



Ector County Independent School District

Action Page

TO: Board of Trustees

FROM: Art Martin, Chief Financial Officer

SUBJECT: DISCUSSION OF CONSIDERATION OF APPOINTMENT OF THE UNDERWOOD LAW FIRM AS LEGAL COUNSEL FOR THE OBERON SOLAR PROJECT

DATE: December 17, 2019

Background:

Qualified property projects that receive special tax treatment under the Texas Economic Act, Texas Tax Code, Chapter 313 (Chapter 313 agreements) require school districts to engage a legal firm that specializes in Chapter 313 agreements. The Oberon Solar Project is one such project.

Consideration:

Approval of the Board is requested to hire the Underwood Law Firm as special legal counsel to provide professional services to the District concerning Applications and Agreements for Limitation on Appraised Value of Property under the Texas Economic Development Act, Texas Tax Code, Chapter 313, and other special projects as needed. There will be no cost to the District. All costs will be paid by Oberon.

Recommended motion:

Move that the District hire the Underwood Law Firm, P.C. as special legal counsel to provide professional services relating to consideration of Applications for Appraised Value Limitation on Qualified Property, including an Amendment to the Agreement for Limitation on Appraised Value with Oberon Solar IA, LLC, and to assist on other special projects as needed, and authorize the Board President to sign the engagement letter with the Underwood Law Firm to secure such services.

Administrative Recommendation:
Approval as requested.