

ORDINANCE NO. 1402-19-09-10

**AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, APPROVING THE SECOND AMENDMENT TO THE PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR REINVESTMENT ZONE NUMBER ONE, CITY OF PFLUGERVILLE, TEXAS; AUTHORIZING THE CITY SECRETARY TO DISTRIBUTE SUCH PLANS; CONTAINING VARIOUS PROVISIONS RELATED TO THE FORGOING SUBJECT.**

**Whereas**, by Ordinance No. 1094-11-11-22, adopted November 22, 2011, the City of Pflugerville adopted a Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number One (the “Zone”); and

**Whereas**, by Ordinance No. 1153-13-09-10, adopted September 10, 2013, the City of Pflugerville adopted a First Amendment to the Project Plan and Reinvestment Zone Financing Plan for the development of the Zone and including improvements to East Pflugerville Parkway; and

**Whereas**, by Ordinance No. 1380-18-12-11, adopted December 11, 2018, the City of Pflugerville amended the Zone to include additional property and approved the First Amended Project Plan and Reinvestment Zone Financing Plan and adjusted the tax increment base thereof; and

**Whereas**, the City Council finds the Board of Directors of the Zone met on August 5, 2019, and approved amending the Project Plan and Reinvestment Zone Financing Plan to assign project responsibility for the improvements of Colorado Sand Drive (Segment B, Phase 2) to the City of Pflugerville; and

**Whereas**, the City of Pflugerville finds that the Colorado Sand Drive Project should be financed and constructed by the City of Pflugerville, and that such Project should be added to the Project Plan and Reinvestment Zone Financing Plan for the Zone.

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

**Section 1.** The findings contained in the preamble of this Ordinance are hereby declared to be true and correct and are adopted as part of this Ordinance.

**Section 2.** The Second Amendment to the Project Plan and Reinvestment Zone Financing Plan attached hereto for the Zone, City of Pflugerville, Texas, is hereby determined to be feasible and is approved.

**Section 3.** The City Secretary is directed to provide copies of the Project Plan and Reinvestment Zone Financing Plan to each of the taxing units levying ad valorem taxes in the Zone.

**Section 4.** The City Council officially finds, determines and declares that sufficient written notice of the date, hour, place and subject of each meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as

amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

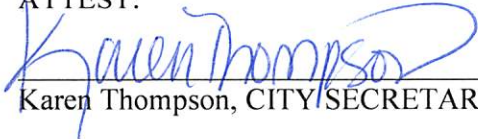
PASSED, APPROVED AND ADOPTED on the 10th day of September, 2019.



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Victor Gonzales, MAYOR

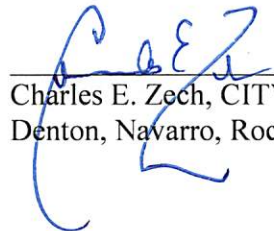
ATTEST:



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Karen Thompson, CITY SECRETARY

APPROVED AS TO FORM



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Charles E. Zech, CITY ATTORNEY  
Denton, Navarro, Rocha, Bernal, & Zech, P.C.

**SECOND AMENDMENT TO  
PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN  
CITY OF PFLUGERVILLE  
REINVESTMENT ZONE NO. ONE  
\_\_\_\_\_, 2019**

**Second Amendment to Project Plan and Reinvestment Plan Zone Financing Plan**  
**Reinvestment Zone No. One, City of Pflugerville, Texas**

The Project Plan and Reinvestment Zone Financing Plan was approved by the Board of directors of Reinvestment Zone No. One, city of Pflugerville (the “Zone”), and adopted by the City Council of the City of Pflugerville (the “City”) by Ordinance No. 1094-11-11-22, dated November 22, 2011. The First Amendment was approved by Ordinance 1153-13-09-10, dated September 10, 2013. This document constitutes the Second Amendment to the TIRZ Plan, for the purpose of providing for the financing and responsibility for construction of the Colorado Sand (Segment B, Phase 2) Project.

**The TIRZ Plan is amended as follows:**

**Project Plan.**

1. The below-described Project was previously identified within the TIRZ Plan as a project within the Zone as follows on page 2:

“Segment “B” (Phase Two):

[including; from Colorado Sand Drive/SH 130 intersection to Colorado Sand Drive Segment “A” terminus (Falcon Pointe Boundary Line), right-of-way acquisition over “Bohls”, “Mellenbruch” and “PISD” Tracts, paving, surface street drainage, water, dry utilities (shall consists of full ROW width, raised median, two travel lanes (one in each direction) and water main)]”

and identified within Exhibit D (TIRZ Public Improvements) as a Project with responsibility to be determine. The TIRZ Plan is amended to provide that the City of Pflugerville shall manage and fund the construction of the Colorado Sand Drive (Segment B, Phase 2) Project improvements, including right-of-way acquisition costs. The Project will connect the northern terminus at the intersection of Colorado Sand Drive and Copper Mine Drive to the southern terminus at the Falcon Pointe Boundary Line, and is depicted on Exhibit A and is more fully described as:

- Right of Way Acquisition
  - Two northbound travel lanes, center raised median, two southbound travel lanes, and connections to existing sections of Colorado Sand Drive, subject to coordination with property owners and contextual design considerations
  - Curb and gutter stormwater facilities, detention as required
  - Streetlighting, and miscellaneous conduit to accommodate street lights
  - 10’ Concrete Multi-use path
  - Landscape in the medians
2. There are no contemplated changes to the municipal ordinances or codes of the City.
  3. There are no existing residents that will be displaced by the Project.

**Reinvestment Zone Financing Plan.**

1. Estimated Project Costs are increased by \$4,800,000.00, (plus right of way costs) to include the Project Costs associated with the Colorado Sand Drive (Segment B, Phase 2) Project, and Exhibit is amended accordingly.
2. The plan, as amended hereby, is found to be economically feasible.
3. The estimate of bonded indebtedness is increased by the amount of bonds required to reimburse Project Costs of \$4,800,000.00 (plus right of way costs). Table 3 is amended as follows:

<u>“Project description</u>	<u>Project Responsibility</u>	<u>Estimated Project Cost</u>
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**Colorado Sand Drive (North/South Retail Collector)**

Segment “B” (Phase Two)	City of Pflugerville	\$5,600,000.00
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Right of Way acquisition over tracts:	City of Pflugerville	To be determined
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- KEDMA Ventures LLC (Travis CAD: 807107)\*
- Pflugerville ISD (Travis CAD: 463139)\*\*
- Cornerstone at Kelly Lane LLC (Travis CAD: 830436)\*\*\*

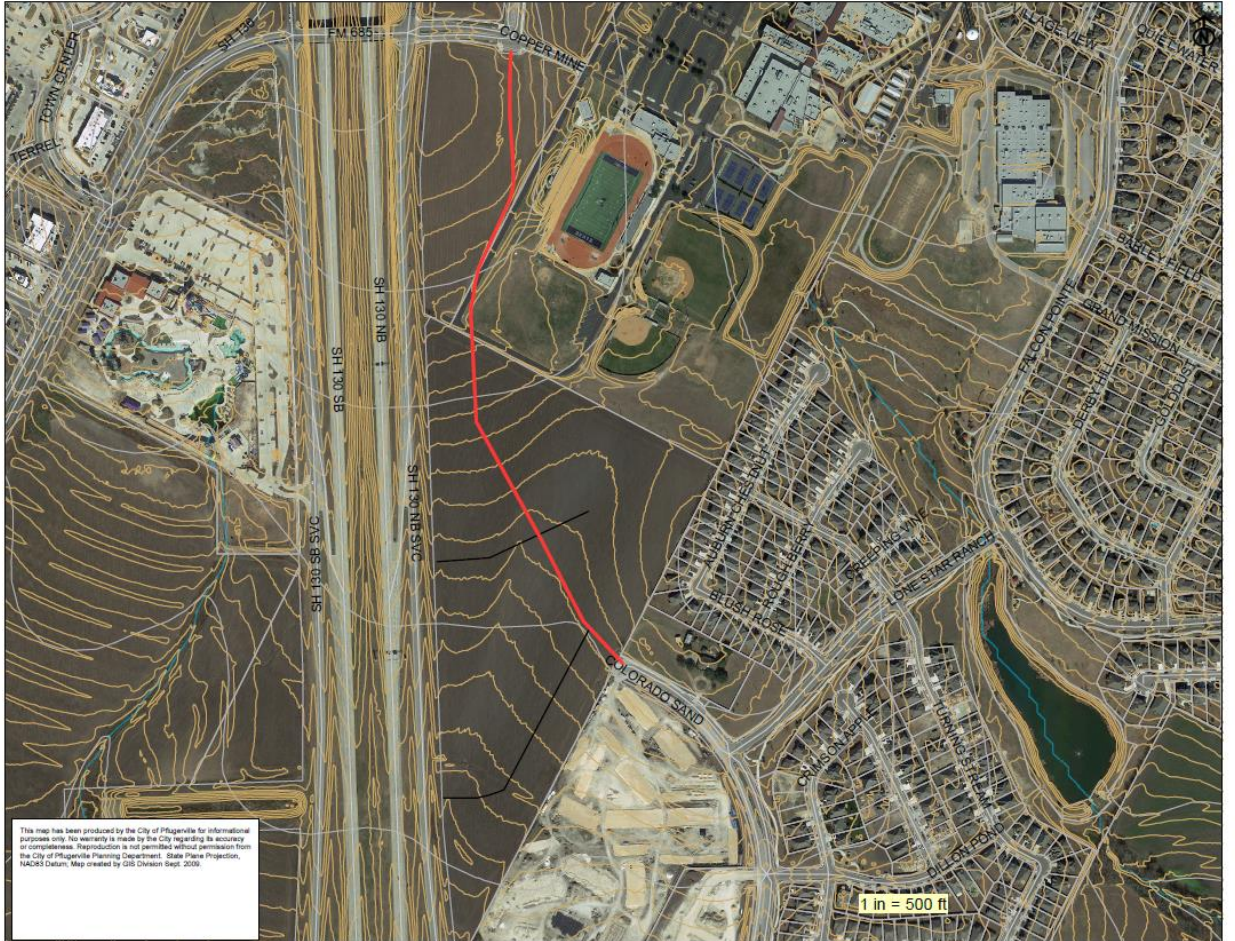
\*formerly referred to as ‘Bohl[s]’

\*\*formerly referred to as ‘PISD’

\*\*\*formerly referred to as ‘Mellenbruch’”

Except as specifically amended hereby, or as otherwise need to give effect to the specified changes, the TIRZ Plan remains in full force and effect as of its original date.

# EXHIBIT A



**EXHIBIT B**

**ENGINEER ESTIMATE OF CONSTRUCTION COST**  
**Colorado Sand Drive**  
**(Middle Section)**

DATE:	7/3/2018
PREPARED BY:	PD

DESCRIPTION	UNITS	QUANTITY	UNIT PRICE	ITEM COSTS
PREP ROW	STA	29	\$850.00	\$24,650.00
REMOVING STAB BASE AND ASPH PAV (2"-6")	SY	0	\$9.00	\$0.00
EXCAVATION (ROADWAY)	CY	18785	\$12.00	\$225,420.00
EXCAVATION (CHANNEL)	CY	0	\$18.00	\$0.00
COMPOST MANUF TOPSOIL (BOS OR PB)(4")	SY	0	\$0.70	\$0.00
CELL FBR MLCH SEED (PERM)(URBAN)(CLAY)	SY	0	\$0.20	\$0.00
CELL FBR MLCH SEED (TEMP) (WARM)	SY	3221	\$0.40	\$1,289.00
CELL FBR MLCH SEED (TEMP) (COOL)	SY	0	\$0.20	\$0.00
VEGETATIVE WATERING	MG	0	\$10.00	\$0.00
SOIL RETENTION BLANKET (CL 1)(TY C)	SY	3221	\$2.50	\$8,053.00
SOIL RETENTION BLANKET (CL 2)(TY G)	SY	0	\$2.50	\$0.00
FL BS (CMP IN PLC)(TY A GR 1)(FINAL POS)-18"	CY	11271	\$40.00	\$450,840.00
LIME (HYDRATED LIME (SLURRY))	TON	0	\$136.00	\$0.00
LIME TRT (EXST MATL) (8")	SY	22542	\$18.00	\$405,756.00
PRIME COAT (MC-30)	GAL	1546	\$6.00	\$9,276.00
D-GR HMA(METH) TY-B 4"	SY	0	\$18.00	\$0.00
D-GR HMA(METH) TY-C 2"	SY	15458	\$20.00	\$309,160.00
TRENCH EXCAVATION PROTECTION	LF	1700	\$1.00	\$1,700.00
RETAINING WALL (SPREAD FOOTING)	SF	0	\$40.00	\$0.00
RIPRAP (CONC) (5 IN)	CY	50	\$260.00	\$13,000.00
RIPRAP (STONE PROTECTION) (18 IN)	CY	50	\$82.00	\$4,100.00
RAIL (HANDRAIL) (TY B)	LF	0	\$65.00	\$0.00
RAIL (HANDRAIL) (TY F)	LF	0	\$65.00	\$0.00
CONC BOX CULV (4 FT X 3 FT)	LF	0	\$150.00	\$0.00
CONC BOX CULV (5 FT X 3 FT)	LF	0	\$375.00	\$0.00
CONC BOX CULV (7 FT X 4 FT)	LF	0	\$240.00	\$0.00
CONC BOX CULV (9 FT X 5 FT)	LF	0	\$340.00	\$0.00
CONC BOX CULV (10 FT X 8 FT)	LF	0	\$900.00	\$0.00
RC PIPE (CL III) (18 IN)	LF	500	\$60.00	\$30,000.00
RC PIPE (CL III) (24 IN)	LF	500	\$75.00	\$37,500.00
RC PIPE (CL III) (36 IN)	LF	750	\$95.00	\$71,250.00
MANH (COMPL) (TY M)	EA	5	\$3,150.00	\$15,750.00
MANH (COMPL) (RISER ONLY)	EA	0	\$2,300.00	\$0.00
WINGWALL (FW-0) (HW=11FT)	EA	0	\$30,000.00	\$0.00
WINGWALL (FW-S) (HW=7FT)	EA	0	\$20,000.00	\$0.00

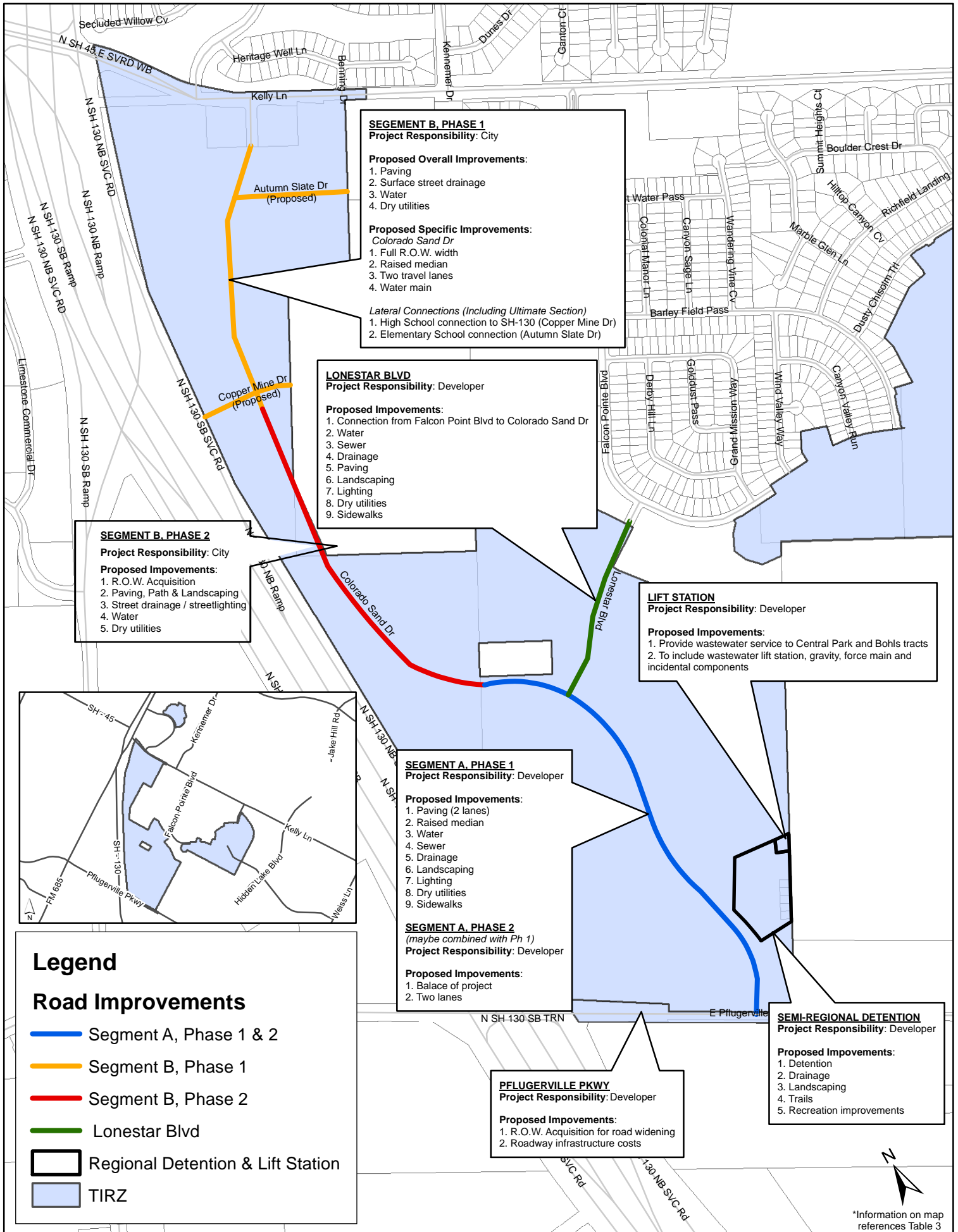


WINGWALL (FW-S) (HW=8FT)	EA	0	\$15,000.00	\$0.00
WINGWALL (SPECIAL)	EA	0	\$12,000.00	\$0.00
SET (TY II)(18") (RCP) (4:1) (C)	EA	0	\$1,000.00	\$0.00
MOBILIZATION	LS	1	\$201,400.00	\$201,400.00
BARRICADES, SIGNS AND TRAFFIC HANDLING	MO	7	\$4,850.00	\$33,950.00
ROCK FILTER DAMS (INSTALL) (TY 2)	LF	125	\$25.00	\$3,125.00
ROCK FILTER DAMS (REMOVE)	LF	125	\$10.00	\$1,250.00
STABILIZED CONSTRUCTION ENTRANCE (INSTALL) (TY 1)	EA	2	\$2,000.00	\$4,000.00
STABILIZED CONSTRUCTION ENTRANCE (REMOVE)	EA	2	\$100.00	\$200.00
TEMPORARY SEDIMENT CONTROL FENCE	LF	5600	\$2.50	\$14,000.00
TEMP SDMT CONT FENCE (EXIST INLET PROTECT)	LF	100	\$7.00	\$700.00
CONSTRUCTING DETOURS	SY	0	\$35.00	\$0.00
LANDSCAPE PAVERS	SY	150	\$37.00	\$5,550.00
CONC CURB & GUTTER (TY II)	LF	11593	\$25.00	\$289,825.00
DRIVEWAYS (CONC)	SY	0	\$58.00	\$0.00
DRIVEWAYS (ACP)	SY	0	\$60.00	\$0.00
CURB RAMPS (TY 1)	EA	8	\$1,800.00	\$14,400.00
CONC SIDEWALK (4")	SY	3221	\$42.00	\$135,282.00
CHAIN LINK FENCE (INSTALL) (6')	LF	0	\$20.00	\$0.00
CHAIN LINK FENCE (REPAIR) (6')	LF	0	\$13.50	\$0.00
WIRE FENCE (TY C)	LF	0	\$5.25	\$0.00
GATE (TY 1)	EA	0	\$540.00	\$0.00
MAILBOX INSTALLATION (SINGLE)	EA	0	\$100.00	\$0.00
RELOCATE SM RD SN SUP & AM TY 10BWG	EA	10	\$340.00	\$3,400.00
REMOVE SM RD SN SUP & AM	EA	0	\$65.00	\$0.00
INSTL OM ASSM (OM-2Y) (WC) GND	EA	0	\$58.00	\$0.00
WK ZN PAV MRK NON-REMOV (W) 4" (SLD)	LF	0	\$0.50	\$0.00
WK ZN PAV MRK NON-REMOV (Y) 4" (SLD)	LF	0	\$0.50	\$0.00
WK ZN PAV MRK REMOV (W) 4" (BRK)	LF	0	\$0.60	\$0.00
WK ZN PAV MRK REMOV (W) 4" (SLD)	LF	0	\$0.55	\$0.00
WK ZN PAV MRK REMOV (W) 8" (SLD)	LF	0	\$1.00	\$0.00
WK ZN PAV MRK REMOV (Y) 4" (SLD)	LF	0	\$0.55	\$0.00
REFL PAV MRK TY I (W) 4" (BRK) (090MIL)	LF	5797	\$0.40	\$2,319.00
REFL PAV MRK TY I (W) 8" (SLD) (090MIL)	LF	0	\$1.00	\$0.00
REFL PAV MRK TY I (W) 12" (SLD) (090MIL)	LF	0	\$4.00	\$0.00
REFL PAV MRK TY I (W) 24" (SLD) (090MIL)	LF	24	\$7.00	\$168.00
REFL PAV MRK TY I (W) (ARROW) (090MIL)	LF	4	\$110.00	\$440.00
REFL PAV MRK TY I (W) (WORD) (090MIL)	LF	2	\$200.00	\$400.00
REFL PAV MRK TY I (Y) 4" (SLD) (090MIL)	LF	0	\$0.38	\$0.00
ELIM EXT PAV MRK & MRKS (4")	LF	0	\$3.00	\$0.00
MANHOLE, 48" DIAMETER PRECAST	EA	0	\$3,400.00	\$0.00
MANHOLE, 60" DIAMETER PRECAST	EA	0	\$4,200.00	\$0.00
MANHOLE, 48" DIAMETER PRECAST (WASTEWATER)	EA	6	\$3,400.00	\$20,400.00
10' TYPE 1 OR 1-R CURB INLET	EA	10	\$5,000.00	\$50,000.00
4 SIDED AREA INLET	EA	0	\$3,500.00	\$0.00
SANITARY SEWER PIPE (8" ASTM D3034, SDR-26 PVC)	LF	28892	\$50.00	\$1,444,600.00
DUCTILE IRON PIPE (12" DIA, ALL DEPTHS))	LF	2900	\$70.00	\$203,000.00
DUCTILE IRON FITTINGS, GATE VALVES, ETC.	LS	1	\$35,000.00	\$35,000.00

ILLUMINATION IMPROVEMENTS	LS	1	\$157,500.00	\$157,500.00
			<b>SUB TOTAL</b>	<b>\$4,228,653.00</b>
Does not include ROW, Wastewater			<b>CONTINGENCY (15%)</b>	<b>\$634,298.00</b>
			<b>GRAND TOTAL</b>	<b>\$4,862,951.00</b>

**Total Project Overall Cost (includes all design costs) \$5,600,000**

# EXHIBIT: D TIRZ PUBLIC IMPROVEMENTS



\*Information on map references Table 3