

AT A REGULAR MEETING AND PUBLIC HEARING ON APPLICATION OF 1POINTFIVE P1 LLC, FOR APPRAISED VALUE LIMITATION ON QUALIFIED PROPERTY, PURSUANT TO CHAPTER 313 OF THE TEXAS TAX CODE OF THE BOARD OF TRUSTEES OF THE ECTOR COUNTY INDEPENDENT SCHOOL DISTRICT HELD AT THE ADMINISTRATION BOARD ROOM, 802 NORTH SAM HOUSTON, ODESSA, ECTOR COUNTY, TEXAS, AT 6:00 P.M., SEPTEMBER 21, 2021, WITH THE FOLLOWING MEMBERS:

Present:

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

Absent:

School Officials: Dr. Scott Muri, Mike Adkins, Staci Ashley, Dr. Lilia Náñez, Jason Osborne, Deborah Ottmers, Alicia Syverson, Dr. Kellie Wilks

Others: Mike Atkins, Dr. Stephanie Howard, Fred Stormer, Chris Grammer, Robert Cedillo, Julia Willett-Weekly, Michael Lateur, Doug Heinz, Kim Gonzalez, Keith Broussard, Robert Gonzalez, Brandon Reyes, Jesus Valeriano, Cortney Smith, Dr. Corey Seymour, Erin Bueno, Eric Smith, Dr. Keeley Simpson, Dewitt Smith, Marcos Montes, Ruth Campbell, Albert Anchondo, Mary Franco

25636 **Meeting Called to Order:** Tammy Hawkins, Board President, called the Board of Trustees Meeting to order at 6:00 p.m.

25637 **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.

25638 **Pledge of Allegiance to United States and Texas Flags:** The United States and Texas flag pledges were led by Christopher Stanley, ECISD Board Member.

25639 **Invocation:** The Invocation was led by Dr. Steve Brown, ECISD Vice-President.

25640 **Special Presentations:**

Extra Mile Award for Dr. Stephanie Howard: Dr. Stephanie Howard was presented with the Extra Mile Award for the great work she did for Ector County ISD during her tenure.

Recognition of Texas Art Education Association District of Distinction Award: New Tech Odessa Art Teacher Jesus Valeriano was recognized for receiving the Texas Art Education Association District of Distinction Award.

Region 18 School Board of the Year: Region 18 Executive Director/CEO Dr. Dewitt Smith presented the Ector County ISD Board of Trustees with the Region 18 School Board of the Year Award.

25641 **Opening Remarks by Superintendent:** In his opening comments, Superintendent Dr. Scott Muri, said he and board members would be traveling this weekend to the Annual TASA/TASB Fall Conference for a weekend of learning with other school board members and school district leaders from around the state. He also mentioned to the board that the third legislative session was underway and a bill filed today could negatively impact school funding, and he would keep Trustees updated on it as it moves through the legislative process.

25642 **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.

Board Policy

25643 **Discussion of and Request for Approval of Revisions to Board Policy DEC(LOCAL): Compensation and Benefits: Leaves and Absences:** Moved by Brown, seconded by Gregg to approve the Revisions to Policy DEC(LOCAL): Compensation and Benefits: Leaves and Absences as presented. Changes to this policy reflect recent changes in the law that give peace officers a maximum of three (3) days of mental health leave per traumatic event experienced in the scope of their employment. Additionally, peace officers are granted quarantine leave when ordered by the local health authority or the peace officer's supervisor to quarantine/isolate due to possible or known exposure to a communicable disease while on duty (HB 2073).

Motion unanimously approved.

Public Hearing

25644 **Public Hearing on Application of 1PointFive P1, 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 1PointFive P1, 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. The company is planning to build a direct air capture facility; it manufactures industrial grade carbon

dioxide. This value limitation would set a taxable value on the facility of \$100 million dollars from 2025-2035 as it pertains to the M&O portion of ECISD's tax rate. As mentioned above, the facility would be taxed at its full value for I&S (Debt Service) portion of ECISD's tax rate at all times. The company is considering locations in several states in addition to Texas.

Immediately following the presentation, Board President Tammy Hawkins declared the Public Hearing on the Application of 1PointFive P1 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 1PointFive P1 LLC for Appraised Value Limitation on Qualified Property, Pursuant to Chapter 313 of the Texas Tax Code **closed**.

No action required.

25645 **Discussion and Possible Action on a Resolution Adopting Findings of Fact and Approving the Application of 1PointFive P1, 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 Minyard that the Board approve the Resolution Adopting Findings of Fact as presented relating to the Application of 1PointFive P1, 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 1PointFive P1, LLC be approved, all in accordance with Chapter 313 of the Texas Tax Code.

Motion unanimously approved.

25646 **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 1PointFive P1, LLC:** Moved by Brown, seconded by Minyard that the Board approve the 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 1PointFive P1, LLC 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.

Motion unanimously approved.

Action Items

25647 **Discussion and Possible Action to Accept for Consideration an Application for an Appraised Value Limitation on Qualified Property from GCC Permian, LLC,**

Assess a Project Application Fee, Authorize the Superintendent to Review the Application for Completeness, Submit such Application to the Comptroller and Take Other Action Incident Thereto: Moved by Brown, seconded by Minyard to Accept for Consideration GCC Permian, LLC's Application for an Appraised Value Limitation on Qualified Property, assess the standard Application Fee of \$75,000 and Authorize the Superintendent 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.

Motion unanimously approved.

25648 Discussion of Consideration of Letter of Engagement between ECISD and Culwell Consulting, LLC for Chapter 313 Agreement Services: Moved by Brown, seconded by Minyard to retain the firm Culwell Consulting, LLC as school finance consultants to assist the District in processing and evaluating GCC Permian, LLC's Application for Appraised Value Limitation on Qualified Property, and authorize the Board President to sign the engagement letter with Culwell Consulting, LLC to secure such professional services as presented.

Motion unanimously approved.

25649 Discuss and Consider Adoption of a Resolution Directing the Redemption of a Portion of the District's Outstanding Unlimited Tax Refunding Bonds, Series 2012 and a Portion of the District's Unlimited Tax School Building Bonds, Series 2013; and Enacting Other Provisions Relating to the Subject: Moved by Smith, seconded by Gregg to Adopt a Resolution Directing the Redemption of a Portion of the District's Outstanding Unlimited Tax Refunding Bonds, Series 2012 and a Portion of the District's Unlimited Tax School Building Bonds, Series 2013; and Enacting Other Provisions Relating to the Subject as presented. By prepaying, ECISD can save taxpayers approximately \$2.5 million in future payments.

Motion unanimously approved.

25650 Discussion of and Request for Approval of Ordinance to Set 2021 Tax Rate for 2021-2022: Moved by Minyard, seconded by Stanley to the Ordinance to Set the 2021 Tax Rate for 2021-2022 as presented. The total tax rate adopted of \$1.17792 is the same amount for the third year in a row.

Motion unanimously approved.

25651 Discussion of and Request for Approval of Purchases over \$50,000: Moved by Gregg, seconded by Stanley to approve the Purchases over \$50,000 as presented. Communities in Schools (CIS) partners with ECISD on an annual basis to help students who are at-risk of dropping out of school. CIS is currently serving in eleven ECISD campuses. This agreement for services is effective from October 1, 2021 through June 30, 2022.

Motion unanimously approved.

25652 **Discussion of and Request for Approval to Sell Property for Less Than Market Value:** Moved by Smith, seconded by Gregg to approve to Sell Property for less than Market Value as presented.

Motion unanimously approved.

25653 **Discussion of and Request for Approval of 2021-2022 ECISD Campus Improvement Plans:** Moved by Brown, seconded by Stanley to approve the 2021-2022 ECISD Campus Improvement Plans as presented.

Motion unanimously approved.

25654 **Consent Agenda:** Moved by Gregg, seconded by Minyard to approve the Consent Agenda with the modification to pull items Q, R, and S to discuss and act on independently.

- 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. Request for Approval of Interlocal Agreement between the Ector County Independent School District and Communities in Schools of the Permian Basin, Inc.
- E. Request for Approval of Head Start Vehicle Service Contract between Ector County ISD and Greater Opportunities of the Permian Basin, Inc.
- F. Request for Approval of Memorandum of Understanding between Ector County ISD and Greater Opportunities of the Permian Basin (GOPB), Inc. Head Start School Readiness Academy - Parent Power Program
- G. Request for Approval of Memorandum of Understanding between Ector County ISD and Greater Opportunities of the Permian Basin (GOPB), Inc. Head Start School Readiness Academy - Children with Disabilities
- H. Request for Approval of Memorandum of Understanding between Ector County ISD and Greater Opportunities of the Permian Basin (GOPB), Inc. Head Start School Readiness Academy - Transition
- I. Request for Approval of Memorandum of Understanding between UTPB First 5 Permian Basin and Ector County Independent School District
- J. Request for Approval of Extracurricular Status of 4-H Organization Resolution
- K. Request for Approval of Public School District and Open-Enrollment Charter School Agreement 2021-2022 between Ector County ISD and Texas Virtual School Network
- L. Request for Approval of Additional 2021-2022 T-TESS Appraisers
- M. Request for Approval of Modified Schedule State Assessment Waivers
- N. Request for Approval of Staff Development Minutes Waiver
- O. Request for Approval of Permian High School Choir Student Out-of-State Travel to Orlando, Florida
- P. Request for Approval of Waiver of 19 TAC 129.12 and Approval of VGO Audio-Video Communication System for Instructional Time for Foundation School Program Funding Purposes

- ~~Q. Request for Approval of Memorandum of Understanding between Ector County ISD and Third Future Schools – Texas~~
- ~~R. Request for Approval of Service Agreement between Ector County Independent School District and Right At School, LLC~~
- ~~S. Request for Approval of Partnership Agreement between Ector County Independent School District and Acceleration Academies~~
- T. Request for Approval of Interlocal Agreement Between Ector County ISD and the Education Service Center Region 12 Universal Benefits Consortium

Motion unanimously approved.

- 25655** **Discussion of and Request for Approval of Memorandum of Understanding between Ector County ISD and Third Future Schools - Texas**: Moved by Gregg, seconded by Brown to approve the Memorandum of Understanding between Ector County ISD and Third Future Schools - Texas as presented.

Motion unanimously approved.

- 25656** **Discussion of and Request for Approval of Service Agreement between Ector County Independent School District and Right At School, LLC**: Moved by Gregg, seconded by Stanley to approve the Service Agreement between Ector County Independent School District and Right AT School, LLC as presented.

Motion unanimously approved.

- 25657** **Discussion of and Request for Approval of Partnership Agreement between Ector County Independent School District and Acceleration Academies**: Moved by Gregg, seconded by Abalos to approve the Partnership Agreement between Ector County Independent School District and Acceleration Academies as presented.

Motion unanimously approved.

Report/Discussion Items

- 25658** **Presentation of School Nutrition**: Director of School Nutrition Brandon Reyes presented this item for discussion. The department's vision is to remove hunger from the equation in order to help kids achieve their academic goals. ECISD School Nutrition has a staff of about 200 employees from café workers to warehouse to business office. It operates with a budget of \$17.5 million annually. The department is serving some 16,000 breakfasts each day and 18,000 lunches each day, projecting more than 5 million meals projected to be served this year. The department encourages its employees to pursue Texas Association of School Nutrition certifications, which brings compensation as employees gain higher levels of certification. ECISD offers universal free feeding for both breakfast and lunch and after-school snacks – again at no charge to any student.

25659 **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 Superintendent's Appraisal and Contract); (The Board of Trustees will deliberate the hiring of Chief of Schools and Executive Director of Leadership) 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 8:01 p.m.

Board President Tammy Hawkins reconvened the Board of Trustees to open session at 9:02 p.m.

(Nelson Minyard departed at 8:01 p.m. and was absent for the remainder of the meeting.)

25660 **Possible Action on Superintendent's Contract:** Moved by Brown, seconded by Smith to modify the superintendent's contract as follows: Extended by one year to end on June 30, 2026; increase from \$300,900 to \$309,927 which is the same percentage increase being given to all full-time classroom teachers; additional retirement contribution increased.

Motion unanimously approved.

25661 **Request for Approval of Personnel Recommendations for Chief of Schools:** Moved by Stanley, seconded by Brown to approve Dr. Keeley Simpson as the Chief of Schools as presented.

Motion unanimously approved.

25662 **Request for Approval of Personnel Recommendations for Executive Director of Leadership:** Moved by Stanley, seconded by Gregg to approve Cindy Retana as Executive Director of Leadership presented.

Motion unanimously approved.

25663 **Information Items:** The Board of Trustees were provided with the following information items: Purchasing Report, Routine Personnel Report, and Teacher Certification Waivers.

25664 **Closing Remarks by the Superintendent:** There were no closing remarks.

25665 **Adjournment:** Board President Tammy Hawkins adjourned the Board meeting at 9:05 p.m.

Board President
Tammy Hawkins

Board Secretary
Carol Gregg