

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO THE  
GROUND LEASE OF CITY PROPERTY TO GRIFFIN/SWINERTON, LLC;  
PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES;  
PROVIDING FOR OPEN MEETING AND ESTABLISHING AN EFFECTIVE  
DATE.**

**WHEREAS**, the City of Pflugerville Home Rule Charter requires the authorization of the lease of City land by ordinance; and

**WHEREAS**, the City desires to authorize and enter a lease of City owned property located within the City's jurisdictional limits, to Griffin/Swinerton, LLC, as part of a larger development project, known as Downtown East, the property to be leased as defined within the Lease (the "Leased Premises"); and

**WHEREAS**, on November 26, 2024, the City Council approved a ground lease to Griffin Swinnerton, LLC for the purpose of completing the design and to develop, construct, furnish and equip Phase One of the development project known as Downtown East Project; and

**WHEREAS**, the City desires to amend the original ground lease agreement to incorporate the design and construction of a structured parking facility into the Downtown East project; and

**WHEREAS**, the City Council hereby finds and determines that the lease of city land as defined by the City Charter shall mean the original lease authorization or an amendment to an existing lease term but does not include other amendments to a lease; and

**WHEREAS**, as authorized under law, and in the best interests of the citizens of Pflugerville, Texas, the City Council deems it appropriate to amend the original ground lease agreement as provided for in the attached Exhibit A (the "Lease Amendment").

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:**

**Section 1:** That the recitals contained in the preamble hereto are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

**Section 2:** That the City Manager is hereby authorized to execute the Lease Amendment for the Property and take any other necessary and reasonable action to effectuate the Lease Amendment.

**Section 3:** That all future amendments to the Lease, which do not affect the term of the lease may be approved by the City Council by resolution.

**Section 4.** All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein.

**Section 5.** Cumulative and Repealer Clause. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, Texas, and shall not operate to repeal or affect any other ordinances of the City except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed to the extent of such conflict.

**Section 6.** That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**Section 7:** This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

**CITY OF PFLUGERVILE, TEXAS**

\_\_\_\_\_  
**Victor Gonzales, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Trista Evans, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney  
DENTON NAVARRO ROCHA BERNAL & ZECH, P.C.

## EXHIBIT A