



Minutes - Final

Wednesday, December 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: Dec 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. Opening**
- 2. Call to Order**

Board President Dennis Spencer called the meeting to order at 6:00 p.m. Other members present were: Victor Gonzales, Jim McDonald, Adam Rosenfield, Jonathan Kamenicky, and Samantha Pisik. Dpoug Weiss attended at 6:10 p.m. PCDC staff present: Amy Madison,Christian Kurtz, Crystal Connally, Alisa Richey, Veronica Ramirez (virtual), Salom Tsoka and PCDC staff attorney Patty Akers and JoshBrockman-Weber . City staff present James Hartshorn..

- 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**

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.

Reading of the Consent Agenda

Ms. Alisa Richey, Executive Assistant, PCDC, read the consent items.

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

Victor Gonzales moved to approve. Adam Rosenfield seconded. Passed 7-0.

5A. Approving the minutes for the November 14, 2023, City Council/PCDC Joint Worksession and the November 15, 2023, PCDC Regular Board Meeting.

5B. Approving a PCDC Worksession on January 17, 2024, at 5 p.m. and the Annual PCDC Regular Meeting on January 17, 2024, at 7:00 p.m.

6. Discuss Only

6A. Discussion regarding the PCDC Quarterly Calendar.

Ms. Amy Madison gave an overview of the PCDC Quarterly Calendar.

6B. Discussion and presentation from Ernst & Young, LLP regarding the Comprehensive Economic Development Strategic Plan 3.0.

Brian Kelsey, Ernst & Young, gave a summary and recapped what has been completed thus far. A few noted results from the interviews that Ernst & Young completed was to create a bold, future-oriented vision and a unique identity for Pflugerville and implement a balanced strategy focused on primary employers offering living-wage jobs and community amenities. Tony Delisi with Ernst & Young gave a summary of target industry review to include: advance technology and innovation, life sciences, software and information technology, and retail. Marian Kansas with Ernst & Young gave a summary of the Workforce Analysis. Brian then reviewed a draft of the strategic framework.

7. Discuss and Consider

7A. Approving a contract with DCS in an amount not to exceed \$133,050 for preliminary engineering and design services to construct Phase IV of Impact Way extension to and through the PCDC 17.7-acre tract and authorizing the Executive Director to execute the agreement and forward the contract to City Council for final approval.

Darren C. Strozewski with DCS Engineering, gave an overview of the proposed contract with DCS for preliminary engineering and design services to construct Phase IV of Impact Way extension to and through the Pflugerville Community Development Corporation 17.7 acre tract.

Adam Rosenfield moved to approve. Doug Weiss seconded. Passed 7-0.

7B. Discussion and possible action to authorize the execution of a Temporary Construction Easement Agreement with the City of Pflugerville creating a temporary twenty-five-foot easement over PCDC-owned land fronting FM 685 to permit the construction or removal of public infrastructure.

A presentation was made by Tom Benz, Freese and Nichols, consultant for the City of Pflugerville to obtain a temporary easement to connect a future sidewalk with an existing sidewalk on the PCDC property at the Typhoon Texas

located near FM685 at Copper Mine Drive. Jim McDonald noted that the current walkway plans presented follow the pedestrian traffic patterns to restaurants in Stone Hill. Doug Weiss inquired why the sidewalk was so close to FM685. McDonald noted that he was not pleased with the current design. Weiss suggested leaving the space open and letting pedestrians make their own pathway to connect the two segments. Jonathan Kamenicky asked if the PCDC could offer to overpay for the property. Madison noted the timeline for subdividing and selling property. McDonald noted the distractions of drivers and locating pedestrians so close to traffic. Benz said the consultants worked with City Staff to explore the direct route and were unsuccessful with the property owner. He noted that the only way to get the easement was to condemn the property and they would have to seek approval from the City Council.

Weiss asked Madison if the Typhoon Texas park operators were advised. Madison noted they were involved in the process and had no issues. Benz said he would be able to get a new change order as needed for the sidewalk design change if they could get the easement needed. A discussion around the timeline for condemnation followed. Madison asked what the property square footage needed was. Weiss estimated the amount of easement was 250 square feet. McDonald and Weiss both noted that they did not want to get in the way of the easement but did not want the design before them. Benz noted if PCDC approved the easement as written and gave direction to City Staff to pursue a preferred alignment that they would have the time needed to do that. The board had further discussion with the PCDC Attorney to determine how to move on the easement request or whether to defer to a later meeting after options were explored. Following the discussion, Doug Weiss moved to approve the Temporary Easement with direction to correct the alignment. The motion was seconded by Jim McDonald. Madison requested before voting they explore the current reference in the easement agreement that included a segment of the current sidewalk on PCDC property scheduled for destruction. President Spencer requested that the current motion be killed and restated.

Following further discussion, Jim McDonald withdrew his second to the motion. Motion died for lack of a second. Weiss moved for approval of the easement agreement with direction to amend the alignment and remove the destruction of the existing infrastructure. Seconded, by McDonald and vote was unanimous (7-0)

8. Executive Session

- 8A.** 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: Top Floor.
- 8B.** 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.

- 8C.** 3.) Open Session Item: Discuss and consider action on Executive Session items, as needed.

Dennis Spencer moved for a Executive Session at 7:20 p.m.
Returned from Executive Session at 7:40 p.m. No action was taken.

9. Discuss and Consider Items Pulled from Consent Agenda

10. Adjourn

Dennis Spencer adjourned the meeting at 7:40 p.m.

Approved as submitted on January 17, 2024. 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 15th day of December, 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.