

MIDLAND DEVELOPMENT CORPORATION
MINUTES
February 22, 2013

The Board of Directors of the Midland Development Corporation convened in regular session in the Midland City Hall Basement Conference Room, Midland, Texas, on February 22, 2013.

Board Members present: Chairman Laura Roman, First Vice Chairman Gary Douglas, Second Vice Chairman Cary Love.

Board Members Absent: Treasurer Michael Trost and Secretary Robert Rendall.

Staff Members Present: First Assistant City Attorney John Ohnemiller, Deputy City Secretary Adriana Moreno and Deputy City Secretary SueAnn Reyes.

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 January 18, 2013 regular meeting of the Midland Development Corporation.

Director Love moved to approve the minutes of the January 18, 2013, regular meeting of the Midland Development Corporation; seconded by Director Douglas. The motion carried by the following vote: AYE: Roman, Douglas, and Love. NAY: None. ABSTAIN: None. ABSENT: Trost, Rendall.

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

Executive Director Pam Welch gave an overview of the Midland Development Corporation Income Statement, outlining the various expenses from the four months prior to January 31, 2013, and projected expenses.

4. Consider a Resolution in Opposition to the Proposed Listing of the Lesser Prairie Chicken under the Environmental Species Act of 1973.

Director Douglas moved to adopt Resolution No. ED-0192, a Resolution in Opposition to the Proposed Listing of the Lesser Prairie Chicken under the Environmental Species Act of 1973; seconded by Director Love. The motion carried by the following vote: AYE: Roman, Douglas, and Love. NAY: None. ABSTAIN: None. ABSENT: Trost, Rendall.

5. Consider a Resolution authorizing the execution of an Amendment to the Economic Development Agreement with Agri-Empresa, LLC regarding the construction an

intermodal rail facility located in Section 11, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Director Love moved to approve Resolution No. ED-0193, a Resolution authorizing the execution of an Amendment to the Economic Development Agreement with Agri-Empresa, LLC regarding the construction an intermodal rail facility located in Section 11, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas; seconded by Director Douglas. The motion carried by the following vote: AYE: Roman, Douglas, and Love. NAY: None. ABSTAIN: None. ABSENT: Trost, Rendall.

6. Consider a Resolution authorizing the execution of an Amendment to the Economic Development Agreement with the City of Midland for the Market Street Paving and Water Line Extension Project.

Director Love moved to approve Resolution No. ED-0194, a Resolution authorizing the execution of an Amendment to the Economic Development Agreement with the City of Midland for the Market Street Paving and Water Line Extension Project; seconded by Director Douglas. The motion carried by the following vote: AYE: Roman, Douglas, and Love. NAY: None. ABSTAIN: None. ABSENT: Trost, Rendall.

7. Consider a motion approving XCOR Aerospace, Inc.'s sub-lease of Hangar S-11B, in Lot 1, Block 13, Industrial Park Regional Air Terminal, Unit 12, Midland, Midland County, Texas to Trace Engines, Inc.; providing that said sublease shall terminate no later than April 30, 2013; providing that Trace Engines, Inc. shall obtain insurance coverage as required by the City of Midland; and directing funds received by the MDC under said sublease to be deposited in the Midland Development Corporation Operating Fund (235).

Director Douglas moved to approve a motion approving XCOR Aerospace, Inc.'s sub-lease of Hangar S-11B, in Lot 1, Block 13, Industrial Park Regional Air Terminal, Unit 12, Midland, Midland County, Texas to Trace Engines, Inc.; providing that said sublease shall terminate no later than April 30, 2013; providing that Trace Engines, Inc. shall obtain insurance coverage as required by the City of Midland; and directing funds received by the MDC under said sublease to be deposited in the Midland Development Corporation Operating Fund (235); seconded by Director Love. The motion carried by the following vote: AYE: Roman, Douglas, and Love. NAY: None. ABSTAIN: None. ABSENT: Trost, Rendall.

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

Economic Development Specialist Zach Gilbert reported on the Midland County employment information and the Permian Basin workforce development area information and gave the status of Make Midland Home website activity.

Executive Director Pam Welch gave an overview of the January-February 2013 Marketing Report.

9. 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 purchase, exchange, lease or value of real property described as Block 55, 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 9:04 a.m. and recessed to executive session.

The Board reconvened into regular session at 9:40 a.m.

All of the business at hand having been completed, Chairman Roman adjourned the meeting at 9:40 a.m.

Respectfully submitted,

Adriana Moreno, Deputy City Secretary

PASSED AND APPROVED the 29th day of March, 2013.

Robert Rendall, Secretary