

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

Board of Trustees of the Stockdale Independent School District held a special called meeting on Monday, July 26, 2021

Board members present: Sal Urrabazo, Mauro Monita, Teri Wolff, Tanner Voelkel, and Blaine Akin

Board member absent: Craig Clancy and Teri Dugi

Also present were Superintendent, Daniel Fuller; Business Manager, Becky Stewart;

Administration Secretary, Rena Mills; Programs and Testing Coordinator, Roxanne Moczygemba; Eddie Perez, Walsh Gallegos; Mr. Casey, Moak, Casey & Associates; Wilson County News; Garrett Peters, KE Andrews – via Google Meets;

Public: Beulah Wilson, K Love, Diane Savage, Rochelle Rackham, Steve Browning and Barry Osborne

Call to order at 6:31 p.m.

President Sal Urrabazo reserved the right to call a short recess if deemed necessary. He advised all present to refrain from the use of tobacco products on the school grounds and during the meeting. He also reserved the right to call the Board into Closed Session under Texas Government Code Section 551.001 through 551.088, Subchapter D and E.

Mr. Fuller reviewed information on the Chapter 313 Reinvestment Zone as contemplated by the tax value limitation application.

Public Comments:

The following addressed the Board with comments and questions concerning the Application and proposed Agreement for Tax Value Limitation with 247CR8me, LLC under Texas tax code chapter 313.

Beulah Wilson, K Love, Diane Savage, Rochelle Rackham, Steve Browning, Melissa Laffey and Barry Osborne.

Comments and questions received were:

How will this affect the residence of Wilson County?

What is the monetary impact to Stockdale ISD?

Number of jobs to be created with the project?

Has an environmental or engineering study been done on the effects to property and surrounding land owners?

Power being sold out of Wilson County/State of Texas.

What impact with this project have on the habitat?

What will be the impact to property values?

Mitigation plan in place, in regard to disasters

Impact on the water shed.

Road conditions and increased traffic

Conflicts of Interest

Once agreement has expired, will the project sell to a non-taxable entity?

Mr. Urrabazo thanked those in attendance addressing the Board with their questions and concerns. The Board moved into closed session at this time.

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

CLOSED SESSION: (Texas Govt. Code Section 551.071, 551.074 and 551.072 et seq)

The Board was called into closed session at 7:26 p.m.

The Board reconvened to open session at 9:05 p.m.

Mr. Urrabazo began with agenda item #2 – consider and take possible action to adopt Criteria & Guidelines for creating a reinvestment zone with the geographic boundaries of Stockdale ISD.

Mr. Fuller addressed the Board, outlining the application for tax value limitation from 247CT 8me, LLC, seeking to place a cap on its value maintenance & operations tax purposes in exchange for bringing additional taxable improvements and jobs to Stockdale ISD. Before the District can create a limited-purpose reinvestment zone, it must adopt criteria and guidelines which will govern the District’s consideration and adoption of reinvestment zones moving forward.

Mr. Perez provided an overview of the Criteria for the Board. Mr. Casey also addressed the Board regarding the financial impact to the District.

Mr. Fuller made a recommendation for agenda item #2 to adopt Criteria & Guidelines for creating a Reinvestment zone within Geographic Boundaries of Stockdale ISD.

Teri Wolff made a motion that the Board adopt and implement the criteria & guidelines for creating a reinvestment zone as presented, effective immediately. The motion was seconded by Tanner Voelkel and passed unanimously.

Mr. Fuller made a recommendation for agenda item #3 to designate the 247CT 8me, LLC Reinvestment zone by way of the resolution presented.

Teri Wolff made a motion to designate the 247CT8me, LLC reinvestment Zone by way of the resolution as presented. Mrs. Wolff further moved to authorize the Board President to execute the resolution on behalf of the Board and that a complete copy of the Resolution be included in the official minutes for this meeting. The motion seconded by Blaine Akin and passed unanimously.

Mr. Perez addressed the Board regarding the findings associated with Application and proposed Agreement for Tax Value Limitation with 247CT 8me, LLC as required by Texas Tax Code Chapter 313. Asking Board members to take special note of finding #22 – “there are not conflicts of interest on the Board of Trustees at the time of its consideration of the Agreement” Any Trustee with a conflict of interest should identify the conflict at this time. No conflict was identified from the Board.

A motion was made by Teri Wolff for agenda item #9A to adopt the findings on the tax value limitation application submitted by 247CT 8me, LLC as presented and to authorize the Board President to execute the finding on behalf of the Board. I further move we include a complete copy of the Findings in the final minutes for this meeting. The motion was seconded by Tanner Voelkel and passed unanimously.

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

Mr. Fuller made a recommendation for agenda item #9B to approve the tax value limitation agreement with 247CT 8me, LLC as presented.

Teri Wolff made a motion to approve the tax value limitation agreement with 247CR 8mc, LLC as presented and to authorize the Board President to execute the same. The motion was seconded by Tanner Voelkel and passed unanimously.

Mr. Fuller advised the Board of the Construction Change Order
Mr. Fuller made a recommendation to approve a Construction Change Order exceeding \$25,000.00 per CH(LOCAL). A motion was made by Mauro Monita to accept the recommendation. The motion was seconded by Blaine Akin and passed unanimously.

Mrs. Moczygamba reviewed the changes/revisions to the 2021-2022 Student Code of Conduct.
Mr. Fuller made a recommendation to adopt the 2021-2022 Student code of Conduct as presented. A motion was made Blaine Akin to accept the recommendation and was seconded by Tanner Voelkel

Mrs. Moczygamba reviewed the changes/revisions to the 2021-2022 Student Handbook.
No action taken – review only

Roxanne Moczygamba presented information on the Local District Update 117
Teri Wolff made a motion that the Board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according the Instruction sheet for TASB Localized Policy Manual Update 117.
The motion was seconded by Blaine Akin and passed unanimously.

Motion to adjourn was made by Teri Wolff and seconded by Blaine Akin. The motion passed unanimously.
Meeting adjourned at 10:20 p.m.

Salvador Urrabazo Jr., President

Teri Dugi, Secretary

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

RESOLUTION OF THE
STOCKDALE INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES

RESOLUTION DESIGNATING 247CT 8me, LLC REINVESTMENT ZONE

WHEREAS, the Board of Trustees of the Stockdale Independent School District ("District") seeks to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone;

WHEREAS, the District is authorized by the Property Redevelopment and Tax Abatement Act, as amended (Texas Tax Code §312.0025), for the purpose of authorizing an Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes, as authorized by Chapter 313 of the Texas Tax Code; and,

WHEREAS, on July 26, 2021, a hearing before the Board of Trustees of the District was held pursuant to Texas Tax Code 312.201(d), such date being at least seven (7) days after the date of publication of the notice of such public hearing, and the delivery of written notice to the respective presiding officers of each taxing entity which includes within its boundaries real property that is to be included in the proposed reinvestment zone; and

WHEREAS, the Board of Trustees at such public hearing invited any interested person to appear and speak for or against the creation of the reinvestment zone, and whether all or part of the territory described should be included in the proposed reinvestment zone; and,

WHEREAS, the Board of Trustees considered information provided by proponents and opponents of the creation of the reinvestment if any, and in accordance with previously adopted Criteria and Guidelines,

WHEREAS, the Board of Trustees considered the creation of a reinvestment zone related to a tax limitation agreement submitted by 247CT 8me, LLC for property within the District's boundaries and depicted in the attached **Exhibits A and B**;

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE STOCKDALE INDEPENDENT SCHOOL DISTRICT:

SECTION 1. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

SECTION 2. That the Board of Trustees of the Stockdale Independent School District, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on the adoption of the *247CT 8me, LLC Reinvestment Zone* has been properly called, held and conducted, and that notices of such hearing have been published as required by law and mailed to the respective presiding officers of the governing bodies of each taxing unit which includes within its boundaries real property that is to be included in the proposed reinvestment zone; and,
- (b) That the boundaries of the *247CT 8me, LLC Reinvestment Zone* are within the boundaries of the District and by the adoption of this Resolution is declared and certified to be the area described in the attached Exhibits A and B; and,
- (c) That creation of the *247CT 8me, LLC Reinvestment Zone* with boundaries as described in Exhibits A and B will result in economic benefits to the District and that the improvements sought are feasible and practical; and,
- (d) *The 247CT 8me, LLC Reinvestment Zone* described in Exhibits A and B meets the criteria set forth in Texas Tax Code §312.0025 for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, in that it is reasonably likely that the designation will contribute to the retention or expansion of primary employment, and/or will attract investment in the zone that will be a benefit to the property, and would contribute to economic development within the District.

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, the District, hereby creates a reinvestment zone under the provisions of Tex. Tax Code § 312.0025, encompassing the area described by the descriptions in Exhibits A and B, and such reinvestment zone is hereby designated and shall hereafter be referred to as the *247CT 8me, LLC Reinvestment Zone*.

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

SECTION 4. That the *247CT 8me, LLC Reinvestment Zone* shall take immediate effect upon adoption by the Board of Trustees and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of such designation.

SECTION 5. That if any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

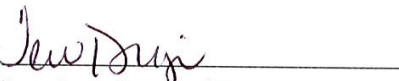
SECTION 6. That it is hereby found, determined and declared that a sufficient notice of the date, hour, place, and subject of the meeting of the District Board of Trustees, at which this Resolution was adopted, was posted at a place convenient and readily accessible at all times, as required by the Texas Open Government Act, Texas Government Code, Chapter 551, as amended; and that a public hearing was held prior to the designation of such reinvestment zone, and that proper notice of the hearing was published in newspapers of general circulation in Wilson County, and furthermore, such notice was, in fact, delivered to the presiding officer of any affected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.

PASSED, APPROVED, AND ADOPTED on this 26 day of July, 2021.

Stockdale Independent School District

By: 
President, Board of Trustees

Attest:

By: 
Secretary, Board of Trustees

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

CERTIFICATION

I hereby certify that the foregoing resolution was presented to the Board of Trustees of the Stockdale Independent School District during a special meeting on _____, 2021. A quorum of the Board of Trustees being then present, it was then duly moved and seconded that the resolution be adopted according to the following votes,

Ayes: 5
Nays: 0
Abstentions: 0

To certify which, witness my hand this 26 day of July, 2021.

By: Sal A. Go Jr.
President, Board of Trustees

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

EXHIBIT A
LEGAL DESCRIPTION OF PROPOSED
REINVESTMENT ZONE

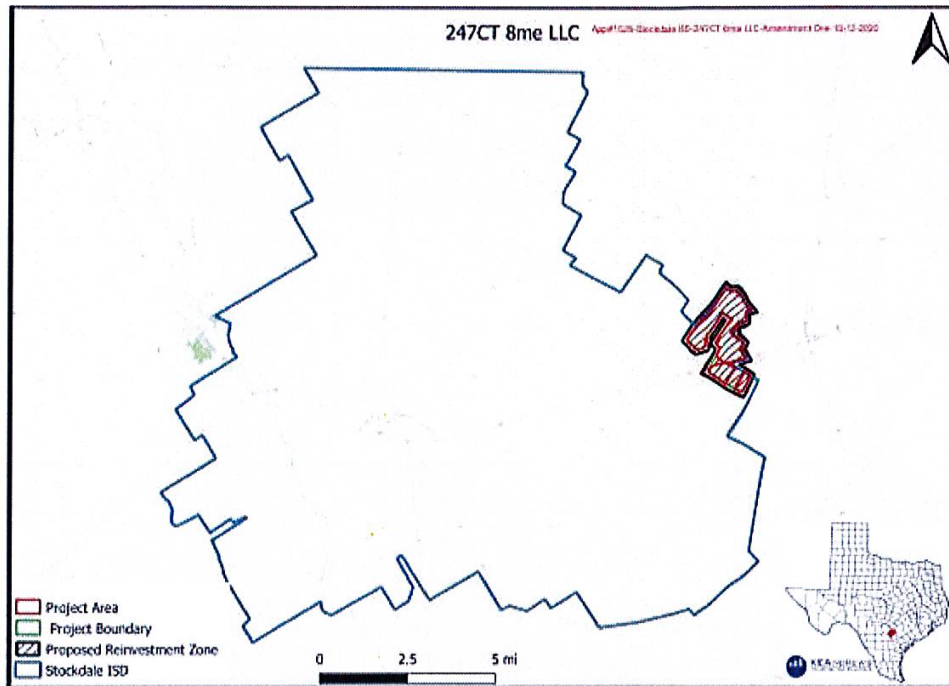
Reinvestment Zone Legal Description:

| WCAD PID | GEOGRAPHIC ID | LEGAL DESCRIPTION | ACRES |
|----------|------------------|--|---------|
| 18009 | 0419-00000-00101 | A0419 G MC PETERS SUR, TRACT 1 (PT) (TR 2A A0143 W J HERBERT SUR) | 98.763 |
| 15347 | 0143-00000-00200 | A0143 W J HERBERT SUR, TRACT 2 (TR 2A A0419 G MC PETERS SUR) | 167.661 |
| 18016 | 0419-00000-00200 | A0419 G MC PETERS SUR, TRACT 2 | 103.62 |
| 17303 | 0316-00000-00100 | A0316 J J TEJIDA SUR, TRACT 1 | 8.347 |
| 15567 | 0180-00000-00700 | A0180 J E JOHNSON SUR, TRACT 7 (A0143 TR 3 & A0316 TR 2) | 203.69 |
| 16109 | 0209-00000-01500 | A0209 J MOPPING SUR, TRACT 15 (TR 1 A0180 J E JOHNSON SUR) | 435.6 |
| 15516 | 0164-00000-00700 | A0164 H & TCRY SUR, TRACT 7 | 33.77 |
| 15513 | 0164-00000-00501 | A0164 H & TCRY SUR, TRACT 5A, 5B, 6 | 146.39 |
| 15512 | 0164-00000-00400 | A0164 H & TCRY SUR, TRACT 4 | 97 |
| 15511 | 0164-00000-00301 | A0164 H & TCRY SUR, TRACT 3 (PT) | 44.62 |

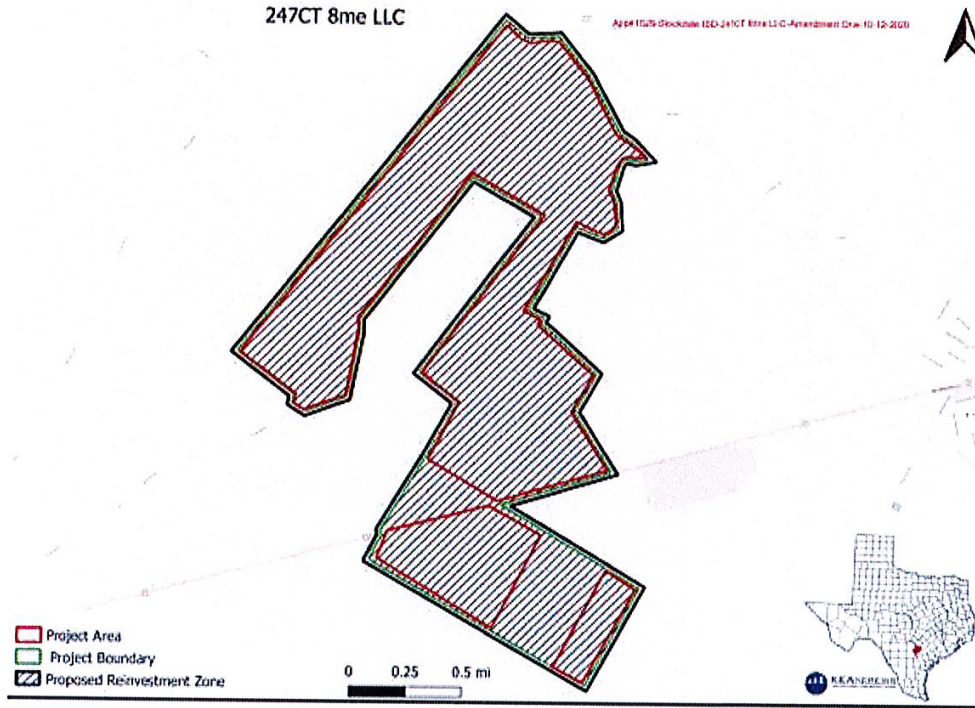
STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

EXHIBIT B
MAP OF PROPOSED 247CT 8me, LLC
REINVESTMENT ZONE

The boundaries of the 247CT 8me, LLC Reinvestment Zone will be entirely within Stockdale ISD's boundaries and more particularly described in the following maps:



STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021



STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

FINDINGS
OF THE
STOCKDALE INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES
UNDER THE
TEXAS ECONOMIC DEVELOPMENT ACT
ON THE APPLICATION FOR APPRAISED VALUE LIMITATION
SUBMITTED BY
247CT 8ME, LLC
(TEXAS TAXPAYER ID: # 32072858064)
(APPLICATION #1529)

JULY 26, 2021

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

FINDINGS
OF THE
STOCKDALE INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES
UNDER THE
TEXAS ECONOMIC DEVELOPMENT ACT

STATE OF TEXAS §

COUNTY OF WILSON §

PREAMBLE

On the 26th day of July 2021, a public meeting of the Board of Trustees (“Board”) of the Stockdale Independent School District (“District”) was held. The meeting was duly posted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code. At the meeting, the Board took up and considered the Application (as amended, the “Application”) of 247CT 8me, LLC (“Applicant”) for a limitation on appraised value on qualified property, pursuant to Chapter 313 of the Texas Tax Code. The Board heard presentations from the District’s administrative staff to advise the Board in this matter.

The Board considered the presentations made at the meeting, the Comptroller's recommendation and the economic impact evaluation and makes the following findings with respect to the Application in accordance with the Texas Economic Development Act, Texas Tax Code Chapter 313, and the Administrative regulations promulgated by the Texas Comptroller of Public Accounts published at 34 Texas Administrative Code Part 1, Chapter 9, Subchapter F:

1. On September 14, 2020 the District received an application for appraised value limitation on qualified property (“Application”) on the form prescribed by the Comptroller from Applicant pursuant to Chapter 313 of the Texas Tax Code. A copy of the Application is attached hereto as Exhibit A.
2. The Board acknowledged receipt of the Application, along with the requisite application fee, as established pursuant to Texas Tax Code Section 313.025(a)(1).
3. The Board elected to consider the Application.
4. The Application was delivered to the Texas Comptroller of Public Accounts (“Comptroller”) for review pursuant to Texas Tax Code Section 313.025(b).

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

5. Pursuant to a request received from the Comptroller, an Application amendment was submitted to the Comptroller on October 12, 2020 and a Supplement was submitted to the Comptroller on November 13, 2020.

6. The Application (as amended) was reviewed by the Comptroller pursuant to Texas Tax Code Sections 313.025 and 313.026. After review, the Comptroller's Office, by letter dated December 10, 2020, recommended that the Board approve the Application. A copy of the Comptroller's letter along with the Comptroller's economic impact analysis completed pursuant to Texas Tax Code Section 313.025(b) is attached to these findings as Exhibit B. The Board has considered such evaluation.

7. The District's School Finance Consultant performed an independent economic impact analysis pursuant to Texas Tax Code Section 313.025(b). The Board has considered such evaluation. A copy of the economic impact evaluation is attached to these findings as Exhibit C.

8. After receipt of the Application, the District entered into negotiations with Applicant over the specific language to be included in an Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes ("Agreement"), pursuant to Chapter 313 of the Texas Tax Code, including appropriate revenue protection provisions for the District. The proposed Agreement is attached to these findings as Exhibit D.

9. The Agreement was reviewed by the Comptroller. After review, the Comptroller's office, in a letter dated July 1, 2021, approved the Agreement.

FINDINGS

Findings as to each of the criterion listed in Texas Tax Code Section 313.025 and Texas Administrative Code Title 34, §9.1054. Based in the representation of Applicant set out in the Application attached as Exhibit A, the Comptroller's approval and Economic Impact Analysis attached as Exhibit B, the District Consultant's independent economic impact analysis attached as Exhibit C and the Franchise Tax Account Status attached as Exhibit E, the Board of Trustees finds:

1. That the Comptroller recommends approval of the Application.
2. That there is a strong and positive relationship between the Applicant's industry and the types of qualifying jobs to be created by the Applicant and the long-term economic growth plans of the State.
3. That, based on the representations in the Application, the Applicant could locate or relocate the Project to another state or another region of this state.
4. That the Project will result in revenue gains by the school district and that the economic effects on the local and regional tax base are that the tax base will increase as a result of the Project and additional employment.
5. That there exists a small but undetermined possibility that the Project could have an impact on enrollment from families that might temporarily relocate during the construction phase, but that any impact during the operation phase can be absorbed by current facilities.

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

6. That the projected market value of the qualified property of the Applicant as determined by the Comptroller is \$106,250,000.
7. That the proposed limitation on appraised value for the qualified property of the Applicant is \$40,000,000.00.
8. That the projected dollar amount of District maintenance and operation taxes that would be imposed on the qualified property, for each year of the Agreement, if the property does not receive a limitation on appraised value is \$6,970,160 as shown on Exhibit B, Attachment A, Table 3.
9. That the projected dollar amount of the taxes that would be imposed on the qualified property, for each tax year of the Agreement, if the property receives a limitation on appraised value is \$4,644,760 as shown on Exhibit B, Attachment A, Table 4.
10. That the total amount of taxes projected to be lost or gained by the District over the life of the Agreement computed by subtracting the projected taxes if the property receives a tax limitation from the projected taxes if the property does not receive a tax limitation is \$2,325,400, as shown on Exhibit B, Attachment A, Table 4.
11. The Applicant is eligible for the limitation on the appraised value of the Applicant's qualified property. Applicant's qualified property is eligible for a limitation on appraised value under Texas Tax Code § 313.024 as a renewable energy electric generation project.
12. The Project proposed by the Applicant is reasonably likely to generate tax revenue in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the Agreement before the 25th anniversary of the beginning of the limitation period.
13. The limitation of appraised value is a determining factor in the Applicant's decision to invest capital and construct the Project in this state.
14. The job creation requirement of ten (10) new jobs exceeds the industry standard for the number of employees reasonably necessary for the operation of the Project described in the Application. Pursuant to Texas tax Code Section 313.025(f-1), the Board waives the new job creation requirement in Tax Code Section 313.051(b).
15. Applicant will create one (1) new qualifying job, and Applicant has confirmed that such job will meet all of the requirements of Texas tax Code § 313.021(3).
16. That the Project will be located within an area designated as a reinvestment zone pursuant to Texas Tax Code Chapter 312.
17. The information in the Application submitted by Applicant is true and correct.
18. The proposed Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes ("Agreement"), attached hereto as Exhibit D, meets

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

all of the requirements set out in Texas Tax Code § 313.027, including adequate and appropriate revenue protection provisions for the District.

19. The proposed Agreement is in the form of the template Texas Economic Development Act Agreement adopted by the Comptroller as of January 2020, and the Comptroller has verified that the Agreement complies with the provisions of Chapter 313 of the Texas Tax Code and 34 Texas Administrative Code Chapter 9, Subchapter F.

20. Considering the purpose and effect of the law and the terms of the Agreement, granting the Application and entering the Agreement are in the best interest of the District and the State.

21. The Applicant, 247CT 8me, LLC (Tex. Taxpayer ID #32072858064) is an entity subject to Chapter 171, Texas Tax Code and is certified to be in good standing with the Texas Comptroller of Public Accounts. A copy of the Comptroller's Franchise Tax Account Status is attached as Exhibit E.

22. There are no conflicts of interest on the Board at the time of its consideration of the Agreement.

23. It is hereby found, determined and declared that sufficient written notice of the date, time, place and subject of the meeting of the Board of Trustees at which these Findings were made was posted at a place convenient and readily accessible at all times to the general public for the time required by law preceding this meeting, as required by chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which these Findings were made and the subject matter thereof has been discussed, considered and formally acted upon. The Board of Trustees further ratifies, approves and confirms such written notice and posting thereof.

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[Orders and signatures follow]

STOCKDALE INDEPENDENT SCHOOL DISTRICT
SPECIAL CALLED MEETING
July 26, 2021

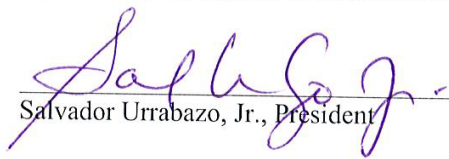
It is therefore **ORDERED** that:

1. The Findings above, including the recitals set out in the Preamble, are adopted and approved by the Board of Trustees.
2. The Application of 247CT 8me, LLC for a limitation on the appraised value for school district maintenance and operations ad valorem tax purposes of qualified property is approved.
3. The Board President is designated and directed to sign the Agreement on behalf of the District if approved by the Board of Trustees by official action.
4. These findings and the Exhibits referred to herein be attached to the Official Minutes of this meeting, and maintained in the permanent records of the Board of Trustees of the District.

Dated the 26th day of July 2021.

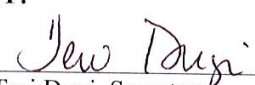
STOCKDALE INDEPENDENT SCHOOL DISTRICT

By: _____


Salvador Urrabazo, Jr., President

ATTEST:

By: _____


Teri Dugi, Secretary