

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, APPROVING THE ENLARGEMENT OF THE BOUNDARIES AND THE EXTENSION OF THE TERM OF “REINVESTMENT ZONE NUMBER 1, CITY OF PFLUGERVILLE, TEXAS”; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Pflugerville, Texas (the “City”) has created, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, Vernon’s Texas Codes Annotated (the “Act”), a tax increment reinvestment zone within the City designated “Reinvestment Zone Number 1, City of Pflugerville, Texas” (the “Zone”); and

WHEREAS, pursuant to the Act, Section 311.007 a Municipality may enlarge the boundaries and extend the term of the Zone after public hearing and notice as provided by the Act; and

WHEREAS, by Ordinance No. 1380-18-12-11, adopted December 11, 2018, the City of Pflugerville amended the Zone to include additional property, the Pecan District, and approved the First Amended Project Plan and Reinvestment Zone Financing Plan (otherwise known as the Second Amended Project Plan and Reinvestment Zone Financing Plan in the sequence of approvals) and adjusted the tax increment base thereof; and

WHEREAS, the City desires to enlarge the boundaries of the Zone by adding into the Zone approximately 2,095 acres of land ("Enlargement Area") described in Exhibit "A" and depicted in Exhibit "B," attached to this Ordinance; and

WHEREAS, less than thirty percent (30%) of the property within the Enlargement Area, excluding property dedicated to public use, is used for residential purposes as described in Section 311.006(a)(1) of the Code; and

WHEREAS, the total appraised value of taxable real property within the enlarged Zone and in any other existing reinvestment zones does not exceed fifty percent (50%) of the total appraised value of taxable real property within the City and in the industrial districts created by the City as described in Section 311.006(a)(2)(B) of the Code; and

WHEREAS, the City desires to extend the term of the Zone by eleven (11) years to December 31, 2052 (“Term Extension”); and

WHEREAS, the term extension of the Zone does not impact Pecan District, which was annexed in 2018 and extended the life of the Zone for such annexation to the year 2058.

WHEREAS, the proposed extension of the term and the enlarged Zone will significantly enhance the value of all taxable real property within the Zone and will be of general benefit to the City; and

WHEREAS, the City Council provided public notice and held a public hearing on October 11, 2022, for all interested persons to attend and be heard in accordance with Texas Tax Code Chapter 311.

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

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. The Zone shall be enlarged by the Enlargement Area as described in Exhibit "A" and depicted in Exhibit "B," attached to this Ordinance.

Section 3. The term of the Zone shall be extended until 11:59 p.m. on December 31, 2052 and shall terminate on said date.

Section 4. If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Council that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

Section 5. This Ordinance will take effect upon its adoption by the City Council in accordance with the provisions of Section 3.15(d) of the City Charter.

PASSED AND APPROVED this _____ day of _____ 2022.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

Trista Evans, City Secretary
APPROVED AS TO FORM:

Charles E. Zech, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, P.C.

EXHIBIT "A"

Enlargement Area Description

EXHIBIT "B"

Enlargement Area Depiction

