

# MIDLAND DEVELOPMENT CORPORATION

## MINUTES

May 01, 2023

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 May 01, 2023.

Board Members present: Chairman Chase Gardaphe, Director Berry Simpson, Director Lourcey Sams, Director Jill Pennington, Director Lucy Sisniega, and Director Zachary Deck

Board Members absent: Director Brad Bullock

Staff Members present: Assistant City Manager Tina Jauz, City Attorney Nicholas Toulet-Crump, Director of Engineering Jose Ortiz, Director of Finance Christy Weakland, Director of Airports Justine Ruff, and Deputy City Secretary Vanessa White

Council Member(s) present: Mayor Lori Blong, Council Member Amy Stretcher Burkes, Council Member Dan Corrales, and Council Member John Norman

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

1. Call meeting to order.

Chairman Gardaphe called the meeting to order at 10:02 am

2. Motion approving the minutes of the March 27, 2023, meeting of the Midland Development Corporation.

Director Pennington moved to approve minutes of the March 27, 2023, meeting of the Midland Development Corporation, seconded by Director Simpson. The motion carried by the following vote: AYE: Gardaphe, Sams, Sisniega, and Deck. NAY: None. ABSTAIN: None. ABSENT: Bullock.

3. Motion approving the minutes of the April 4, 2023, meeting of the Midland Development Corporation.

Director Simpson moved to approve minutes of the April 4, 2023, meeting of the Midland Development Corporation, seconded by Director Sams. The motion carried by the following vote: AYE: Gardaphe, Pennington, Sisniega, and Deck. NAY: None. ABSTAIN: None. ABSENT: Bullock.

4. Receive and discuss the Independent Auditors' Report and the Basic Financial Statements for the Fiscal Year 2021-2022 presented by Christy Weakland, Director of Finance for the City of Midland.

Christy Weakland, Director of Finance for the City of Midland discussed the Independent Auditors' Report and the Basic Financial Statements for the Fiscal Year 2021-2022.

5. Resolution authorizing the execution of a promotional agreement with Bush Tennis Center, 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-439 authorizing the execution of a promotional agreement with Bush Tennis Center, Inc., to advertise and publicize the City of Midland for the purpose of developing new and expanded business enterprises, seconded by Director Pennington. The motion carried by the following vote: AYE: Gardaphe, Sams, Sisniega, and Deck. NAY: None. ABSTAIN: None. ABSENT: Bullock.

6. Resolution approving the execution of an economic development agreement with the City of Midland providing for median additions to be located at the intersection of State Highway 191 and State Highway 158; and authorizing payment therefor.

Director Sams moved to approve Resolution ED-440 approving the execution of an economic development agreement with the City of Midland providing for median additions to be located at the intersection of State Highway 191 and State Highway 158; and authorizing payment therefor, seconded by Director Sisniega. The motion carried by the following vote: AYE: Gardaphe, Simpson, Pennington, and Deck. NAY: None. ABSTAIN: None. ABSENT: Bullock.

7. Resolution authorizing the execution of a professional services agreement with Kimley-Horn and Associates, Inc., in the amount of \$1,443,050.00 for professional services related the widening and improving of State Highway 158 from Sinclair Avenue to Wadley Avenue, and from Wadley Avenue to Briarwood Avenue; and authorizing payment for said agreement.

Director Sams moved to approve Resolution ED- 441 authorizing the execution of a professional services agreement with Kimley-Horn and Associates, Inc., in the amount of \$1,443,050.00 for professional services related the widening and improving of State Highway 158 from Sinclair Avenue to Wadley Avenue, and from Wadley Avenue to Briarwood Avenue; and authorizing payment for said agreement, seconded by Director Simpson. The motion carried by the following vote: AYE: Gardaphe, Pennington, Sisniega and Deck. NAY: None. ABSTAIN: None. ABSENT: Bullock.

8. Resolution authorizing the execution of an amendment to that certain demolition contract with Midwest Wrecking Co. of Texas, Inc.; and authorizing payment for said amendment.

Director Pennington moved to approve Resolution ED- 442 authorizing the execution of an amendment to that certain demolition contract with Midwest Wrecking Co. of Texas, Inc.; and authorizing payment for said amendment, seconded by Director Deck.

The motion carried by the following vote: AYE: Gardaphe, Simpson, Sisniega and Sams. NAY: None. ABSTAIN: None. ABSENT: Bullock.

9. Resolution authorizing the execution of a letter agreement with the City of Midland for the demolition and removal of the existing facility and improvements located at 405 North Loraine Street, Midland, Texas.

Director Sams moved to approve Resolution ED-443 authorizing the execution of a letter agreement with the City of Midland for the demolition and removal of the existing facility and improvements located at 405 North Loraine Street, Midland, Texas, seconded by Director Simpson. The motion carried by the following vote: AYE: Gardaphe, Pennington, Sisniega and Deck. NAY: None. ABSTAIN: None. ABSENT: Bullock.

10. Presentation on the April 2023 monthly expenses and economic development activity report from the Midland Development Corporation Executive Director and staff.

Sara Harris gave an overview of the month's expenses, and economic development activity. Gabrielle Franks updated the board with the social media stats. Sammi Steele gave an overview of the business retention and expansion program in April.

**Board recessed into executive session at 11:15 a.m.**

- 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.
- 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 11:42 a.m.**

11. Motion authorizing the Chairman to negotiate and execute an agreement in an amount not to exceed \$200,000.00 to provide ground cover for certain real property located on Block 35, Original Town of Midland, an addition to the City of Midland, Midland County, Texas.

Director Simpson moved to defer the motion to negotiate and execute an agreement in an amount not to exceed \$200,000.00 to provide ground cover for certain real

property located on Block 35, Original Town of Midland, an addition to the City of Midland, Midland County, Texas, seconded by Director Sams The motion carried by the following vote: AYE: Gardaphe, Pennington, Sisniega, and Deck. NAY: None. ABSTAIN: None. ABSENT: Bullock.

All the business at hand having been completed, Chairman Gardaphe adjourned the meeting at 11:44 a.m.

Respectfully submitted,

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Vanessa White, Deputy City Secretary

PASSED AND APPROVED the 5<sup>th</sup> Day of June 2023.

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Jill Pennington, Secretary