

**City of Pflugerville, Texas, Ordinance No. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DESIGNATING THE METHOD OF DETERMINATION OF THE AMOUNT OF THE TAX INCREMENT FOR REINVESTMENT ZONE NO. ONE, CITY OF PFLUGERVILLE, TEXAS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, by Ordinance No. 2010-0243, adopted December 14, 2010, the City of Pflugerville, Texas (the “City”) created Reinvestment Zone Number One, City of Pflugerville, Texas (the “Zone”) for the purposes of development within the City; and

**WHEREAS**, Section 311.012 of the Texas Tax Code provides that the amount of a taxing unit's tax increment for a year is the amount of property taxes levied and assessed by the unit for that year on the captured appraised value of real property taxable by the unit and located in a reinvestment zone or the amount of property taxes levied and collected by the unit for that year on the captured appraised value of real property taxable by the unit and located in a reinvestment zone; and

**WHEREAS**, Section 311.012 of the Texas Tax Code provides that the governing body of the taxing unit shall determine which of the methods specified above is used to calculate the amount of the unit's tax increment; and

**WHEREAS**, the City Council for the City of Pflugerville hereby finds and determines that the appropriate method for determining the amount of the tax increment for Reinvestment Zone No. One is the amount of property taxes levied and collected by the unit for that year on the captured appraised value of real property taxable by the unit and located in a reinvestment zone.

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

**I**

**TAX INCREMENT AMOUNT DETERMINATION**

The City Council of the City of Pflugerville hereby finds and determines that the amount of the tax increment within Reinvestment Zone No. One for a year shall be the amount of property taxes levied and collected by the unit for that year on the captured appraised value of real property taxable by the unit and located in Reinvestment Zone No. One.

**II**

**CUMULATIVE CLAUSE**

That this ordinance shall be cumulative of all provisions of the City of Pflugerville, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

### **III SEVERABILITY**

That it is hereby declared to be the intention of the City Council of the City of Pflugerville that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

### **IV PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government.

### **V EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as required by State and Local law.

**PASSED AND ADOPTED** by the City Council of the City of Pflugerville this 22<sup>nd</sup> day of May, 2012.

**A P P R O V E D**

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Jeff Coleman, Mayor

Attest:

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Karen Thompson, City Secretary