

AT A REGULAR MEETING AND PUBLIC HEARING ON APPLICATION OF GCC PERMIAN LLC, FOR APPRAISED VALUE LIMITATION ON QUALIFIED PROPERTY, PURSUANT TO CHAPTER 313 OF THE TEXAS TAX CODE OF THE BOARD OF TRUSTEES OF ECTOR COUNTY INDEPENDENT SCHOOL DISTRICT HELD AT THE ADMINISTRATION BOARD ROOM, 802 NORTH SAM HOUSTON, ODESSA, ECTOR COUNTY, TEXAS, AT 6:00 P.M., APRIL 19, 2022, WITH THE FOLLOWING MEMBERS:

Present:

Delma Abalos
Dr. Steve Brown
Carol Gregg
Tammy Hawkins
Dr. Donna C. Smith
Christopher Stanley

Absent:

School Officials: Dr. Scott Muri, Mike Adkins, Dr. Lilia Náñez, Deborah Ottmers, Dr. Keeley Simpson, Dr. Anthony Sorola, Alicia Syverson, Dr. Kellie Wilks

Others: Mike Atkins, Fred Stormer, Chris Grammer, Heather Lovett, Chad Wiginton, Doug & Stephanie Fife, Nataly Pando, Ashley Sotelo, Carol Rogers, Leslie Wilson, Michael Hawley, Lisa Wills, Jaime Miller, Maria Carreon, Ascencion Carreon, Tracey Borchardt, Carla Byrne, Chris Bartlett, Gerardo Ramirez, Jason Garewal, Tammy Schuan, Sandra Banda, Robin Fawcett, Devin Benavides, Mary Franco

25860 **Meeting Called to Order:** Tammy Hawkins, Board President, called the Board of Trustees Meeting to order at 6:00 p.m.

25861 **Verification of Compliance with Open Meeting Law:** Tammy Hawkins, Board President, verified that the provisions of Section 551.001 of the Texas Government Code have been met in connection with public notice of this meeting.

25862 **Pledge Allegiance to United States and Texas Flags:** The United States and Texas flag pledges were led by Buice Elementary Students Calvin Rodriguez and Austin Sotelo.

25863 **Invocation:** The Invocation was led by Deacon and ECISD Police Officer Leonard Hendon, St. Stephen's Catholic Church.

25864 **Special Presentations:**

Presentation of United Way of Odessa Awards to ECISD: Communications Officer Mike Adkins introduced Andrea Martin, Resource Development Director of the United Way of Odessa. Ms. Martin presented ECISD the Dick & Amelia Saulsbury Sustained Excellence Award which the UWO presents in recognition of commitment to improving the Odessa Community through generous giving to United Way Odessa. The ECISD 2021 United Way campaign raised \$75,688 that provides social programs in the areas of health, education, and self-sufficiency for residents in our own community.

Recognition of the Broncho Spirit and MOJO Spirit Scholarship Recipients: Communications Officer Mike Adkins introduced the Broncho Spirit and MOJO Spirit Scholarship Recipients. When a company requests to use one of our trademarked logos for Permian High School or Odessa High School, it must agree to a licensing agreement and the annual fee that goes with it. Those fees are pooled into a scholarship fund for PHS and OHS, four students from each high school are selected from the pool of applicants. Those students represent four areas of involvement from each school – Athletics, AVID, Career & Technical Education, and Fine Arts. This year's Broncho Spirit and MOJO Spirit Scholarship recipients are:

Odessa High School

- Jesus Figueroa | International Baccalaureate – UTPB
- Princess Frema | Track & Field – University of Texas
- Nataly Pinedo | AVID – Plans to Major in Business or Real Estate
- Yuriana Ramirez | Showgirls Dance Team - UTPB

Permian High School

- Sara Chavez | Choir – College Basketball and ER or Children's Nurse
- Kyler Fife | Choir – Texas A&M
- Daniela Ibarra | Soccer – Sul Ross University
- Dhru Patel | UIL Academic & Tennis – University of Texas

Recognition of All-State Football Honorees: Communications Officer Mike Adkins introduced three football players who were selected for Class 6A All-State Honors by the Texas Sportswriters Association.

Odessa High School

- Ivan Carreon | Honorable Mention – Wide Receiver

Permian High School

- Kayden Baze | Honorable Mention – Senior Defensive Back
- Harrison Sewell | Honorable Mention - Junior Offensive Guard

Recognition of G.H.W.B. New Tech Odessa Decathlon State Qualifier: The Academic Decathlon team from George H.W. Bush New Tech Odessa, was recognized for placing second at the 2022 Thomas E. Mosely state championships held the weekend of February 25-27 in San Antonio. Heading into this state meet, NTO's team held the top ranking in the Small School division in the state. They narrowly missed winning the state title and advancing to the national competition.

NTO Coaches:

- Damian Gaytan
- Bernadette Barragan

NTO Team Members:

- Kali Avila
- Christian Camarena
- Amy Galindo
- Madison Houston
- Esequiel Gutierrez
- Shyla Ramirez

Recognition of Career & Technical Education All-State & National Qualifiers: The Career & Technical Education All-State & National Qualifiers were introduced by video due to the large number of student qualifiers and the lack of room to manage them all.

25865 **Opening Remarks by Superintendent:** In his opening comments, Superintendent Dr. Scott Muri shared an email he received recently from an ECISD counselor. While presenting the 7 Mindsets lessons focused on dreaming big, she was inspired to move forward with the idea of writing a children's book, something she had been hesitant to do. As of yesterday, the book "Morgan and the I CAN'T MONSTER; My Mindset Matters" by Teresa Porath is available on Amazon. *Well done!*

25866 **Public Comment:** Individuals who wish to participate during the portion of the meeting designated for public comment shall sign up with the presiding officer or designee before the meeting begins as specified in the Board's procedures on public comment and shall indicate the agenda item on which they wish to address the Board. *BED(LOCAL)* The following seven citizens participated during this portion of the meeting.

There was no public comment.

Action Items

25867 **Consideration and Possible Action to Accept for Consideration a Series of Six Applications for An Appraised Value Limitation on Qualified Property under the Texas Economic Development Act, Texas Tax Code, Chapter 313 from 1PointFive P1, LLC for Direct Air Capture Builds One through Six, Assess an Application Fee for each Application, and Authorize the Superintendent to Review the Applications for Completeness and Submit such Applications to the Comptroller:** Moved by Brown, seconded by Stanley that the Board: (1) accept for consideration a series of six Applications for an Appraised Value Limitation on Qualified Property from 1PointFive P1, LLC for Direct Air Capture Builds One through Six, for each; (2) set a large project application fee of \$90,000 for each of the six Applications; and, (3) authorize the Superintendent to acknowledge receipt of each Application and application fee, review each Application and, upon a determination that each Application is complete, work with the Underwood Law Firm to submit each Application to the Comptroller as set out in Chapter 313 of the Texas Tax Code as presented. (This project is for a series of six (6) builds, carbon dioxide sequestering, at a total value of approximately \$24 billion, that could potentially bring 6,000 – 12,000 permanent jobs.)

Motion unanimously approved.

25868 **Consideration and Possible Action to Retain School Finance Consultants Culwell Consulting to Assist the District in Processing and Evaluating the Financial Impact of a Series of Six Applications for Appraised Value Limitation on Qualified Property from 1PointFive P1, LLC for Direct Air Capture Builds One through Six:** Moved by Brown, seconded by Stanley to retain the firm of Culwell

Consulting as school finance consultants to assist the District in processing and evaluating 1PointFive P1, LLC's series of six applications for an Appraised Value Limitation on Qualified Property for Direct Air Capture Builds One through Six, and authorize the Board President to sign the engagement letter with Culwell Consulting to secure such services.

Motion unanimously approved.

25869 **Consideration and Possible Action to Accept for Consideration an Application for an Appraised Value Limitation on Qualified Property Under the Texas Economic Development Act, Texas Tax Code, Chapter 313, from DG Penwell North, LLC, Assess an Application Fee, and Authorize the Superintendent to Review the Application for Completeness and Submit such Application to the Comptroller:** Moved by Brown, seconded by Stanley to accept for consideration DG Penwell North LLC's Application for an Appraised Value Limitation on Qualified Property, set a standard application fee of \$75,000, authorize the Superintendent work with the Underwood Law Firm to review the Application and upon a determination that such Application is complete, that it be submitted to the Comptroller as set out in Chapter 313 of the Texas Tax Code as presented. (This project is for a solar power facility to supply electricity to the Nacero facility and has a potential value of \$185 million.)

Motion unanimously approved.

25870 **Consideration and Possible Action to Retain School Finance Consultants Culwell Consulting to Assist the District in Processing and Evaluating the Financial Impact of an Application for Appraised Value Limitation on Qualified Property from DG Penwell North, LLC:** Moved by Brown, seconded by Stanley to retain the firm of Culwell Consulting as school finance consultants to assist the District in processing and evaluating DG Penwell North, LLC's application for an Appraised Value Limitation on Qualified Property, and authorize the Board President to sign the engagement letter with Culwell Consulting to secure such services.

Motion unanimously approved.

25871 **Consideration and Possible Action to Accept for Consideration an Application for an Appraised Value Limitation on Qualified Property under the Texas Economic Development Act, Texas Tax Code, Chapter 313, from Ophelia Solar, LLC, Assess an Application Fee, and Authorize the Superintendent to Review the Application for Completeness and Submit such Application to the Comptroller:** Moved by Brown, seconded by Stanley to accept for consideration Ophelia Solar LLC's Application for an Appraised Value Limitation on Qualified Property, set a standard application fee of \$75,000, authorize the Superintendent to work with the Underwood Law Firm to review the Application and upon a determination that such Application is complete, that it be submitted to the Comptroller as set out in Chapter 313 of the Texas Tax Code as presented. (This project is for an extension of the existing Oberon Solar facility in west Ector County, and has a potential value of \$150 million.)

Motion unanimously approved.

- 25872** **Consideration and Possible Action to Retain School Finance Consultants Culwell Consulting to Assist the District in Processing and Evaluating the Financial Impact of an Application for Appraised Value Limitation on Qualified Property from Ophelia Solar, LLC:** Moved by Brown, seconded by Stanley to retain the firm of Culwell Consulting as school finance consultants to assist the District in processing and evaluating Ophelia Solar, LLC's application for an Appraised Value Limitation on Qualified Property, and authorize the Board President to sign the engagement letter with Culwell Consulting to secure such services.

Motion unanimously approved.

Public Hearing

- 25873** **Public Hearing on Application of GCC Permian, LLC for Appraised Value Limitation on Qualified Property, Pursuant to Chapter 313 of the Texas Tax Code:** Trustees held a public hearing on an Application of GCC Permian, LLC for Appraised Value Limitation on Qualified Property, pursuant to Chapter 313 of the Texas Tax Code. Chapter 313 Agreements were created by the 2001 Texas Legislature to allow communities to attract specifically defined companies/projects through limiting the school district's Maintenance & Operations (daily operations) taxable valuation for ten years. ***The agreement remains fully taxable for I&S (Debt Service) tax purposes at all times.*** The agreement stipulates the school district cannot be financially worse off by entering into the agreement. This project is for cement and aggregate manufacturing, and has a potential value of \$348.5 million.

Immediately following the presentation, Board President Tammy Hawkins declared the Public Hearing on the Application of GCC Permian, LLC for Appraised Value Limitation on Qualified Property, Pursuant to Chapter 313 of the Texas Tax Code ***open.***

There was no public comment.

Board President Tammy Hawkins declared the Public Hearing on the Application of GCC Permian, LLC for Appraised Value Limitation on Qualified Property, Pursuant to Chapter 313 of the Texas Tax Code ***closed.***

No action required.

- 25874** **Discussion and Possible Action on a Resolution Adopting Findings of Fact and Approving the Application of GCC Permian, LLC for Appraised Value Limitation on Qualified Property, Pursuant to Chapter 313 of the Texas Tax Code, and other Action Incident Thereto:** Moved by Brown, seconded by Stanley that the Board approve the Resolution Adopting Findings of Fact as presented relating to the Application of GCC Permian, LLC for an Appraised Value Limitation on Qualified Property, that such Resolution and Findings, as presented, be executed by the Board

President Tammy Hawkins and made a part of the Minutes of this meeting, and that the Application of GCC Permian, LLC be approved, all in accordance with Chapter 313 of the Texas Tax Code as presented.

Motion unanimously approved.

25875 **Discussion and Possible Action on an Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operation Taxes, Pursuant to Chapter 313 of the Texas Tax Code, with GCC Permian, LLC:** Moved by Brown, seconded by Stanley that the Board approve the Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operation Taxes with GCC Permian, LLC pursuant to Chapter 313 of the Texas Tax Code, and Authorize the Board President Tammy Hawkins to Execute the Agreement on the District's behalf, and direct the Superintendent to take such other action as may be required under Chapter 313 of the Texas Tax Code or Comptroller's related rules as presented. (This project is for cement and aggregate manufacturing, and has a potential value of \$348.5 million.)

Motion unanimously approved.

Action Items

25876 **Discussion of and Request for Approval of Student Information System Request for Proposal:** Moved by Gregg, seconded by Brown to approve the Student Information System Request for Proposal as presented.

Motion unanimously approved.

25877 **Discussion of and Request for Approval of Purchases over \$50,000:** Moved by Gregg, seconded by Smith to approve the Purchases over \$50,000 as presented.

Motion unanimously approved.

25878 **Discussion of and Request for Approval of Interlocal Participation Agreement (IPA) between Ector County ISD and Texas Association of School Boards (TASB) Risk Management Fund for Performing Administrative Services and Governmental Functions Relative to Risk Management:** Moved by Abalos, seconded by Gregg to approve the Interlocal Participation Agreement (IPA) between Ector County ISD and Texas Association of School Boards (TASB) Risk Management Fund for Performing Administrative Services and Governmental Functions Relative to Risk Management as presented.

For:	Against:	Abstained:
Abalos		Brown
Gregg		
Hawkins		
Smith		
Stanley		

Motion passed.

25879 **Consent Agenda**: Moved by Gregg, seconded by Stanley to approve the Consent Agenda as presented.

- A. Request for Approval of Minutes of Meetings
- B. Request for Approval of Bills for Payment
- C. Request for Approval of Acceptance of Donations Over \$10,000
- D. Board of Trustees' Continuing Education Report

Motion unanimously approved.

25880 **Possible Request for Approval to Move to Closed Meeting - Personnel Matters - Section 551.074 of the Texas Government Code [Board will deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public employees of the District or hear a complaint or charge against an officer or employee.] (Discussion of 2022-2023 Employment Contract Renewals, for Administrators, Teachers, and Other Professional Support Employees); and (The Board of Trustees will deliberate the hiring of Executive Director of Choice Programs, Access and Support).**
Consultations with Attorney – Section 551.071 of the Texas Open Meetings Act [The Board will meet in Closed Session in Consultation with the Board's Attorney Regarding all Matters as Authorized by Law.]:

Board President Tammy Hawkins convened the Board of Trustees to closed session at 7:56 p.m.

Board President Tammy Hawkins reconvened the Board of Trustees to open session at 8:24 p.m.

25881 **Discussion of and Request for Approval of 2022-2023 Employment Contract Renewals for Administrators, Teachers, and other Professional Support Employees**: Moved by Brown, seconded by Stanley to approve the 2022-2023 Employment Contract Renewals for Administrators, Teachers, and other Professional Support Employees as presented.

Moved by Abalos, seconded by Gregg to give Barrett Matthews a forth year probationary contract since it is doubtful he should be given a term contract.

Both motions unanimously approved.

25882 **Request for Approval of Personnel Recommendations for the Executive Director of Choice Programs, Access and Support**: Moved by Brown, seconded by Stanley to approve Chad Crowson as Executive Director of Choice Programs, Access and Support presented.

Motion unanimously approved.

25883 **Information Items:** The Board of Trustees were provided with the following information items: Acknowledgement of Donations, Financials, Purchasing Report, and Routine Personnel Report.

25884 **Closing Remarks by the Superintendent:** There were no closing remarks.

25885 **Adjournment:** Board President Tammy Hawkins adjourned the Board meeting at 8:26 p.m.

Board President
Tammy Hawkins

Board Secretary
Carol Gregg