

MIDLAND DEVELOPMENT CORPORATION

MINUTES

December 03, 2018

The Board of Directors of the Midland Development Corporation convened in regular session at the Midland City Hall basement conference room, 300 North Loraine Street, Midland, Texas, on December 03, 2018.

Board Members present: Chairman Brent Hilliard, Director Wesley Bownds, Director Gary Douglas (arrived at 10:02 a.m.), Director Keith Stretcher, and Director Stephen Lowery

Board Members absent: None

Staff Members present: Assistant City Manager Frank Salvato, Finance Director Pam Simecka, Assistant City Attorney Nicholas Toulet-Crump, Assistant City Manager Morris Williams and Deputy City Secretary Misty Cryer

Council Member(s) present: Mayor Jerry Morales, Spencer Robnett (At-Large), Scott Dufford (District 1), John B. Love III (District 2), J. Ross Lacy (District 4)

MDC Staff Members present: Interim Administrator Sara Harris, Director of Project Development Gary Law, Director of Business Development Tim Danielson, Administrative Assistant Blair Flanagan, Assistant Engineer Ranjita Chennamsetti, and Assistant Engineer Nikitha Sankepally

1. Call meeting to order.

Chairman Hilliard called the meeting to order at 10:00 a.m.

2. Receive a presentation thanking outgoing Midland Development Corporation board member Gary Douglas.

Chairman Hilliard and Mayor Morales presented a plaque to Mr. Douglas thanking him for his time spent as board member with the Midland Development Corporation.

3. Receive and discuss a presentation from Midland College regarding the Dual Credit Career Program and the Technology Education Program.

Dr. Deena Savage and Dr. Damon Kennedy gave a presentation regarding the Dual Credit Career Program and the Technology Education Program noting they were repurposing the west campus. Dr. Savage also announced they were offering homebuyers assistance education, a Pre-K charter school on campus, and a Texas A & M Engineering Academy

4. Receive and discuss a presentation from John James of Mode Media, a winner of the 2017 Midland Entrepreneurial Challenge.

John James gave a presentation on liv432 and thanked the Midland Development Corporation for their support.

5. Receive and discuss a presentation from Jenny Cudd of Becky's Flowers, a winner of the 2017 Midland Entrepreneurial Challenge.

Received presentation by Jenny Cudd gave a presentation on her flower businesses and thanked the board of the Midland Development Corporation for their support.

6. Receive and discuss a presentation from Gene Powell of TXDOT regarding completed and ongoing road and infrastructure partnerships between TXDOT and the Midland Development Corporation.

Received a presentation from Gene Powell of TXDOT regarding the progress of infrastructure projects for which the Midland Development Corporation has partnered with TXDOT.

7. Consider a motion approving the minutes of the November 5, 2018, meeting of the Midland Development Corporation.

Director Stretcher moved to approve the minutes of November 05, 2018; seconded by Director Bownds. The motion carried by the following vote: AYE: Hilliard, Bownds, Douglas and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Lowery.

8. Receive and discuss and consider the November 2018 monthly expenses from the Midland Development Corporation.

Interim Administrator Sara Harris reported that expenses for November 2018 were consistent with budgetary expectations.

9. 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 2019 to January 2020.

Director Stretcher moved to approve Resolution ED-398 establishing the dates of the regular meetings of the Midland Development Corporation Board of Directors to be held during the period of February 2019 to January 2020; seconded by Director

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

10. Consider a resolution appropriating funds from the Midland Development Corporation's 2017-2018 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-399 appropriating funds from the Midland Development Corporation's 2017-2018 fiscal year budget to be used for promotional purposes, as authorized by Chapter 504 of the Texas Local Government Code; seconded by Director Douglas. The motion carried by the following vote: AYE: Hilliard, Bownds, Douglas, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Lowery.

11. Consider a resolution authorizing the execution of a landscape improvements contract with A Rendon Ramirez Corporation DBA RRC Construction in the amount of \$1,035,990.41 for the Spaceport Business Park Landscape Improvements Project; and approving \$164,009.59 in contingencies.

Director Stretcher moved to approve Resolution ED-400 authorizing the execution of a landscape improvements contract with A Rendon Ramirez Corporation DBA RRC Construction in the amount of \$1,035,990.41 for the Spaceport Business Park Landscape Improvements Project; and approving \$164,009.59 in contingencies; seconded by Director Douglas. The motion carried by the following vote: AYE: Hilliard, Bownds, Douglas, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Lowery.

12. Consider a resolution authorizing the Chairman to negotiate and execute an amendment to that certain consultant services agreement with InterFlight Global Corporation for services related to the procurement of new tenants for facilities located at the Spaceport Business Park; said amendment providing for increased funding in the amount of \$15,000.00.

Director Stretcher moved to approve Resolution ED-401 authorizing the Chairman to negotiate and execute an amendment to that certain consultant services agreement with InterFlight Global Corporation for services related to the procurement of new tenants for facilities located at the Spaceport Business Park; said amendment providing for increased funding in the amount of \$15,000.00; seconded by Director Douglas. The motion carried by the following vote: AYE: Hilliard, Bownds, Douglas, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Lowery.

13. Consider a resolution authorizing the execution of a construction services agreement with Lee Lewis Construction, Inc., in an amount not to exceed \$15,000.00 for the purpose of performing construction work on the premises of the Western United Life Building.

Director Stretcher moved to approve Resolution ED-402 authorizing the execution of a construction services agreement with Lee Lewis Construction, Inc., in an amount not

to exceed \$15,000.00 for the purpose of performing construction work on the premises of the Western United Life Building; seconded by Director Douglas The motion carried by the following vote: AYE: Hilliard, Bownds, Douglas, and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Lowery.

14. Consider a resolution ratifying the employment of the Bradley Law Firm as outside legal counsel to represent the Midland Development Corporation; and authorizing the payment of all costs.

Director Stretcher moved to approve Resolution ED-403 ratifying the employment of the Bradley Law Firm as outside legal counsel to represent the Midland Development Corporation; and authorizing the payment of all costs; seconded by Director Douglas The motion carried by the following vote: AYE: Bownds, Douglas, and Stretcher. NAY: None. ABSTAIN: Hilliard. ABSENT: Lowery.

15. Consider a resolution authorizing the execution of a consultant services agreement with Wheless Partners in an amount not to exceed \$60,000.00 for the purpose of recruiting a Senior Design Engineer for the Midland Development Corporation.

Director Stretcher moved to approve Resolution ED-404 authorizing the execution of a consultant services agreement with Wheless Partners in an amount not to exceed \$60,000.00 for the purpose of recruiting a Senior Design Engineer for the Midland Development Corporation The motion carried by the following vote: AYE: Bownds, Douglas, and Stretcher. NAY: None. ABSTAIN: Hilliard. ABSENT: Lowery.

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

The Board excused observers at 11:14 a.m. and recessed into executive session.

17. Pursuant to Texas Government Code §551.101, the Board of Directors and the Midland City Council 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 551.072, Deliberation Regarding Real Property.

- I. 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.
- II. Discuss the sale, exchange, lease or value of real property described as an approximate 53.62 acre tract of land out of Section 11, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas.
- III. Discuss the purchase, exchange, lease or value of real property described as Lots Five (5), Six (6), Seven (7), and Eight (8), Block Thirty-

Five (35), Original Town of Midland, an addition to the City of Midland, Midland County, Texas.

- IV. 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.

b. 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.

The Board reconvened into regular session at 12:10 pm.

18. Consider a resolution authorizing the Chairman to negotiate and execute one or more consulting agreements to provide for services associated with the preparation of a regional economic master strategic plan; and authorizing aggregate funding therefor in an amount not to exceed \$4,000,000.00.

Director Douglas moved to amend and approve Resolution ED-405 authorizing the Chairman to negotiate and execute one or more consulting agreements to provide for services associated with the preparation of a regional economic master strategic plan; and authorizing aggregate funding therefor in an amount not to exceed \$4,000,000.00; seconded by Director Bownds. The motion carried by the following vote: AYE: Hilliard, Bownds, Douglas. NAY: Stretcher. ABSTAIN: None. ABSENT: None.

All the business at hand having been completed, Chairman Hilliard adjourned the meeting at 12:38 p.m.

Respectfully submitted,

SueAnn Reyes, Deputy City Secretary

PASSED AND APPROVED the 4rd day of February 2019.

Wesley Bownds, Secretary