

MIDLAND DEVELOPMENT CORPORATION

MINUTES

April 04, 2022

The Board of Directors of the Midland Development Corporation convened in regular session at the Midland Chamber of Commerce board room, 303 West Wall Street, Suite 200, Midland, Texas, at 10:00 a.m. on April 04, 2022.

Board Members present: Chairman Stephen Lowery, Director Berry Simpson, Director Jill Pennington, Director Lourcey Sams, Director Chase Gardaphe, and Lucy Sisniega

Board Members absent: Director Brad Bullock

Staff Members present: Assistant City Manager Tina Jauz, City Attorney Nicholas Toulet-Crump, and Deputy City Secretary Vanessa White

Council Member(s) present: Council Member Lori Blong

MDC Staff Members present: Executive Director Sara Harris, Marketing and Administrative Coordinator Kendall Gray, and Business Retention & Expansion Coordinator Sammi Steel

1. Call meeting to order.

Chairman Lowery called the meeting to order at 10:00 am

2. Introduction of new Midland Development Corporation director Lucy Sisniega.

Chairman Lowery introduced the new Midland Development Corporation Director Lucy Sisniega.

3. Presentation from the University of Texas Permian Basin regarding the Incubator/Makerspace program at UTPB's Midland campus.

The Executive Director of the Office of Innovation & Commercialization of UTPB, Brian Shedd gave a presentation regarding the Incubator/Makerspace program at UTPB's Midland campus.

4. Motion approving the minutes of the March 7, 2022 meeting of the Midland Development Corporation.

Director Pennington moved to approve the minutes of the March 7, 2022 meeting of the Midland Development Corporation; seconded by Director Simpson. The motion carried by the following vote: AYE: Lowery, Gardaphe, Sams and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Bullock.

5. Resolution authorizing the execution of an amendment to that certain Incubator and Makerspace Grant Agreement between the Midland Development Corporation and the University of Texas of the Permian Basin .

Director Simpson moved to approve Resolution ED-404 authorizing the execution of an amendment to that certain Incubator and Makerspace Grant Agreement between the Midland Development Corporation and the University of Texas of the Permian Basin; seconded by Director Gardaphe. The motion carried by the following vote: AYE: Lowery, Pennington, Sams, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Bullock.

6. Resolution authorizing payment in the amount of \$117,051.79 to the University of Texas of the Permian Basin pursuant to that certain incubator and makerspace grant agreement between the Midland Development Corporation and the University of Texas of the Permian Basin.

Director Simpson moved to approve Resolution ED-405 authorizing payment in the amount of \$117,051.79 to the University of Texas of the Permian Basin pursuant to that certain incubator and makerspace grant agreement between the Midland Development Corporation and the University of Texas of the Permian Basin.; seconded by Director Sams. The motion carried by the following vote: AYE: Lowery, Pennington, Gardaphe and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Bullock.

7. Resolution ratifying the Chairman of the Midland Development Corporation's execution of an amendment to that certain purchase and sale agreement between the Midland Development Corporation and the Estate of J.L. Davis for the purchase of certain real property described as Lots 1A and 9-12, Block 35, Original Town of Midland, City of Midland, Midland County, Texas.

Director Sams moved to approve Resolution ED-406 ratifying the Chairman of the Midland Development Corporation's execution of an amendment to that certain purchase and sale agreement between the Midland Development Corporation and the Estate of J.L. Davis for the purchase of certain real property described as Lots 1A and 9-12, Block 35, Original Town of Midland, City of Midland, Midland County, Texas.; seconded by Director Gardpape. The motion carried by the following vote: AYE: Lowery, Pennington, Simpson and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Bullock.

8. Resolution authorizing the execution of a consulting services agreement with Strong Environmental Services, LLC, in the amount of \$8,727.50 for services related to the purchase of certain real property described as Lots 1A and 9-12, Block 35, Original Town of Midland, City of Midland, Midland County, Texas; and authorizing payment for said agreement.

Director Pennington moved to approve Resolution ED-407 authorizing the execution of a consulting services agreement with Strong Environmental Services, LLC, in the amount of \$8,727.50 for services related to the purchase of certain real property described as Lots 1A and 9-12, Block 35, Original Town of Midland, City of Midland, Midland County, Texas; and authorizing payment for said agreement.; seconded by Director Gardaphe. The motion carried by the following vote: AYE: Lowery, Sams, Simpson and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Bullock.

9. Resolution authorizing signatories on Midland Development Corporation bank accounts.

Director Pennington moved to approve Resolution ED-408 authorizing signatories on Midland Development Corporation bank accounts; seconded by Director Gardaphe. The motion carried by the following vote: AYE: Lowery, Sams, Simpson and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Bullock.

10. Presentation on the March 2022 monthly expenses and economic development activity report from the Midland Development Corporation Executive Director and staff.

MDC Executive Director, Sara Harris reported a 25% sales tax increase year-over-year compared to prior period. Sara Harris reported that fiscal year revenue was 34% above budget and there were no notable disbursements on the income statement.

Board recessed into executive session at 11:00 a.m.

11. Pursuant to Texas Government Code §551.101, the Board of Directors will hold an Executive Session, which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

- a. Section 551.087 Deliberation Regarding Economic Development Negotiations

1. Discuss business prospects that the Midland Development Corporation seeks to have, locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives, and discuss contract compliance on the part of businesses.

Board reconvened into open session at 11:59 a.m.

All the business at hand having been completed, Chairman Lowery adjourned the meeting at 11:59 a.m.

Respectfully submitted,

Vanessa White, Deputy City Secretary

PASSED AND APPROVED the 2nd Day of May 2022.

Jill Pennington, Secretary

