

MIDLAND DEVELOPMENT CORPORATION  
MINUTES  
November 7, 2012

The Board of Directors of the Midland Development Corporation convened in regular session in the Midland City Hall Basement Conference Room, Midland, Texas, on November 7, 2012.

Board Members present: Chairman Laura Roman, First Vice Chairman Cary Love, Second Vice Chairman Gary Douglas, Secretary Robert Rendall and Treasurer Michael Trost

Board Members Absent: None

Staff Members Present: City Manager Courtney Sharp, Assistant City Manager Jim Nichols, First Assistant City Attorney John Ohnemiller and Deputy City Secretary Marisela Garcia

MDC staff members present: Executive Director Pam Welch and Economic Development Specialist Zach Gilbert.

1. Chairman Roman called the meeting to order at 8:32 a.m.
2. Consider a motion approving the minutes of the October 26, 2012 regular meeting of the Midland Development Corporation.

Director Rendall moved to approve the minutes of the October 26, 2012, regular meeting of the Midland Development Corporation; seconded by Director Trost. The motion carried by the following vote: AYE: Roman, Rendall, Trost, Love and Douglas. NAY: None. ABSTAIN: None. ABSENT: None.

3. Consider a resolution authorizing the execution of an economic development contract with Motran Alliance, Inc.

James Beauchamp, President of Motran Alliance; gave an overview of what was being covered under the economic development contract. He briefly discussed La Entrada al Pacifico, Drive Smart Campaign and the I-20 off ramps.

Director Rendall moved to approve Resolution No. ED-0185 authorizing the execution of an economic development contract with Motran Alliance, Inc; seconded by Director Love. The motion carried by the following vote: AYE: Roman, Rendall, Trost, Love and Douglas. NAY: None. ABSTAIN: None. ABSENT: None.

4. Consider a resolution canceling the November 30, 2012 and December 21, 2012 regular meetings of the Midland Development Corporation Board of Directors; and establishing a regular meeting of the Midland Development Corporation Board of

Directors on December 7, 2012.

Director Douglas moved to approve Resolution No. ED-0186 canceling the November 30, 2012 and December 21, 2012 regular meetings of the Midland Development Corporation Board of Directors; and establishing a regular meeting of the Midland Development Corporation Board of Directors on December 7, 2012; seconded by Director Love. The motion carried by the following vote: AYE: Roman, Rendall, Trost, Love and Douglas. NAY: None. ABSTAIN: None. ABSENT: None.

5. 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:

Section 551.087 Deliberation Regarding Economic Development Negotiations  
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.

Section 551.072 Deliberation Regarding Real Property

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.

Discuss the purchase, exchange, lease or value of real property described as Block 35, Original Town Addition, Midland, Midland County, Texas.

Discuss the sale, exchange, lease or value of real property described as Lot 6, Block 9, and Lots 9 and 10, Block 10, Midland International Airport Industrial Park Addition, Section 5, Midland, Midland County, Texas.

Discuss the purchase, lease, exchange or value of Lots 1-8 and 13-23, Block 53, Original Town Addition, Midland, Midland County, Texas.

The Board excused observers at 8:50 a.m. and recessed to executive session.

The Board reconvened into regular session at 9:11 a.m.

6. Consider a resolution rescinding Midland Development Corporation Resolution No. ED-0183, which authorized the purchase of Lots 5-8, Block 35, Original Town Addition, City and County of Midland, Texas, and amended the Midland Development Corporation's fiscal year 2012-2013 budget to pay for said purchase.

Director Love moved to approve Resolution No. ED-0187 rescinding Midland Development Corporation Resolution No. ED-0183, which authorized the purchase of Lots 5-8, Block 35, Original Town Addition, City and County of Midland, Texas,

and amended the Midland Development Corporation's fiscal year 2012-2013 budget to pay for said purchase; seconded by Director Douglas. The motion carried by the following vote: AYE: Roman, Rendall, Trost, Love and Douglas. NAY: None. ABSTAIN: None. ABSENT: None.

7. Consider a motion authorizing the Chairman to negotiate and execute a lease agreement with the City of Midland regarding the lease of City-owned property described as Lots 1-8, Block 53, Original Town Addition, City and County of Midland, Texas.

Director Love moved to approve a motion authorizing the Chairman to negotiate and execute a lease agreement with the City of Midland regarding the lease of City-owned property described as Lots 1-8, Block 53, Original Town Addition, City and County of Midland, Texas; seconded by Director Trost. The motion carried by the following vote: AYE: Roman, Rendall, Trost, Love and Douglas. NAY: None. ABSTAIN: None. ABSENT: None.

8. Consider a motion selecting Wall Street Lofts, LP as the construction manager for the construction of a parking garage and related infrastructure on Lots 1-8, Block 53, Original Town Addition, City and County of Midland, Texas; and authorizing the Chairman to negotiate and execute any and all agreements or documents necessary for said purpose.

Director Trost moved to approve a motion selecting Wall Street Lofts, LP as the construction manager for the construction of a parking garage and related infrastructure on Lots 1-8, Block 53, Original Town Addition, City and County of Midland, Texas; and authorizing the Chairman to negotiate and execute any and all agreements or documents necessary for said purpose; seconded by Director Douglas. The motion carried by the following vote: AYE: Roman, Rendall, Trost, Love and Douglas. NAY: None. ABSTAIN: None. ABSENT: None.

9. Consider a motion authorizing the issuance of a request for proposals for the construction of a parking garage and related infrastructure on Lots 1-8, Block 53, Original Town Addition, City and County of Midland, Texas.

Director Rendall moved to approve a motion authorizing the issuance of a request for proposals for the construction of a parking garage and related infrastructure on Lots 1-8, Block 53, Original Town Addition, City and County of Midland, Texas; seconded by Director Douglas. The motion carried by the following vote AYE: Roman, Rendall, Trost, Love and Douglas. NAY: None. ABSTAIN: None. ABSENT: None.

10. Consider a motion appointing three members to serve on the selection committee that will select the general contractor for the construction of a parking garage and related infrastructure on Lots 1-8, Block 53, Original Town Addition, City and County of Midland, Texas.

First Assistant City Attorney John Ohnemiller gave a brief overview of the recommendation that the board needed to make to serve on the selection committee.

Director Rendall moved to approve a motion appointing Chairman Roman, Director Trost and Robert Patrick to serve on the selection committee that will select the general contractor for the construction of a parking garage and related infrastructure on Lots 1-8, Block 53, Original Town Addition, City and County of Midland, Texas; seconded by Director Love. The motion carried by the following vote: AYE: Roman, Rendall, Trost, Love and Douglas. NAY: None. ABSTAIN: None. ABSENT: None.

11. Consider a resolution appropriating funds in the amount of \$5,000,000 for the construction of a parking garage and related infrastructure on Lots 1-8, Block 53, Original Town Addition, City and County of Midland, Texas.

Director Trost moved to approve Resolution No. ED-0188 appropriating funds in the amount of \$5,000,000 for the construction of a parking garage and related infrastructure on Lots 1-8, Block 53, Original Town Addition, City and County of Midland, Texas; seconded by Director Douglas. The motion carried by the following vote: AYE: Roman, Rendall, Trost, Love and Douglas. NAY: None. ABSTAIN: None. ABSENT: None.

All of the business at hand having been completed, Chairman Roman adjourned the meeting at 9:15 a.m.

Respectfully submitted,

---

Marisela Garcia, Deputy City Secretary

PASSED AND APPROVED the 7th day of December, 2012.

---

Robert Rendall, Secretary