldon Hurt, Mayor

APPROVED:



Stanley Smith, City Attorney