



**GLENN HEGAR** TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O. Box 13528 • Austin, TX 78711-3528

June 28, 2019

AMENDED CERTIFICATION

Pam Norwood  
Superintendent  
Crowell Independent School District  
400 E. Logan  
P.O. Box 239  
Crowell, Texas 79227-0239

Re: Amended Certificate for Limitation on Appraised Value of Property for School District Maintenance and Operations taxes by and between Crowell Independent School District and Foard City Wind, LLC, Application 1231

Dear Superintendent Norwood:

This application (Application 1231) was originally submitted on December 11, 2017, to the Crowell Independent School District (school district) by Foard City Wind, LLC (applicant) for a limitation on appraised value under the provisions of Tax Code Chapter 313.<sup>1</sup> On February 13, 2018, the Comptroller issued written notice that the applicant submitted a completed application; and later issued a certificate for a limitation on appraised value on April 19, 2018. The applicant and school district executed an agreement for a limitation on appraised value (agreement) on May 9, 2018.

On February 27, 2019, the Comptroller received an amendment to the agreement increasing the size of the project and the reinvestment zone. This presents the Comptroller's review of that amendment per Section 10.2 of the agreement and determinations required:

- 1) under Section 313.025(h) to determine if the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C; and
- 2) under Section 313.025(d), to issue a certificate for a limitation on appraised value of the property and provide the certificate to the governing body of the school district or provide the governing body a written explanation of the Comptroller's decision not to issue a certificate, using the criteria set out in Section 313.026.

**Determination required by 313.025(h)**

The information provided by the applicant related to eligibility has not changed and therefore, the Comptroller has determined that the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C.

<sup>1</sup> All statutory references are to the Texas Tax Code, unless otherwise noted.

**Certificate decision required by 313.025(d)**

Determination required by 313.026(c)(1)

Based on the amended information provided by the applicant, the Comptroller has determined that the project proposed by the applicant is reasonably likely to generate tax revenue in an amount sufficient to offset the school district's 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, see Attachment B.

Determination required by 313.026(c)(2)

The Comptroller previously determined that the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state.

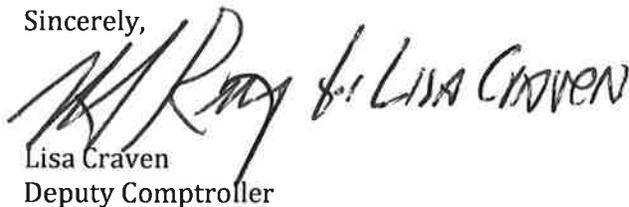
Based on these determinations, the Comptroller issues a certificate for a limitation on appraised value for the amendment.

The Comptroller's review of the application assumes the accuracy and completeness of the statements in the application. If the application is approved by the school district, the applicant shall perform according to the provisions of the Texas Economic Development Act Agreement (Form 50-826) executed with the school district. The school district shall comply with and enforce the stipulations, provisions, terms, and conditions of the agreement, applicable Texas Administrative Code and Chapter 313, per TAC 9.1054(i)(3).

This certificate is no longer valid if the application is modified, the information presented in the application changes, or the limitation agreement does not conform to the application. Additionally, this certificate is contingent on the school district approving and executing the amendment to the agreement by December 31, 2019.

Should you have any questions, please contact Will Counihan, Director, Data Analysis & Transparency, by email at [will.counihan@cpa.texas.gov](mailto:will.counihan@cpa.texas.gov) or by phone toll-free at 1-800-531-5441, ext. 6-0758, or at 512-936-0758.

Sincerely,

  
Lisa Craven  
Deputy Comptroller

Enclosure

cc: Will Counihan

## Amended Attachment A – Economic Impact Analysis

The following tables summarize the Comptroller’s economic impact analysis of Foard City Wind, LLC (project) applying to Crowell Independent School District (district), as required by Tax Code, 313.026 and Texas Administrative Code 9.1055(d)(2).

**Table 1** is a summary of investment, employment and tax impact of Foard City Wind, LLC.

	<b>Original</b>	<b>Amendment No. 1</b>
Applicant	Foard City Wind, LLC	Foard City Wind, LLC
Tax Code, 313.024 Eligibility Category	Renewable Energy Electric Generation	Renewable Energy Electric Generation
School District	Crowell ISD	Crowell ISD
2016-2017 Average Daily Attendance	196	196
County	Foard	Foard
Proposed Total Investment in District	\$385,000,000	\$385,000,000
Proposed Qualified Investment	\$385,000,000	\$385,000,000
Limitation Amount	\$20,000,000	\$20,000,000
Qualifying Time Period (Full Years)	2019-2020	2019-2020
Number of new qualifying jobs committed to by applicant	7*	10
Number of new non-qualifying jobs estimated by applicant	0	0
Average weekly wage of qualifying jobs committed to by applicant	\$1,062	\$1,062
Minimum weekly wage required for each qualifying job by Tax Code, 313.021(5)(B)	\$1,061.99	\$1,061.99
Minimum annual wage committed to by applicant for qualified jobs	\$55,230	\$55,230
Minimum weekly wage required for non-qualifying jobs	\$545	\$545
Minimum annual wage required for non-qualifying jobs	\$28,315	\$28,315
Investment per Qualifying Job	\$55,000,000	\$38,500,000
Estimated M&O levy without any limit (15 years)	\$38,723,401	\$38,723,401
Estimated M&O levy with Limitation (15 years)	\$10,387,250	\$10,387,250
Estimated gross M&O tax benefit (15 years)	\$28,336,151	\$28,336,151

\* Applicant is requesting district to waive requirement to create minimum number of qualifying jobs pursuant to Tax Code, 313.025 (f-1).

**Table 2** is the estimated statewide economic impact of Foard City Wind, LLC (modeled).

Year	Employment			Personal Income		
	Direct	Indirect + Induced	Total	Direct	Indirect + Induced	Total
2018	50	44	93.75	\$2,250,000	\$3,490,000	\$5,740,000
2019	252	225	477	\$11,360,460	\$19,279,540	\$30,640,000
2020	10	1,117	1127	\$552,300	\$92,467,700	\$93,020,000
2021	10	1,554	1564	\$552,300	\$133,847,700	\$134,400,000
2022	10	1,814	1824	\$552,300	\$164,367,700	\$164,920,000
2023	10	1,941	1951	\$552,300	\$185,727,700	\$186,280,000
2024	10	1,974	1984	\$552,300	\$199,277,700	\$199,830,000
2025	10	1,953	1963	\$552,300	\$207,087,700	\$207,640,000
2026	10	1,881	1891	\$552,300	\$210,267,700	\$210,820,000
2027	10	1,787	1797	\$552,300	\$208,917,700	\$209,470,000
2028	10	1,674	1684	\$552,300	\$205,747,700	\$206,300,000
2029	10	1,562	1572	\$552,300	\$200,617,700	\$201,170,000
2030	10	1,051	1061	\$552,300	\$149,597,700	\$150,150,000
2031	10	756	766	\$552,300	\$119,807,700	\$120,360,000

Source: CPA REMI, Foard City Wind, LLC

**Table 3** examines the estimated direct impact on ad valorem taxes to the region if all taxes are assessed.

Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate*	ISD I&S Tax Levy	ISD M&O Tax Levy	M&O and I&S Tax Levies	Foard County Tax Levy	Foard County Hospital Tax Levy	Gateway GCD Tax Levy	Estimated Total Property Taxes
			0.0000		1.1700		0.9350	0.3187	0.0100	
2020	\$370,580,000	\$370,580,000		\$0	\$4,335,786	\$4,335,786	\$3,464,923	\$1,181,061	\$37,058	\$9,018,828
2021	\$340,987,500	\$340,987,500		\$0	\$3,989,554	\$3,989,554	\$3,188,233	\$1,086,748	\$34,099	\$8,298,633
2022	\$313,761,053	\$313,761,053		\$0	\$3,671,004	\$3,671,004	\$2,933,666	\$999,975	\$31,376	\$7,636,022
2023	\$288,711,408	\$288,711,408		\$0	\$3,377,923	\$3,377,923	\$2,699,452	\$920,141	\$28,871	\$7,026,387
2024	\$265,664,453	\$265,664,453		\$0	\$3,108,274	\$3,108,274	\$2,483,963	\$846,689	\$26,566	\$6,465,492
2025	\$244,460,006	\$244,460,006		\$0	\$2,860,182	\$2,860,182	\$2,285,701	\$779,109	\$24,446	\$5,949,438
2026	\$224,950,697	\$224,950,697		\$0	\$2,631,923	\$2,631,923	\$2,103,289	\$716,931	\$22,495	\$5,474,639
2027	\$207,000,945	\$207,000,945		\$0	\$2,421,911	\$2,421,911	\$1,935,459	\$659,724	\$20,700	\$5,037,794
2028	\$190,486,016	\$190,486,016		\$0	\$2,228,686	\$2,228,686	\$1,781,044	\$607,090	\$19,049	\$4,635,870
2029	\$175,291,152	\$175,291,152		\$0	\$2,050,906	\$2,050,906	\$1,638,972	\$558,663	\$17,529	\$4,266,071
2030	\$161,310,777	\$161,310,777		\$0	\$1,887,336	\$1,887,336	\$1,508,256	\$514,107	\$16,131	\$3,925,830
2031	\$148,447,759	\$148,447,759		\$0	\$1,736,839	\$1,736,839	\$1,387,987	\$473,112	\$14,845	\$3,612,782
2032	\$136,612,736	\$136,612,736		\$0	\$1,598,369	\$1,598,369	\$1,277,329	\$435,393	\$13,661	\$3,324,752
2033	\$125,723,495	\$125,723,495		\$0	\$1,470,965	\$1,470,965	\$1,175,515	\$400,688	\$12,572	\$3,059,740
2034	\$115,704,399	\$115,704,399		\$0	\$1,353,741	\$1,353,741	\$1,081,836	\$368,757	\$11,570	\$2,815,905
			<b>Total</b>	<b>\$0</b>	<b>\$38,723,401</b>	<b>\$38,723,401</b>	<b>\$30,945,624</b>	<b>\$10,548,188</b>	<b>\$330,969</b>	<b>\$80,548,182</b>

Source: CPA, Foard City Wind, LLC

\*Tax Rate per \$100 Valuation

**Table 4** examines the estimated direct impact on ad valorem taxes to the school district and Foard County, with all property tax incentives sought being granted using estimated market value from the application. The project has applied for a value limitation under Chapter 313, Tax Code and tax abatement with the county.

The difference noted in the last line is the difference between the totals in Table 3 and Table 4.

Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate*	ISD I&S Tax Levy	ISD M&O Tax Levy	M&O and I&S Tax Levies	Foard County Tax Levy	Foard County Hospital Tax Levy	Gateway GCD Tax Levy	Estimated Total Property Taxes
				0.0000	1.1700		0.9350	0.3187	0.0100	
2020	\$370,580,000	\$20,000,000		\$0	\$234,000	\$234,000	\$0	\$1,181,061	\$37,058	\$1,415,061
2021	\$340,987,500	\$20,000,000		\$0	\$234,000	\$234,000	\$0	\$1,086,748	\$34,099	\$1,320,748
2022	\$313,761,053	\$20,000,000		\$0	\$234,000	\$234,000	\$0	\$999,975	\$31,376	\$1,233,975
2023	\$288,711,408	\$20,000,000		\$0	\$234,000	\$234,000	\$0	\$920,141	\$28,871	\$1,154,141
2024	\$265,664,453	\$20,000,000		\$0	\$234,000	\$234,000	\$0	\$846,689	\$26,566	\$1,080,689
2025	\$244,460,006	\$20,000,000		\$0	\$234,000	\$234,000	\$0	\$779,109	\$24,446	\$1,013,109
2026	\$224,950,697	\$20,000,000		\$0	\$234,000	\$234,000	\$0	\$716,931	\$22,495	\$950,931
2027	\$207,000,945	\$20,000,000		\$0	\$234,000	\$234,000	\$0	\$659,724	\$20,700	\$893,724
2028	\$190,486,016	\$20,000,000		\$0	\$234,000	\$234,000	\$0	\$607,090	\$19,049	\$841,090
2029	\$175,291,152	\$20,000,000		\$0	\$234,000	\$234,000	\$0	\$558,663	\$17,529	\$792,663
2030	\$161,310,777	\$161,310,777		\$0	\$1,887,336	\$1,887,336	\$1,508,256	\$514,107	\$16,131	\$3,909,699
2031	\$148,447,759	\$148,447,759		\$0	\$1,736,839	\$1,736,839	\$1,387,987	\$473,112	\$14,845	\$3,597,937
2032	\$136,612,736	\$136,612,736		\$0	\$1,598,369	\$1,598,369	\$1,277,329	\$435,393	\$13,661	\$3,311,091
2033	\$125,723,495	\$125,723,495		\$0	\$1,470,965	\$1,470,965	\$1,175,515	\$400,688	\$12,572	\$3,047,168
2034	\$115,704,399	\$115,704,399		\$0	\$1,353,741	\$1,353,741	\$1,081,836	\$368,757	\$11,570	\$2,804,334
			<b>Total</b>	<b>\$0</b>	<b>\$10,387,250</b>	<b>\$10,387,250</b>	<b>\$6,430,922</b>	<b>\$10,548,188</b>	<b>\$330,969</b>	<b>\$27,366,361</b>
			<b>Diff</b>	<b>\$0</b>	<b>\$28,336,151</b>	<b>\$28,336,151</b>	<b>\$24,514,702</b>	<b>\$0</b>	<b>\$0</b>	<b>\$53,181,822</b>
Assumes School Value Limitation and Tax Abatements with the County.										

Source: CPA, Foard City Wind, LLC

\*Tax Rate per \$100 Valuation

**Disclaimer:** This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.