

**MIDLAND DEVELOPMENT CORPORATION
MINUTES
December 05, 2016**

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, on December 05, 2016.

Board Members present: Chairman Brent Hilliard, Director Gary Douglas, Secretary Robert Rendall and Director Keith Stretcher

Board Members absent: Director Wesley Bownds

Staff Members present: Assistant City Manager Frank Salvato; Assistant City Attorney Nicholas Toulet-Crump; Director of Engineering Jose Ortiz and Deputy City Secretary SueAnn Lopez

Council Member(s) present: J.Ross Lacy (District 4); and Jeff Sparks (District 1)

MDC Staff Members present: Executive Director Pam Welch, MDC Economic Development Director Timothy Danielson, Marketing Coordinator Regan Latham, and Accounting Clerk/Research Analyst Sara Harris.

1. Chairman Hilliard called the meeting to order at 9:01 a.m.
2. Consider a Motion approving the minutes of the November 7, 2016 meeting of the Midland Development Corporation.

Director Stretcher moved to approve the minutes of November 7, 2016; seconded by Director Douglas. The motion carried by the following vote: AYE: Douglas, Hilliard, Rendall, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Bownds

3. Receive and discuss and consider the October monthly expenses from the Midland Development Corporation.

Executive Director Pam Welch, Marketing Coordinator Regan Latham, and Accounting Clerk and Research Analyst Sara Harris gave an overview of the October monthly expenses noting no substantial changes.

4. Consider a resolution canceling the January 9, 2017 regular meeting of the Midland Development Corporation Board of Directors; and establishing a Regular Meeting of the Midland Development Corporation Board of Directors on January 23, 2017.

Director Stretcher moved to approve Resolution ED-300 cancelling the January 9, 2017 Regular Meeting of the Midland Development Corporation Board of Directors; and establishing a Regular Meeting of the Midland Development Corporation Board of Directors on January 23, 2017; seconded by Director Douglas. The motion carried by the following vote: AYE: Douglas, Hilliard, Rendall, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Bownds

5. Consider a resolution establishing the dates of the Regular Meetings of the Midland Development Corporation Board of Directors to be held during the period of February 2017 to January 2018.

Director Stretcher moved to approve Resolution ED-301 establishing the dates of the Regular Meetings of the Midland Development Corporation Board of Directors to be held during the period of February 2017 to January 2018; seconded by Director Douglas. The motion carried by the following vote: AYE: Douglas, Hilliard, Rendall, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Bownds.

6. Consider a Resolution authorizing the execution of an Economic Development Agreement with the City of Midland for the extension of Lindberg Drive; and authorizing payment therefor in an amount not to exceed \$150,000.

Jose Ortiz gave an update regarding the progress of the extension of Lindberg Drive.

Director Stretcher moved to defer Resolution ED-302 authorizing the execution of an Economic Development Agreement with the City of Midland for the extension of Lindberg Drive; and authorizing payment therefor in an amount not to exceed \$150,000 until after the City Council approved a resolution approving the agreement; seconded by Director Douglas. The motion carried by the following vote: AYE: Douglas, Hilliard, Rendall, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Bownds.

7. Consider a resolution authorizing the Chairman of the Midland Development Corporation to negotiate agreements with the State of Texas or any other entity for the development of future infrastructure projects; said agreements to include, but not be limited to, the acquisition of rights-of-way, engineering design services, environmental studies, utility relocation, and the construction of paving, streets and roadways, water and sewer utilities, electric utilities, drainage facilities, site improvements, and any other associated infrastructure improvements.

Director Stretcher stated he was very much in agreement and that this would help speed up the process and showed confidence in the Chairman.

Director Stretcher moved to approve Resolution ED-303 authorizing the Chairman of the Midland Development Corporation to negotiate agreements with the State of Texas or any other entity for the development of future infrastructure projects; said agreements to include, but not be limited to, the acquisition of rights-of-way, engineering design services, environmental studies, utility relocation, and the

construction of paving, streets and roadways, water and sewer utilities, electric utilities, drainage facilities, site improvements, and any other associated infrastructure improvements; seconded by Director Douglas. The motion carried by the following vote: AYE: Douglas, Hilliard, Rendall, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Bownds.

8. Receive a presentation thanking outgoing Midland Development Corporation board member, Robert V. Rendall.

Chairman Hilliard and Pam Welch presented Mr. Rendall with a keepsake honoring his years of service to the Midland Development Corporation Board.

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

Executive Director Pam Welch, and Economic Development Director Timothy Danielson, gave a brief report on the monthly economic development activity, provided workforce/employment stats, and discussed marketing and advertising activities.

The Board excused observers at 9:45 a.m. and recessed into executive session.

10. 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 purchase, exchange, lease or value of real property described as Block 55, 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.

c. Section 551.071 Consultation With Attorney

- i. Discuss a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

The Board reconvened into regular session at 10:58 a.m.

11. Consider a resolution authorizing the execution of a Professional Services Agreement with Cushman & Wakefield PIREs to provide real estate marketing services in connection with certain real property described as approximately 73.62 acres of land out of Section 11, Block 40, Township 2 South, T&P RR Co. Survey, Midland County, Texas.

Director Douglas moved to defer Resolution ED-304 authorizing the execution of a Professional Services Agreement with Cushman & Wakefield PIREs to provide real estate marketing services in connection with certain real property described as approximately 73.62 acres of land out of Section 11, Block 40, Township 2 South, T&P RR Co. Survey, Midland County, Texas until after the City Council approved a resolution approving the agreement; seconded by Director Rendall. The motion carried by the following vote: AYE: Douglas, Hilliard, Rendall, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Bownds.

12. Consider a Resolution authorizing the execution of a Professional Services Agreement with Cushman & Wakefield PIREs to provide real estate marketing services in connection with certain real property described as Lot 6, Block 9, Midland International Airport Industrial Park Addition, Section 5, Midland, Midland County, Texas.

Director Douglas moved to defer Resolution ED-305 authorizing the execution of a Professional Services Agreement with Cushman & Wakefield PIREs to provide real estate marketing services in connection with certain real property described as Lot 6, Block 9, Midland International Airport Industrial Park Addition, Section 5, Midland, Midland County, Texas; seconded by Director Rendall. The motion carried by the following vote: AYE: Douglas, Hilliard, Rendall, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Bownds.

All of the business at hand having been completed, Chairman Hilliard adjourned the meeting at 11:00 a.m.

Respectfully submitted,

SueAnn Lopez, Deputy City Secretary

PASSED AND APPROVED the _____ day of _____, 2016.

Robert Rendall, Secretary