

**MIDLAND DEVELOPMENT CORPORATION
MINUTES
January 23, 2017**

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 January 23, 2017.

Board Members present: Chairman Brent Hilliard, Director Stephen Lowery, Director Wesley Bownds and Director Keith Stretcher

Board Members absent: Director Gary Douglas

Staff Members present: Assistant City Manager Frank Salvato; Assistant City Attorney Nicholas Toulet-Crump; Director of Engineering Jose Ortiz; Finance Director Pam Simecka, Downtown Development Coordinator Cristina Odenborg, and Deputy City Secretary SueAnn Lopez

Council Member(s) present: J.Ross Lacy (District 4); and Jeff Sparks (District 1); Spencer Robnett (At-Large)

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 10:00 a.m.
2. Introduction of new Board Member, Stephen Lowery.

Chairman Hilliard introduced new board member Stephen Lowery.

3. Receive a presentation from Carla Holeva of Permian Basin Public Telecommunications, Inc. on the renovation of their new facility.

Jane Wolf and Carla Holeva gave an update on the renovations of the Permian Basin Public Telecommunications facility including the installation of a new roof, leveled floors, relocated bathrooms, etc. Ms. Holeva stated there still more renovating to be completed.

4. Consider a resolution authorizing a Third Amendment to the Agreement between the Midland Development Corporation and Permian Basin Public Telecommunications, Inc.

Director Stretcher moved to approve Resolution ED-309 authorizing a Third Amendment to the Agreement between the Midland Development Corporation and Permian Basin Public Telecommunications, Inc.; seconded by Director Bownds. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

5. Receive a presentation from Enrique Romero of the Small Business Development Center regarding a proposed Small Business Grant Program.

Mr. Romero gave a brief presentation on the Small Business Development Grant Program explaining the guidelines and judging criteria for the grant program.

6. Consider a motion approving the minutes of the December 5, 2016 meeting of the Midland Development Corporation.

Director Stretcher moved to approve the minutes of December 5, 2016; seconded by Director Bownds. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

7. Receive and discuss and consider the December 2016 monthly expenses from the Midland Development Corporation.

Executive Director Pam Welch and Accounting Clerk and Research Analyst Sara Harris gave an overview of the December 2016 monthly expenses noting they were still under budget.

8. Consider a motion electing officers to serve through January 2018.

Director Stretcher moved to re-appoint Chairman Hilliard as Chairman, himself as First Chair, Chairman Bownds as second chair, Chairman Douglas as Secretary and Chairman Lowery as Treasurer; seconded by Director Lowery. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

9. Consider a resolution canceling the February 6, 2017 Regular Meeting of the Midland Development Corporation Board of Directors.

Director Stretcher moved to approve Resolution ED-306 canceling the February 6, 2017 Regular Meeting of the Midland Development Corporation Board of Directors; seconded by Director Bownds. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

10. Consider a resolution authorizing signatories on Midland Development Corporation bank accounts.

Director Bownds moved to approve Resolution ED-307 authorizing signatories on Midland Development Corporation bank accounts; seconded by Director Lowery. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

11. Consider a resolution appropriating funds from the Midland Development Corporation's 2015-2016 Fiscal Year Budget to be used for promotional purposes, as authorized by Chapter 504 of the Texas Local Government Code.

Director Stretcher moved to approve Resolution ED-308 appropriating funds from the Midland Development Corporation's 2015-2016 Fiscal Year Budget to be used for promotional purposes, as authorized by Chapter 504 of the Texas Local Government Code; seconded

by Director Bownds. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

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 approximately 73.62 acres of land out of Section 11, Block 40, Township 2 South, T&P RR Co. Survey, Midland County, Texas.

Director Stretcher stressed the conditions in Article 5, 8, 13 and exhibit C and asked that the agreement not be executed until the City Attorney has approved the insurance certificate.

Director Stretcher moved to approve Resolution ED-310 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 provided the City Attorney's Office of the City of Midland, Texas must have previously approved the insurance provisions as set up in the terms and conditions of said agreement; seconded by Director Bownds. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

13. 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 Stretcher moved to approve Resolution ED-311 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, provided the City Attorney's Office of the City of Midland, Texas must have previously approved the insurance provisions as set up in the terms and conditions of said agreement; seconded by Director Bownds. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

14. Receive and discuss the Annual Report for 2015-2016 from the Midland Development Corporation.

Ms. Welch provided the Board with a copy of the annual report and thanked the board for their support. Ms. Welch also thanked her staff for their excellent work. She gave an overview of all the projects throughout the year that are either complete or moving along on schedule.

15. Receive and discuss the Plan of Work for 2016-2017 from the Midland Development Corporation.

Ms. Welch provided the Board with a copy of the 2016-2017 Plan of Work and stated they would be working very hard doing direct meetings and continuing work with Cushman and Wakefield and are very excited. She stated they would also be working with Midland College assisting them with workforce efforts. Tim Danielson will be doing pre-market targeting, telemarketing, and direct visits to potential prospects. Pam Welch stated the plan was a work in progress and not a final plan.

The Board excused observers at 12:17 p.m. and recessed into executive session.

16. 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.

The Board reconvened into regular session at 12:47 p.m.

17. Consider a resolution authorizing the negotiation and execution of a Right-Of-Way License with Fasken Oil and Ranch, LTD.

Director Stretcher moved to approve Resolution ED-312 authorizing the negotiation and execution of a Right-Of-Way License with Fasken Oil and Ranch, LTD; seconded by Director Bownds. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

18. Consider a Resolution authorizing the execution of an Economic Development Agreement with the City of Midland for the extension of Wadley Avenue; and authorizing payment therefor in an amount not to exceed \$300,000.00.

Director Stretcher moved to approve Resolution ED-313 authorizing the execution of an Economic Development Agreement with the City of Midland for the extension of Wadley Avenue; and authorizing payment therefor in an amount not to exceed \$300,000.00; seconded by Director Bownds. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

19. Consider a resolution authorizing the negotiation and execution of a Master Professional

Services Agreement with one or more engineering firms for engineering and design services necessary and appropriate for certain qualifying infrastructure projects, including but not limited to the extension of Wadley Avenue, the construction of the Carver Draw Crossing, and the Briarwood Avenue Phase III Project, as authorized by Chapter 501 of the Texas Local Government Code; and providing that each project shall be designated by a task order.

Director Bownds moved to approve Resolution ED-314 authorizing the negotiation and execution of a Master Professional Services Agreement with one or more engineering firms for engineering and design services necessary and appropriate for certain qualifying infrastructure projects, including but not limited to the extension of Wadley Avenue, the construction of the Carver Draw Crossing, and the Briarwood Avenue Phase III Project, as authorized by Chapter 501 of the Texas Local Government Code; and providing that each project shall be designated by a task order; seconded by Director Stretcher. The motion carried by the following vote: AYE: Bownds, Hilliard, Lowery, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

All of the business at hand having been completed, Chairman Hilliard adjourned the meeting at 12:48 p.m.

Respectfully submitted,

SueAnn Lopez, Deputy City Secretary

PASSED AND APPROVED the _____ day of _____, 2016.

Gary Douglas, Secretary