

MIDLAND DEVELOPMENT CORPORATION
MINUTES
March 07, 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 March 7th, 2016.

Board Members present: Chairman Brent Hilliard, Director Wesley Bownds, Director Keith Stretcher and Secretary Robert Rendall

Board Members absent: Director Gary Douglas

Staff Members present: City Manager Courtney Sharp; Assistant City Manager Frank Salvato; City Attorney John Ohnemiller; Assistant City Attorney Nicholas Toulet-Crump; Director of Finance Pam Simecka; 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, Project Coordinator Lyndsey White and Accounting Clerk/Research Analyst Sara Harris.

1. Chairman Hilliard called the meeting to order at 11:03 a.m.

Chairman Hilliard presented past Board Member Cary Love with a gift thanking him for his years of service on the Midland Development Corporation Board.

2. Consider a Motion approving the minutes of the January 29, 2016 Annual meeting of the Midland Development Corporation.

Director Bownds moved to approve the minutes of the January 29, 2016 regular meeting of the Midland Development Corporation; seconded by Director Stretcher. The motion carried by the following vote: AYE: Bownds, Hilliard, Rendall and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas

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

Director Pam Welch gave an overview of the January and February monthly expenses from the Midland Development Corporation and stated that they were still on track to meet the budget.

Discussion ensued regarding receiving full financial statements from the City, which have been delayed due to a conversion to a new system. The board requested that they receive monthly financial reports from the City at future meetings. Director of Finance Pam Simecka stated the balance sheet accounts were still being reviewed but that she would supply the board with monthly financial reports at future meetings.

City Attorney John Ohnemiller asked whether in fact they had appropriated 10% of the funds to the promotional fund. Mrs. Simecka stated she did not know but would look into it. Director Stretcher suggested that if in fact it had not been done that it be put on the next agenda.

4. Consider a resolution authorizing the execution of a Mutual Termination Agreement between the Midland Development Corporation and the City of Midland for the Market Street Paving and Water Line Extension Project.

Director Stretcher moved to approve Resolution ED-272 the execution of a Mutual Termination Agreement between the Midland Development Corporation and the City of Midland for the Market Street Paving and Water Line Extension Project; seconded by Director Rendall. The motion carried by the following vote: AYE: Bownds, Hilliard, Rendall and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas.

5. 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 Accounting Clerk/Research Analyst Sara Harris reported on the monthly economic development activity, provided workforce/employment stats, and discussed marketing and advertising activities.

6. Consider a resolution authorizing the execution of an amendment to the Master Development Agreement between the Midland Development Corporation, the City of Midland and Hotel Santa Rita No. 1 Midland Partners, LLC.

Director Stretcher moved to approve Resolution ED-273 authorizing the execution of an amendment to the Master Development Agreement between the Midland Development Corporation, the City of Midland and Hotel Santa Rita No. 1 Midland Partners, LLC; seconded by Director Rendall. The motion carried by the following vote: AYE: Bownds, Hilliard, Rendall and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas.

The Board excused observers at 11:35 a.m. and recessed into executive session.

7. 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.

The Board reconvened into regular session at 11:47 a.m.

- 8. Consider a motion authorizing the Chairman to negotiate and execute a Term Sheet, Purchase and Sale Agreement, and all other documents necessary for the Midland Development Corporation's sale of Lot 6, Block 9, Midland International Airport Industrial Park Addition, Section 5, City and County of Midland, Texas. The Chairman may negotiate and execute such documents with one or more potential purchasers of said property.

Director Stretcher moved to approve authorizing the Chairman to negotiate and execute a Term Sheet, Purchase and Sale Agreement, and all other documents necessary for the Midland Development Corporation's sale of Lot 6, Block 9, Midland International Airport Industrial Park Addition, Section 5, City and County of Midland, Texas. The Chairman may negotiate and execute such documents with one or more potential purchasers of said property; seconded by Director Bownds. The motion carried by the following vote: AYE: Bownds, Hilliard, Rendall and Stretcher. NAY: None. ABSTAIN: None. ABSENT: Douglas.

Robert Rendall, Secretary