



Minutes - Final

Wednesday, July 19, 2023

6:00 PM

Regular Meeting

3801 Helios Way, Ste. 130

Pflugerville Community Development Corporation
(PCDC)

You are invited to a Zoom webinar.

When: Jul 19, 2023 06:00 PM Central Time (US and Canada)

Topic: PCDC Regular Meeting

Please click the link below to join the webinar:

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1. Call to Order

Board President, Dennis Spencer called the meeting to order at 6:00 p.m.

Attendance was as follows: Dennis Spencer, Anthony Nguyen, Jim McDonald, Jonathan Kamenicky. Adam Rosenfield and Samantha Pisik attended the meeting virtually. PCDC staff in attendance were: Amy Madison, Christian Kurtz, Crystal Connally, Veronica Ramirez, Alisa Richey and Salom Tsoka and Patty Akers, PCDC Counsel. Absent: Victor Gonzales

2. Opening

2A. Pledge of Allegiance to the Flag of the United States of America: I pledge allegiance to the flag of the United States of America and to the Republic for which it stands; One Nation under God, indivisible, with liberty and justice for all.

2B. Pledge of Allegiance to the Texas State Flag: Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

3. Items of Community Interest

Amy Madison introduced Veronica Ramirez to announce an upcoming event. Ms. Ramirez informed us of the Pfamily Pfestival and Chamber of Expo on October 14, 2023 at the Typhoon Texas Waterpark. PCDC will have a booth there and is asking board members to volunteer to man the booth in one hour increments. A signup sheet was provided.

Pursuant to Texas Government Code Sec. 551.0415, a member of the Board or PCDC staff may make an announcement about items of community interest during a meeting of the governing body without having given notice of the subject of the announcement. "Items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules; (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

4. Public Comment

There were no Public Comments received from the public.

In accordance with the Texas Attorney General's Opinion, any public comment that is made on an item that is not on the published final agenda will only be heard by the PCDC Board. No formal action, discussion, deliberation, or comment will be made by the Board. Each person providing public comment will be limited to 3 minutes.

Reading of the Consent Agenda

The following items may be acted upon in a single motion. No separate discussion or action on any of these items will be held unless requested by a member of the PCDC. Public comment on consent agenda items may be heard without removing the item from the consent agenda. Each person providing public comment will be limited to 3 minutes.

5. Other Actions

- 5A.** Approving the Minutes of the June 27, 2023 PCDC/City Joint Worksession, June 28, 2023 Worksession, and the June 28, 2023 Regular Meeting.

Jim McDonald moved to accept all items on Consent Agenda. Jonathan Kamenicky seconded. Passed 6-0.
- 5B.** Accepting the Pflugerville Community Development Corporation (PCDC) FY23 Quarter 3 Financial and Investment Reports.

6. Discuss Only

6A. Discussion regarding PCDC Quarterly Calendar.

Amy Madison discussed dates on the PCDC Quarterly Calendar. Ms. Madison noted on date that was not on the calendar regarding the upcoming Formnext Conference to be held on August 28-30, 2023 at the Palmer Events Center in Austin, TX. PCDC will have a booth at the conference showcasing the additive manufacturers in Pflugerville, TX.

6B. Discussion and review of the Pflugerville Community Development Corporation Code of Ethics Policy. Presented by Patty Akers, General Counsel, PCDC.

Patty Akers, Counsel for Pflugerville Community Development Corporation, presented and discussed the PCDC current Code of Ethics and also discussed the City of Pflugerville's City Charter. In the PCDC Bylaws, it states that the Code of Ethics is to be reviewed annually by the Board and by the City Council. Part of PCDC's new board member on-boarding process, includes receipt of the Code of Ethics and the member is to sign a statement indicating receipt of this document.

6C. Discussion regarding the Pflugerville Community Development Corporation Fund Reserve and Budget Policy. Presented by Todd Pruitt, CPA, Audit Partner, Pattillo, Brown and Hill, LLP.

Discussion regarding Pflugerville Community Development Corporation's(PCDC) Fund Reserve and Budget Policy. Presented by Todd, Pruitt. Board discussed a contingent reserve for debt service. Todd stated that this really is a minimum fund balance. PCDC will maintain a certain level and if falls below that balance, steps will be taken to restore. Usually a rule of thumb is 25% of debt service is set aside for the minimum fund balance. There is no specific amount set by law. Todd stated that it is prudent in our policy to make clear what exactly is considered debt service.

7. Executive Session

7A. 1.) Executive Session Item: Deliberations in accordance with Sections 551.071 and 551.087 of the Texas Government Code to discuss economic development negotiations and financial information received from businesses expanding or relocating in the City of Pflugerville and to seek legal advice regarding such projects, incentives, and negotiations, including: REE Automotive USA Inc.

7B. 2.) Open Session Item: Discuss and consider action on Executive Session items, as needed.

Dennis Spencer called for Executive session at 7:17 p.m.

The board then returned from Executive session at 7:39 p.m. No action was taken.

8. Adjourn

Meeting adjourned at 7:39 p.m.

Approved as submitted on August 16, 2023. Respectfully submitted by Alisa Richey, Executive Assistant, PCDC.

The Pflugerville Community Development Corporation may retire to executive session any time between the meeting's opening and adjournment on any item listed on the Agenda for the purpose of consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code; discussion of real estate pursuant to Section 551.072 of the Texas Government Code; and/or deliberation regarding economic development negotiations pursuant to Section 551.087 of the Texas Government Code by majority vote of the Board. Action, if any, will be taken in open session. PCDC President, Dennis Spencer.

This is to certify that a copy of this agenda for this meeting was posted on the bulletin board located at the City Municipal Building on the 14th day of July, 2023 at 5:00 PM pursuant to Section 551.041, Government Code. The Pflugerville Community Development Corporation is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Requests to speak during Public Comment must be received at least 2 hours prior to the meeting. To request to speak please contact Alisa Richey, Executive Assistant at alisar@pfdevelopment.com or 512-990-3725 for information. This agenda has been reviewed and approved by the PCDC's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of the Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion. Attendance By Other Elected or Appointed Officials: It is anticipated that members of the City Council and/or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the City Council and/or other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council and/or other boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council and/or other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the City Council and/or boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for the City Council or board, commission or committee subject to the

Texas Open Meetings Act.

VIDEO CONFERENCE CALL: PURSUANT TO SECTION 551.127 OF THE TEXAS GOVERNMENT CODE, ONE OR MORE MEMBERS OF THE PCDC BOARD MAY PARTICIPATE IN A MEETING REMOTELY, FOLLOWING CERTAIN GUIDELINES AND NOTICE REQUIREMENTS. A QUORUM OF THE PCDC WILL BE PHYSICALLY PRESENT FOR THE SCHEDULED MEETING AT THE ABOVE STATED LOCATION. THIS NOTICE SPECIFIES THE INTENT TO HAVE A QUORUM PRESENT AT THE STATED MEETING LOCATION. THE MEMBER OF THE PCDC BOARD PRESIDING OVER THE MEETING WILL BE PHYSICALLY PRESENT AT THE ABOVE PUBLIC LOCATION. VIDEO CONFERENCE EQUIPMENT PROVIDING TWO-WAY AUDIO AND VIDEO COMMUNICATION WITH EACH MEMBER. PARTICIPATING REMOTELY WILL BE MADE AVAILABLE AND EACH PORTION OF THE MEETING HELD BY VIDEO CONFERENCE THAT IS REQUIRED TO BE OPEN TO THE PUBLIC CAN BE VIEWED AND HEARD BY THE PUBLIC AT THE LOCATION SPECIFIED.

Amy Madison, PCDC Executive Director.