



Minutes - Final

Wednesday, August 16, 2023

6:00 PM

Regular Meeting

3801 Helios Way, Ste. 130

Pflugerville Community Development Corporation
(PCDC)

You are invited to a Zoom webinar.

When: Aug 16, 2023 06:00 PM Central Time (US and Canada)

Topic: PCDC Board 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 6:01 p.m.
Other members present were: Victor Gonzales, Jim McDonald, Samantha Pisik, Adam Rosenfield, Jonathan Kamenicky and Doug Weiss. PCDC Staff present: Amy Madison, Crystal Connally, Salom Tsoka, Veronica Ramirez, Alisa Richey and PCDC Staff attorney Patty Akers. Absent: Christian Kurtz. City staff present: James Hartshorn and Emily Barron

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

Veronica Ramirez gave a brief summary of the upcoming Formnext conference in Austin. PCDC will have a booth there as well. Amy Madison then announced the completion of the Impact Way extension and the recognition by the City.

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

No public comments were received.

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. Public Hearing

Dennis Spencer opened the Public Hearings and Alisa Richey, Executive Assistant read the notices. There was no discussion or comments. Jim McDonald moved to accept the Public Hearing notices and Adam Rosenfield seconded. Accepted 7-0. Dennis Spencer then closed the Public Hearing.

- 5A.** Public Hearing regarding the expenditure of Type B sales tax funds of the Pflugerville Community Development Corporation (PCDC) for the One Thirty Business Park South Project to include constructing, improving, extending, expanding, upgrading and/or developing, operating and maintaining a business park on a 17.7 acre tract which shall include site development and design, oversight and construction of buildings, equipment, facilities, expenditures, and costs associated, targeted infrastructure and improvements and maintenance of same, construction of streets, roads, drainage, utilities and related improvements which are found by the PCDC Board to promote new or expand business development and create or retain primary jobs and support.

- 5B.** Public Hearing regarding the expenditure of Type B sales tax funds of the Pflugerville Community Development Corporation (PCDC) for Road

Improvement Projects to create, acquire or expand roads, streets, ingress and egress, and associated facilities that shall include acquiring, constructing, improving, extending, expanding, upgrading and/or developing and maintaining targeted roadways or right of way that provide access to and from 130, or provide or expand access and ingress and egress to and from business developments which promote or fulfill the PCDC's mission to promote new or expand business development and create or retain primary jobs. The project includes costs and expenses for acquisition of right of way, site development, surveying and design, oversight and construction, equipment, associated facilities, signage, traffic signals or devices and maintenance of same.

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.

6. Other Actions

6A. Approving the Minutes of the July 19, 2023 Regular Meeting.

**Adam Rosenfield moved to approve all items on the Consent Agenda.
Samantha Pisik seconded. Approved 7-0**

6B. Approving of the Pflugerville Community Development Corporation (PCDC) Code of Ethics Policy.

Approved on the Consent Agenda

6C. Approving the rescheduling of the PCDC September Regular Meeting from September 13th, 6pm to September 20th, 6pm.

Approved on the Consent Agenda

Action on the Consent Agenda

7. Discuss Only

7A. Discussion regarding PCDC Quarterly Calendar.

Amy Madison presented the PCDC Quarterly Calendar.

8. Discuss and Consider

- 8A.** Discuss and consider action to approve a purchase agreement with the City of Pflugerville for a Secondary Colorado Raw Water Line Easement and Temporary Construction Easement in the amount of \$7,000 and authorizing the Executive Director to execute the Purchase Agreement and Easements. Presented by Jeff Dunsworth, City Engineer, City of Pflugerville.

Board President, Dennis Spencer removed this item and it will be placed on the September 20, 2023 Regular Board Meeting.

- 8B.** Discuss and consider action to approve a Community Engagement Grant request for the City of Pflugerville Parks and Recreation Department not to exceed \$150,000, for reimbursement of costs associated with public park playground equipment at Royal Point Park and authorizing the Executive Director to execute the same. Presented by Shane Mize, Director, Parks and Recreation.

Presentation by Shane Mize, Director, Parks and Recreation Department. Shane gave a brief summary of the Royal Pointe Park current playground equipment. He also read a couple of letters from the community on the importance of this specific park and its needs. Jonathan Kamenicky then moved to approve. Adam Rosenfield seconded. Passed 7-0.

- 8C.** Discuss and consider action to approve a Community Engagement Grant request for the Pflugerville Independent School District's Certified Technical Education Program, not to exceed \$42,000, for the purpose of ambulance training equipment, and authorizing the Executive Director to execute the same. Presented by Traci Hendrix, PFISD CTE Director.

Crystal Connally gave an introduction of Traci Hendrix, PFISD CTE Director. Ms Hendrix gave a brief summary of equipment needed for the ambulance. Doug Weiss asked if the money is from the FY23 Budget. Ms. Madison answered "Yes". Jonathan Kamenicky moved to approve. Doug Weiss seconded. Passed 7-0.

- 8D.** Discuss and consider action to approve the Pflugerville Community Development Corporation's FY24 Proposed Budget.

Amy Madison gave an overview of the FY24 PCDC Budget. Salom Tsoka presented in more detail. Victor Gonzales moved to approve. Doug Weiss seconded. Passed 7-0.

- 8E.** Discuss and consider action to approve Resolution 2023-004 amendments to the Fund Balance and Budget Policy of the Pflugerville Community Development Corporation, Pflugerville.

Amy Madison gave an overview of how and why the policy has changed. Victor Gonzales moved to adopt. Doug Weiss seconded. Passed 7-0.

- 8F.** Discuss and consider action to approve Resolution 2023-005 regarding amendments to the Public Funds Investment Policy of the Pflugerville

Community Development Corporation, Pflugerville.

Amy Madison gave an overview on the policy. PCDC Bylaws does require the policy to be reviewed and adopted annually. Jonathan Kamenicky moved to adopt. Victor Gonzales seconded. Passed 7-0.

- 8G.** Discuss and consider action appointing a member of the Board as Secretary for the Pflugerville Community Development Corporation.

Victor Gonzales moved to appoint Adam Rosenfield as Secretary for the PCDC Board. Adam Rosenfield seconded. Passed 7-0.

9. Executive Session

- 9A.** 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 projects: REE Automotive USA Inc.

- 9B.** 2.) 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.

- 9C.** 3.) Open Session Item: Discuss and consider action on Executive Session items, as needed.

Dennis Spencer called for Executive Session at 7:05 p.m. The board returned from Executive Session at 8:13 p.m. No action was taken.

9. Adjourn

Adjourned at 8:13 p.m.

Approved as submitted on September 200, 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 11th day of August, 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.