



Minutes - Final

Wednesday, September 20, 2023

6:00 PM

Regular Meeting

3801 Helios Way, Ste. 130

Pflugerville Community Development Corporation
(PCDC)

You are invited to a Zoom webinar.

When: Sep 20, 2023 06:00 PM Central Time (US and Canada)

Topic: PCDC Regular 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: Jim McDonald, Adam Rosenfield, Jonathan Kamenicky and Doug Weiss. Samantha Pisik attended virtually. Victor Gonzales was absent. PCDC Staff present: Amy Madison, Crystal Connally, Salom Tsoka, Vernonica Ramirez, Alisa Richey, Christian Kurtz, and PCDC Staff attorney Patty Akers. City staff present: Emily Barron

2. Opening

Board President Dennis Spencer lead the Pledge of Allegiance to the Flag of the United States and then Pledge of Allegiance to the Texas Flag.

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 gave a brief summary regarding the 9/20/2023 ribbon cutting ceremony in celebration of completion of Phase II Impact Way Extension. She also summarized the two awards that PCDC received from IEDC. One for Diversity and Inclusion and the other for the Impact Way Extension.

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. Discuss Only

5A. Discussion regarding PCDC Quarterly Calendar.

Amy Madison reviewed the PCDC's Quarterly calendar with emphasis on the upcoming 9/26/2023 Joint Worksession with the City Council.

5B. Discussion and presentation regarding updates on completion of Impact Way Phase III A-B. Presented by Darren Strozewski, P.E., DCS Engineering.

Darren Strozewski with DCS Engineering, introduced his staff and acknowledge Emily Barron, Assistant City Manager, and stated how instrumental Ms. Barron was with her assistance in completion of the Impact Way Extension. Mr. Strozewski then gave a brief summary on the completion of the Impact Way Extension. Board Member Jim McDonald ask questions pertaining to the size of the drainage boxes. Mr. Strozewski stated that the size was considered for current use and future use and was constructed accordingly.

6. Discuss and Consider

- 6A.** Approving the Minutes of the August 16, 2023 Regular Meeting.
- Adam Rosenfield** motioned to approve the **August 16, 2023 Regular Meeting Minutes**. **Jim McDonald** seconded. **Passed 6-0**
- 6B.** Discuss and consider action to approve a First Amendment to the Economic Development Performance Agreement (EDPA) between the Pflugerville Community Development Corporation and REE Automotive USA Inc., amending performance dates.
- Board President Dennis Spencer** deferred this item until after Executive Session. After returning from Execution Session, **Jim McDonald** motioned to approve item **6B**. **Adam Rosenfield** seconded. **Passed 6-0**
- 6C.** Discussion and consider action to authorizing a Resolution 2023-006 ratifying the action of the Board taken on June 2, 2023, authorizing a sales contract with Electronic Vision Systems, Inc. (dba, EVS Metals, Inc.) to convey approximately 14.5 acres in the One Thirty Business Park for purposes of expansion and authorizing the President and the Board Secretary to execute all documents required for closing on the property.
- Amy Madison** gave a brief discussion as to a request from the title company for a resolution authorizing the PCDC Board President, **Dennis Spencer** and the PCDC Board Secretary, **Adam Rosenfield**, to sign at the closing for the sale of property that PCDC is in the process of selling in the One Thirty Business Park. **Board Member Doug Weiss** motioned to approve. **Jonathan Kamenicky** seconded. **Passed 6-0**

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 projects: REE Automotive USA Inc.
- 7B.** 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.
- 7C.** 3.) Executive Session Item: Discussion of the evaluation and duties of the Executive Director pursuant to Chapter 551.074 of the Texas Government Code.
- 7D.** 4.) Open Session Item: Discuss and consider action on Executive Session items, as needed.
- Board President Dennis Spencer** called for an Executive Session at 6:23 p.m.

The Board returned from Executive Session at 7:49 p.m. Action taken was as follows: Adam Rosenfield motioned to approve a 3% Merit Increase for Amy Madison, Executive Director, PCDC. Jonathan Kamenicky seconded. Passed 6-0

8. Adjourn

Board President Dennis Spencer adjourned the meeting at 7:51 p.m.

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 15th day of September, 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.