



## Minutes - Final

# Pflugerville Community Development Corporation (PCDC)

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Wednesday, November 20, 2024

6:00 PM

3801 Helios Way, Ste. 130

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### Regular Meeting

You are invited to a Zoom webinar.

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## 1. Call To Order

PCDC President Jeff Thompson called the meeting to order at 6:00 p.m. Board members present: Jeff Thompson, Victor Gonzales, Darelle White, Oscar Mitchell, Adam Rosenfield and Ceasar Ruiz.

Board members absent: Jim McDonald.

PCDC staff members: Terri Toledo, Crystal Connally, Veronica Ramirez and PCDC Counsel Josh Brockman-Weber.

## 2. Opening

**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.**

**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

Mr. Rosenfield informed the Board on the Pflugerville Second Annual Menorah Lighting on December 26th at 5:30 p.m.

Ms. Toledo reminded the Board of the December 4, 6 p.m. dinner and the December 11, 11:30 a.m. -1 p.m. partner appreciation drop in.

Pursuant to Texas Government Code Sec. 551.0415, a member of the Board or PCDC staff may announce 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 Comment was made.

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 PCDC Board. Each person providing public comment will be limited to 3 minutes.

#### 5. Public Hearing

- 5A. [2024-1041](#) Public Hearing regarding the expenditure of Type B sales tax funds of PCDC in support of the following projects in an amount not to exceed \$18,750,000: acquisition of land for (i) primary job training facilities for use by institutions of higher education, (ii) regional or national corporate headquarters facilities and (iii) entertainment, tourist, and public park purposes, including related store, restaurant, concession and parking facilities and related improvements that enhance such purposes.

Mr. Thompson opened the Public Hearing at 6:08 p.m.

No Public Hearing comment was made.

Mr. Gonzales moved to close the Public Hearing. Mr. Ruiz seconded. Motion approved 6-0.

Mr. Thompson closed the Public Hearing at 6:09 p.m.

#### 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. Consent Agenda

- 6A. [2024-1123](#) Approve the October 16, 2024 Regular Meeting Minutes and the November 6, 2024 Special Called Meeting Minutes.

Approved on consent.

- 6B. [2024-0993](#) Accepting the PCDC FY24 Q4 Financial Reports.

Mr. White pulled item 2024-0990 from consent for further discussion.  
Discussion on Item 2024-0993 to clarify the summary balance sheet. Ms. Waldron will provide an updated report. Mr. White moved to accept the PCDC FY24 Q4 Financial Reports. Mr. Thompson seconded. Motion passed 6-0.

### Action on the Consent Agenda Items

Mr. Gonzales moved to approve the remaining consent agenda item 2024-1123. Mr. Mitchell seconded. Motion passed 6-0.

## 7. Regular Meeting

- 7A. [2024-1125](#) Discuss and Consider action to authorize the PCDC Interim Executive Director to enter into a professional services agreement with DCS Engineering, not to exceed \$317,823, for the purpose of Impact Way Phase IV final engineering services to include construction bidding, construction administration and management, and materials testing.

Mr. Gonzales moved to authorize the Interim Executive Director to enter into a professional services agreement with DCS Engineering, not to exceed \$317,823, for the purpose of Impact Way Phase IV final engineering services to include construction bidding, construction administration and management, and materials testing. Mr. White seconded. Motion passed 6-0.

- 7B. [2024-1048](#) 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, negotiations, and performance agreement compliance, including projects: Jean, Board, Essentium, Cumberland Additive, Impact Way Phase IV.

2.) Executive Session Item: 551.071- Consultation with Attorney regarding pending litigation: 15508 Impact Way, LLC v. Pflugerville Community Development Corp., et al., Case No. 1:23-cv-00914, U.S. Dist. Court for the Western District of Texas.

3.) 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 : Project Greenfield.

4.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding search and selection of an Executive Director for the Pflugerville Community Development Corporation.

5.) Open Session Item: Discuss and consider action on Executive Session items as needed.

**Mr. Thompson called for Executive Session at 6:38 p.m.**

**The board returned from Executive Session and Mr. Thompson resumed the regular meeting at 7:52 p.m.**

**No action was taken in Executive Session.**

## **8. Discuss and Consider**

- 8A.** [2024-1126](#) Discuss and consider action to Authorize the PCDC President to negotiate the salary and terms of employment for the selected candidate as the Executive Director for the Pflugerville Community Development Corporation.

**Mr. White moved to authorize the PCDC President to negotiate the salary and terms of employment for the selected candidate as the Executive Director for the Pflugerville Community Development Corporation as directed by the Board and motion to authorize the appointment of the Executive Director contingent on the candidate's acceptance of terms. Mr. Thompson seconded. Motion passed 6-0.**

- 8B.** [2024-1127](#) Discuss and consider action to approve the PCDC President to execute a first amendment between Cumberland Additive and Pflugerville Community Development Corporation to pay the FY24 incentive of \$75,000 recognizing \$3,532,207 in Capital Investment and minimum of 37 jobs and moving \$1,467,793 of the FY24 Capital Investment requirement to FY25.

**Mr. Gonzales moved to approve the PCDC President to execute a first amendment between Cumberland Additive and Pflugerville Community Development Corporation to pay the FY24 incentive of \$75,000 recognizing \$3,532,207 in Capital Investment and minimum of 37 jobs and moving \$1,467,793 of the FY24 Capital Investment requirement to FY25. Mr. Rosenfield seconded. Motion passed 6-0.**

## **9. Adjourn**

**Mr. Thompson adjourned the meeting at 7:55 p.m.**

**Approved as submitted on December 18, 2024. Respectfully submitted by  
Crystal Connally, Business Retention & Workforce Director.**

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, Jeff Thompson.

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 November, 2024, at 5:00PM 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 Aishah Mallam, Administrative Assistant at aishahm@pfdevelopment.com or 737-367-9496 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. Terri Toledo, PCDC Interim Executive Director.**