



Minutes - Final

Wednesday, May 17, 2023

6:00 PM

Regular Meeting

3801 Helios Way, Ste. 130

Pflugerville Community Development Corporation
(PCDC)

1. Call to Order

Pflugerville Community Development Corporation board members in attendance were as follows: Mr. Anthony Nguyen, Mr. Dennis Spencer, Mr. Jonathan Kamenicky, Mr. Jim McDonald, Mr. Victor Gonzales, Mr. Adam Rosenfield. and Ms. Samantha Pisik. Staff in attendance were: Ms. Amy Madison, Executive Director, Ms. Crystal Connally, Business Retention and Workforce Director, Ms. Veronica Ramirez, Marketing Communications Manager, Mr. Salom Tsoka, Finance Manager, Ms. Alisa Richey, Executive Assistant, Mr. Christian Kurtz, Director of Business Development and Ms. Patty Akers, General Counsel.

Mr. Dennis Spencer called the meeting to order at 6:00 p.m.

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

Ms. Veronica Ramierz, PCDC Marketing Communications Manager, gave a presentation regarding PCDC's accomplishments during Economic Development Week, May 8-12, 2023. This included press releases, PCDC Podcast, Social Media and an Economic Development award by Business Facilities Magazine, and a Drop-In Social. Ms. Ramirez also presented a short video of the PCDC Annual Report. Mr. Jim McDonald also mentioned the American Legion First Annual BBQ to be held on May 29, 2023 in downtown Pflugerville.

4. Public Comment

Public comment was received by Ms. Melody Ryan of Pflugeville, Ms. Ryan gave her comment opposing agenda item 6D.

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.

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.

5. Discuss Only

5A. Discussion regarding the PCDC Quarterly Calendar.

Ms. Amy Madison gave an overview regarding upcoming PCDC events and timelines. In addition, she noted that Mr. Christian Kurtz, Director of Business Development, will be attending the ICSC Conference in Las Vegas, May 21-24, 2023.

5B. Discussion and presentation of the City of Pflugerville's Comprehensive Parks and Recreation Master Plan, and update on the FY22 PCDC Community Engagement Grant for Gilleland Creek Park. Presented by Shane Mize, Parks and Recreation Director.

Mr. Shane Mize, City of Pflugerville, Parks and Recreation Director gave updates on the FY22 PCDC Community Engagement Grant and an overview of the City of Pflugerville's Recreation Master Plan. Mr. Jason Genck of Berry & Dunn Consultants, gave a brief overview on Preliminary Findings for the master plan.

6. Discuss and Consider

6A. Approval of the April 19, 2023 Regular Meeting Minutes.

Mr. Adam Rosenfield moved to approve the April 19, 2023 Regular Board Meeting Minutes. Mr. Victor Gonzales seconded. Passed 7-0.

- 6B.** Discuss and consider action approving a Pflugerville Community Development Corporation FY23 Budget Amendment not to exceed \$700,000 for Impact Way extension construction costs. Presented by Darren Strozewski P.E., DCS Engineering.
- Mr. Dennis Spencer pulled item 6B for discussion at a future Board meeting.**
- 6C.** Discuss and consider action to authorize the Executive Director to execute two easement documents per City of Pflugerville requests for a 50' Public Access Easement; and 50' Water & Wastewater Easement in the 8.8-acre parcel to be platted out of the 24 acres associated with the Replat of Lot 3F in the SH-130 Commerce Center. Presented by Darren Strozewski, P.E., DCS.
- Mr. Victor Gonzales moved to approve. Mr. Jim McDonald seconded. Passed 7-0.**
- 6D.** Discuss and consider action authorizing the Pflugerville Community Development Corporation (PCDC) President to approve a self-supporting agreement in reference to Resolution 2022-007 for the allocation of funding in support of the Development of the Downtown East Project.
- Ms. Amy Madison read a letter that was received from a Mr. Victor Johnson opposing item 6D. Ms. Emily Barron, City of Pflugerville Planning Department gave a brief overview on the development of the Downtown East Project. Mr. Richard Donahue, Bond Council for the City of Pflugerville and PCDC, gave a summary on the self-supporting agreement and the payment schedule of the actual debt service for the PCDC portion of the Certificate of Obligation issue. Discussion was had by the board members regarding this item. Mr. Anthony Nguyen moved to postpone until the City of Pflugerville can provide PCDC with blue prints for the Recreation Center and actual construction costs. Ms. Samantha Pisik seconded. Vote was as follows: Mr. Nguyen and Ms. Pisik are in favor. Mr. Spencer, Mr. Kamenicky, Mr. McDonald, Mr. Gonzales and Mr. Rosenfield voted against. Item 6D did not pass. After further discussion and suggestions were made, Mr. McDonald moved to pass as presented. Mr. Gonzales seconded. Mr. Spencer, Mr. Kamenicky, Mr. Rosenfield, Mr. Nguyen and Ms. Pisik voted against. Item 6D did not pass as presented. Mr. Spencer then called for a 5 minute break at 7:55p.m. and stated that this agenda item would be move to the bottom of the agenda. Board meeting resumed at 8:05p.m. with the absence of Mr. Jim McDonald and Mr. Victor Gonzales. Upon return from Executive Session, additional discussion occurred and a motion to approve was made by Mr. Rosenfield and Mr. Kamenicky seconded. The motion carried 4-1 and the self-supporting agreement was approved. Mr. Nguyen dissented.**
- 6E.** Discuss and consider action authorizing the Executive Director to reimburse the City of Pflugerville for purchasing approximately 17.7034 acres, not to exceed \$6,000,000, for property located adjacent to the PCDC One Thirty Business Park currently owned by Texas Department of Transportation in exchange for the City of Pflugerville transferring property ownership to the PCDC.

Discussion on this item was delayed until conclusion of discussion in Executive Session. Upon returning from Executive Session, Mr. Jonathan Kamenicky moved to approve. Mr. Adam Rosenfield seconded. Passed 5-0.

- 6F.** Discuss and consider action authorizing the Executive Director to approve a Community Engagement Grant request from the Pflugerville Independent School District ("PFISD"), not to exceed \$35,000, for the purpose of acquiring a decommissioned ambulance to expand the Emergency Medical Technician Training program. Presented by Traci Hendrix, PFISD Career and Technical Education Director.
- Mr. Kamenicky moved to approve. Mr. Rosenfield seconded. Passed 5-0

7. Executive Session

- 7A.** 1.) Executive Session Item: Deliberations in accordance with Sections 551.072 of the Texas Government Code to discuss the sale, purchase, or lease of real property.

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

The Board moved to Executive Session at 8:17 p.m. to discuss agenda item 6E. The Board returned from Executive Session at 9:23 p.m.

The Board then returned to Executive Session at 9:24 p.m. per Section 551.071 of the Texas Government Code to consult with the General Council regarding the terms of the agreement related to agenda item 6D. The Board returned from Executive at 9:31 p.m. and reopened agenda item 6D and 6E for further discussion and action as reflected in items in 6D and 6E.

9. Adjourn

Mr. Dennis Spencer adjourned the meeting at 9:56 p.m.

Approved as submitted on June 28, 2023.
Respectfully submitted by Alisa Richey, Executive Assistant

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 12th day of May, 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.