

**MIDLAND DEVELOPMENT CORPORATION**  
**MINUTES**  
**November 13, 2014**

The Board of Directors of the Midland Development Corporation convened in regular session at Midland City Hall basement conference room, 300 North Loraine, Midland, Texas, Midland, Texas, on November 13, 2014.

**Board Members present:** Chairman Robert Rendall, Director Cary Love, First Vice Chairman Brent Hilliard, and Director Tracy Bacon.

**Board Members absent:** Director Gary Douglas.

**Staff Members present:** First Assistant City Attorney John Ohnemiller, Assistant City Manager Frank Salvato, Assistant City Manager Robert Patrick and Deputy City Secretary Karla Mata.

**MDC Staff Members present:** Executive Director Pam Welch, Development Specialist Zach Gilbert, and Marketing Coordinator Reagan Latham.

1. Chairman Rendall called the meeting to order at 9:00 a.m.
2. Consider a Motion approving the minutes of the September 26, 2014, Regular Meeting of the Midland Development Corporation, minutes of the Chamber of Commerce Annual Meeting of September 4, 2014, minutes of the Spaceport Celebration of October 27, 2014, and minutes of the State of the Economy Luncheon on October 30, 2014.

Director Bacon moved to approve the minutes of the September 26, 2014, Regular Meeting of the Midland Development Corporation, minutes of the Spaceport Celebration of October 27, 2014, and minutes of the State of the Economy Luncheon on October 30, 2014; seconded by Director Hilliard. The motion carried by the following vote: AYE: Rendall, Love, Hilliard, and Bacon. NAY: None. ABSTAIN: None. ABSENT: Douglas.

3. Receive and discuss and consider the August Independent Accountant's Compilation Report and September and October financials of the Midland Development Corporation.

Executive Director Pam Welch Pam provided an overview of the balance sheet. They have included the month of August, since it was not previously presented. The Independent Accountant's Compilation Reports will not be completed until the Audited Statements are received for the fiscal year ending September 30, 2014.. Director Bacon proposed that they seek another alternative for consulting services, to save costs.

4. Consider Resolution No. ED-241 canceling the December 19, 2014 meeting of the Board of Directors of the Midland Development Corporation.

Director Bacon moved to adopt Resolution No. ED-241 canceling the December 19, 2014 meeting of the Board of Directors of the Midland Development Corporation; seconded by Director Hilliard. The motion carried by the following vote: AYE: Rendall, Love, Hilliard, and Bacon. NAY: None. ABSTAIN: None. ABSENT: Douglas.

5. Consider a Resolution No. ED-242 establishing the dates of the Regular Meetings of the Midland Development Corporation Board of Directors to be held during the period of February 2015 to January 2016.

Director Hilliard moved to adopt Resolution No. ED-242 with the amendment to change the October 30<sup>th</sup> meeting to October 23<sup>rd</sup>; seconded by Director Love. The motion carried by the following vote: AYE: Rendall, Love, Hilliard, and Bacon. NAY: None. ABSTAIN: None. ABSENT: Douglas.

6. Consider Resolution No. ED-243 authorizing the Execution of an Assignment with the City of Midland regarding the parking garage facility located on Lot 1A, Block 53, Original Town, City and County of Midland, Texas.

Director Hilliard moved to adopt Resolution No. ED-243 authorizing the Execution of an Assignment with the City of Midland regarding the parking garage facility located on Lot 1A, Block 53, Original Town, City and County of Midland, Texas. The motion to amend carried by the following vote: AYE: Rendall, Love, Hilliard, and Bacon. NAY: None. ABSTAIN: None. ABSENT: Douglas.

7. Receive and discuss the monthly economic development activity report from the MDC staff as well as any reports on marketing and advertising activities

Economic Development Specialist Zach Gilbert and Executive Director Pam Welch reported on the monthly economic development activity and on marketing and advertising activities.

**The Board excused observers at 9:36 a.m. and recessed to executive session.**

8. 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

- i. 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.

b. Section 551.072 Deliberation Regarding Real Property

- i. Discuss the sale, exchange, lease or value of real property described as an approximate 78.25 acre tract of land out of Section 11, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas.
  - ii. Discuss the sale, exchange, lease or value of real property described as Lot 6, Block 9, Midland International Airport Industrial Park Addition, Section 5, Midland, Midland County, Texas.
  - iii. Discuss the sale, lease, exchange or value of Lots 1A and 13A, Block 53, Original Town Addition, Midland, Midland County, Texas.
  - iv. Discuss the sale, exchange, lease or value of real property described as an approximate 374 acre tract of land out of Section 33, Block 40, T-1-S, T&P RR Co Survey, Midland County, Texas
9. Consider a motion authorizing the Chairman to negotiate and execute a right-of-way license or other appropriate agreement with Dawson Geophysical Company in order for Dawson to conduct a 3D geophysical survey on property owned by the Midland Development Corporation and described as a 78.25-acre tract of land out of Section 11, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas, and a 374-acre tract of land out of Section 33, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Director Hilliard moved to adopt a motion authorizing the Chairman to negotiate and execute a right-of-way license or other appropriate agreement with Dawson Geophysical Company in order for Dawson to conduct a 3D geophysical survey on property owned by the Midland Development Corporation and described as a 78.25-acre tract of land out of Section 11, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas, and a 374-acre tract of land out of Section 33, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas; seconded by Director Bacon. The motion carried by the following vote: AYE: Rendall, Love, Hilliard, and Bacon. NAY: None. ABSTAIN: None. ABSENT: Douglas

10. Consider a motion authorizing the Chairman to negotiate and execute a right-of-way license or other appropriate agreement with Fasken Oil and Ranch, Ltd. in order for Fasken to locate pipelines and a tank battery facility on property owned by the Midland Development Corporation and described as a 374-acre tract of land out of Section 33, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Director Bacon moved to approve a motion authorizing the Chairman to negotiate and execute a right-of-way license or other appropriate agreement with Fasken Oil and Ranch, Ltd. in order for Fasken to locate pipelines and a tank battery facility on property owned by the Midland Development Corporation and described as a 374-acre tract of land out of Section 33, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas.; seconded by

Director Hilliard. The motion carried by the following vote: AYE: Rendall, Love, Hilliard, and Bacon. NAY: None. ABSTAIN: None. ABSENT: Douglas

11. Consider Resolution No. ED-244 authorizing the negotiation and execution of an Amendment to the Professional Services Agreement with Parkhill, Smith & Cooper, Inc. for engineering services related to the development of the Spaceport located at Midland International Airport, and authorizing payment therefor.

Director Love moved to adopt Resolution No. ED-244 authorizing the negotiation and execution of an Amendment to the Professional Services Agreement with Parkhill, Smith & Cooper, Inc. for engineering services related to the development of the Spaceport located at Midland International Airport, and authorizing payment therefor; seconded by Director Bacon. The motion carried by the following vote: AYE: Rendall, Love, Hilliard, and Bacon. NAY: None. ABSTAIN: None. ABSENT: Douglas

All of the business at hand having been completed, Chairman Rendall adjourned the meeting at 10:32 a.m.

Respectfully submitted,

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Karla Mata, Deputy City Secretary

PASSED AND APPROVED the 30<sup>th</sup> day of January, 2015.

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Cary Love, Secretary