

MIDLAND DEVELOPMENT CORPORATION

MINUTES

August 1, 2022

The Board of Directors of the Midland Development Corporation convened in regular session at the Midland Chamber of Commerce board room, 303 West Wall Street, Suite 200, Midland, Texas, at 10:00 a.m. on August 01, 2022.

Board Members present: Chairman Stephen Lowery, Director Berry Simpson, Director Brad Bullock Director Lourcey Sams, and Director Lucy Sisniega

Board Members absent: Director Jill Pennington and Director Chase Gardaphe

Staff Members present: Assistant City Manager Tina Jauz, City Attorney Nicholas Toulet-Crump, and Deputy City Secretary Vanessa White

Council Member(s) present: Mayor Patrick Payton and Council Member Lori Blong

MDC Staff Members present: Executive Director Sara Harris, Marketing and Administrative Coordinator Kendall Gray, and Business Retention & Expansion Coordinator Sammi Steele

1. Call meeting to order.

Chairman Lowery called the meeting to order at 10:00 am

2. Motion approving the minutes of the June 06, 2022 meeting of the Midland Development Corporation.

Director Simpson moved to approve the minutes of the June 06, 2022 meeting of the Midland Development Corporation; seconded by Director Bullock. The motion carried by the following vote: AYE: Lowery, Sams and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Pennington and Gardaphe.

3. Presentation from the Bush Tennis Center on the ACE Athletic Center project.

Bush Tennis Center Executive Director Tim Stallard from gave an overview of the ACE Athletic Center project and the impact that the Bush Tennis Center has on the local community and economy.

4. Resolution authorizing the execution of an interlocal agreement with the University of Texas of the Permian Basin to advertise and publicize the City of Midland for the purpose of developing new and expanded business enterprises.

Director Simpson moved to approve Resolution ED-413 authorizing the execution of an interlocal agreement with the University of Texas of the Permian Basin to advertise and publicize the City of Midland for the purpose of developing new and expanded

business enterprises; seconded by Director Bullock. The motion carried by the following vote: AYE: Lowery, Sisniega, and Sams. NAY: None. ABSTAIN: None. ABSENT: Pennington and Gardaphe.

5. Resolution authorizing payment in the amount of \$18,825.29 to the University of Texas of the Permian Basin pursuant to that certain Incubator and Makerspace Grant Agreement between the Midland Development Corporation and the University of Texas of the Permian Basin.

Director Bullock moved to approve Resolution ED-414 authorizing payment in the amount of \$18,825.29 to the University of Texas of the Permian Basin pursuant to that certain Incubator and Makerspace Grant Agreement between the Midland Development Corporation and the University of Texas of the Permian Basin. seconded by Director Sisniega. The motion carried by the following vote: AYE: Lowery, Sams, and Simpson. NAY: None. ABSTAIN: None. ABSENT: Pennington and Gardaphe.

6. Resolution authorizing the execution of a professional services agreement with Parkhill, Smith, & Cooper, Inc., in an amount not to exceed \$110,300.00 for professional services related to a site assessment and development at Midland International Air & Space Port; and authorizing payment for said agreement.

Director Bullock moved to approve Resolution ED-415 authorizing the execution of a professional services agreement with Parkhill, Smith, & Cooper, Inc., in an amount not to exceed \$110,300.00 for professional services related to a site assessment and development at Midland International Air & Space Port; and authorizing payment for said agreement. seconded by Director Simpson. The motion carried by the following vote: AYE: Lowery, Sisniega, and Sams. NAY: None. ABSTAIN: None. ABSENT: Pennington and Gardaphe.

7. Resolution authorizing the execution of a promotional agreement with Higher Orbits, Inc., to advertise and publicize the City of Midland for the purpose of developing new and expanded business enterprises.

Director Simpson moved to approve Resolution ED-416 authorizing the execution of a promotional agreement with Higher Orbits, Inc., to advertise and publicize the City of Midland for the purpose of developing new and expanded business enterprises. seconded by Director Sams. The motion carried by the following vote: AYE: Lowery, Bullock and Sisniega NAY: None. ABSTAIN: None. ABSENT: Pennington and Gardaphe.

8. Resolution authorizing the execution of a second amendment to that certain Promotional Agreement with the Permian Basin Area Foundation.

Director Bullock moved to approve Resolution ED-417 authorizing the execution of a second amendment to that certain Promotional Agreement with the Permian Basin Area Foundation. seconded by Director Sams. The motion carried by the following vote: AYE: Lowery, Simpson, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Pennington and Gardaphe.

9. Resolution authorizing the execution of a second amendment to that certain Promotional Agreement with the Permian Basin Area Foundation.

Director Simpson moved to approve Resolution ED-418 authorizing the execution of a second amendment to that certain Promotional Agreement with the Permian Basin Area Foundation. seconded by Director Sisniega. The motion carried by the following vote: AYE: Lowery, Bullock and Sams. NAY: None. ABSTAIN: None. ABSENT: Pennington and Gardaphe.

10. Resolution authorizing the execution of a second amendment to that certain Promotional Agreement with the Permian Basin Area Foundation.

Director Bullock moved to approve Resolution ED-419 authorizing the execution of a second amendment to that certain Promotional Agreement with the Permian Basin Area Foundation. seconded by Director Simpson. The motion carried by the following vote: AYE: Lowery, Sams and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Pennington and Gardaphe.

11. Presentation on the July 2022 monthly expenses and economic development activity report from the Midland Development Corporation Executive Director and staff.

MDC Executive Director, Sara Harris reported that there were no significant disbursements for the month of July 2022. She also reported a sizeable increase year over year in sales tax revenues.

Board recessed into executive session at 11:58 a.m.

12. 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 551.072 Deliberation Regarding Real Property

- i. Discuss the sale, exchange, lease or value of real property described as Lots 5 and 6, Block 35, Original Town of Midland, an addition to the City of Midland, Midland County, Texas.
- ii. Discuss the sale, exchange, lease or value of real property described as Lots 1A and 9-12, Block 35, Original Town of Midland, an addition to the City of Midland, Midland County, Texas.
- iii. 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.
- 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.

- 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.

Board reconvened into open session at 12:43 p.m.

All the business at hand having been completed, Chairman Lowery adjourned the meeting at 12:43 p.m.

Respectfully submitted,

Vanessa White, Deputy City Secretary

PASSED AND APPROVED the 12th Day of September 2022.

Jill Pennington, Secretary