

CITY OF PFLUGERVILLE

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE APPROVING THE 2022 ANNUAL SERVICE PLAN UPDATE AND 2022 ASSESSMENT ROLL FOR PUBLIC IMPROVEMENTS FOR THE MARTIN TRACT PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas (the "City") is authorized under Chapter 372 of the Texas Local Government Code, as amended (the "Act"), to create a public improvement district within its corporate limits; and

WHEREAS, on December 8, 2020, the City Council passed and adopted Resolution No. RES 1835-20-12-08-0797 which authorized the Martin Tract Public Improvement District (the "District"), which authorization was effective upon publication as required by the Act in effect at such time, in accordance with the City Council's findings as to the advisability of the public improvement projects described in the petition submitted to the City in accordance with the Act and as to the advisability of creating the District; and

WHEREAS, on January 25, 2022, the City Council approved Ordinance No. ORD 1529-22-01-25, and the Service and Assessment Plan for the District, adopting an Assessment Roll; and

WHEREAS, pursuant to Section 372.013 of the Act, the Service and Assessment Plan must cover a period of at least five years and must also define the annual indebtedness and projected costs for improvements and such Service and Assessment Plan must be reviewed and updated annually for the purpose of determining the annual budget for improvements; and

WHEREAS, the City Council has received the "City of Pflugerville, Texas, Martin Tract Public Improvement District 2022 Annual Service Plan Update" (the "2022 Annual Service Plan Update") which includes the updated Assessment Roll, and acts as the Annual Service Plan Update to the Service and Assessment Plan for 2022, and now desires to proceed with the adoption of this Ordinance which approves and adopts the 2022 Annual Service Plan Update and updated Assessment Roll for the District as required by the Act.

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

SECTION 1. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

SECTION 2. Terms not otherwise defined herein are defined in 2022 Annual Service Plan Update attached hereto as **Exhibit A**.

SECTION 3. The 2022 Annual Service Plan Update is hereby approved and accepted by the City Council by the adoption of this Ordinance.

SECTION 4. If any provision, section, subsection, sentence , clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or the application to other persons or sets of circumstances shall not be affect thereby, it being the intent of the City Council that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion here, and all provisions of this Ordinance are declared to be severable for that purpose.

SECTION 5. The City Secretary is directed to cause a copy of this Ordinance, including the 2022 Annual Service Plan Update, to be recorded in the real property records of the County on or before August 30, 2022 in accordance Section 372.013(c) of the Act. The City Secretary is further directed to similarly file each Annual Service Plan Update approved by the City Council, with each such filing to occur within seven days of the date each respective Annual Service Plan Update is approved.

SECTION 6. This Ordinance shall take effect from and after its final date of passage, and it is accordingly so ordered.

PASSED AND APPROVED by the City Council of the City of Pflugerville, Texas, the 13th day of September, 2022.

APPROVED:

Victor Gonzalez, Mayor

ATTEST:

Trista Evans, City Secretary

APPROVED AS TO FORM:

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

Exhibit A

2022 Annual Service Plan Update

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