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SARA LEON  
& ASSOCIATES, LLC

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August 8, 2019

*Via Hand Delivery and Electronic Mail: [Tabita.Collazo@cpa.texas.gov](mailto:Tabita.Collazo@cpa.texas.gov)*

Ms. Tabita Collazo  
Research Analyst  
Economic Development & Local Government  
Data Analysis and Transparency Division  
Texas Comptroller of Public Accounts  
111 E. 17<sup>th</sup> Street  
Austin, Texas 78774

Re: Application #1393 from AP Solar Holdings, LLC to Needville Independent  
School District - Amendment #001 Transmittal Letter

Dear Ms. Collazo:

This letter is in response to your email dated July 25, 2019. Per your request, AP Solar Holdings, LLC has made the following changes to Application #1393. Enumerated below are the changes contained in Amendment #001:

1. **Section 2 Applicant Information:** Revised question 2.
2. **Section 14 Wage and Employment Information:** Updated questions 2, 7, 9 and 10 based on the latest wage report.
3. **Tab 7 Description of Qualified Investment:** Revised to include requested language.
4. **Tab 8 Description of Qualified Property:** Revised to include requested language.
5. **Tab 11 Maps:** Updated.
6. **Tab 13 Calculation of three possible wage requirements with TWC documentation:** Revised to include the basis for the updated wage data.
7. **Tab 14 Schedule C:** Revised.
8. **Tab 16 Description of Reinvestment or Enterprise Zone:** Revised.
9. **Tab 17 Signature and Certification page:** New Signature page included.

Thanks so much for your kind attention to this matter.

Respectfully submitted,



Sara Hardner Leon

SHL/vr  
Enclosures

cc: *Via Electronic Mail: [rhodesc@needville.com](mailto:rhodesc@needville.com)*  
Curtis Rhodes, Superintendent of Schools, Needville Independent School District

*Via Electronic Mail: [christopher.elrod@apsolarholdings.com](mailto:christopher.elrod@apsolarholdings.com)*  
Christopher Elrod, Manager, AP Solar Holdings, LLC

*Via Electronic Mail: [smoore@jw.com](mailto:smoore@jw.com)*  
Steve Moore, Attorney, Jackson Walker LLP

July 30, 2019

Tabita Collazo  
Texas Comptroller of Public Accounts  
111 East 17th Street, Room 427  
Austin, Texas 78774  
[tabita.collazo@cpa.texas.gov](mailto:tabita.collazo@cpa.texas.gov)

**RE: App 1393 - Needville ISD 313 Application  
Response to Email Request for Information 07/25/19**

Dear Ms. Callazo:

Below are responses to the items you raised in your email of July 25, 2019.

1. Section 2. Missing email and organization for Lisa Murphy

*Response:* Tab 1, Section 2 has been revised to include the missing information.

2. Tab 7 and 8 add language "This application covers all qualified property/investment in the reinvestment zone and project boundary within Needville ISD."

*Response:* Tabs 7 and 8 have been revised to include the requested language.

3. Section 14. Q7. 2018 Q4 is now available, you will need to update the wages. Also provide under Tab 13, a new "Quarterly Employment and Wages (QCEW)" reflecting the changes.

*Response:* Tab 1, Section 14, item 2 has been revised to indicate that the last complete quarter before application determined to be complete is December 2018. Items 7 and 9 have been revised to include Q4 2018 data. Tab 13 has been revised to include the basis for the updated wage data.

4. Schedule C. Will need to update under "D" as the as the qualifying jobs listed in section 14 does not match

*Response:* Tab 14, Schedule C, has been revised to update the qualifying jobs information in column D to match Tab 1, Section 14, item 4. Column E has been revised to match item 9.

5. Tab 11. Map. Please label project area as "Project Boundary"
  - a. The vicinity map will need to clearly show the project boundary is within the RZ, Needville ISD and Fort Bend County.

*Response:* The vicinity map has been clarified and updated to show that the project boundary is within the RZ, the ISD and the county.

- b. Qualified investment Map. Provide landmarks, such as roads for exact location of the project boundary.

*Response:* The qualified investment map has been updated to provide landmarks.

- c. The Project boundary will need to be continuous. (Please see below as I have circled the area that is not continuous)



*Response:* The Reinvestment Zone presented in Rev 0 was that prescribed by and approved by Fort Bend County and included all leased tracts. No project development is planned for Tract R44347, so the maps have been revised to exclude that tract for the purposes of the 313 agreement. The maps included in Tab 11 and the tract list included in Tab 16 have been revised to exclude Tract R44347.

A new signature page is required for this amendment. Be advised that a copy or picture of the new signature page will suffice with the amendment.

*Response:* Tab 17 includes an updated signature page to cover Revision 1.

Include the submission date and amendment number on each corrected page.

*Response:* This response includes the revision submission date of July 30, 2019 and designation of “Revision 1”.

Also be advise, with the hard copy and CD you will need to submit an electronic copy of the amendment.

*Response:* An electronic version is being transmitted by email, and a hard copy with original signature page will follow by mail.

Please let us know if additional issues arise that require clarification prior to declaring the application complete.

Best Regards,

A handwritten signature in blue ink, appearing to read "Lisa Murphy". The signature is fluid and cursive.

Lisa Murphy  
Project Developer

Attachments

- Tab 1, Form 50-296-A, Pages 2 and 7
- Tab 7, Description of Qualified Investment
- Tab 8, Description of Qualified Property
- Tab 11, Vicinity Map, Reinvestment Zone Map, Qualified Investment Map
- Tab 13, Wages
- Tab 14, Schedule C
- Tab 16, Description of Reinvestment Zone
- Tab 17, Signature Page

**Application for Appraised Value Limitation on Qualified Property**  
**Fighting Jays Solar Project**

**Submitted to:**  
**Needville Independent School District**



**Submitted by:**  
**AP Solar Holdings, LLC**



**July 30, 2019**

**Revision 1**

## Texas Comptroller of Public Accounts

Data Analysis and  
Transparency  
Form 50-296-ASECTION 1: School District Information *(continued)*3. Authorized School District Consultant *(If Applicable)*

Sara	Leon
First Name	Last Name
Principal	
Title	
Sara Leon & Associates, LLC	
Firm Name	
512-637-4244	512-637-4245
Phone Number	Fax Number
512-656-4546	sleon@saraleonlaw.com
Mobile Number <i>(optional)</i>	Email Address

4. On what date did the district determine this application complete? ..... July 8, 2019
5. Has the district determined that the electronic copy and hard copy are identical? ..... ☒ Yes ☐ No

## SECTION 2: Applicant Information

1. Authorized Company Representative *(Applicant)*

Christopher	Elrod
First Name	Last Name
Manager	AP Solar Holdings, LLC
Title	Organization
5524 Bee Caves Rd, Ste J1, West Lake Hills, Texas 78746	
Street Address	
5524 Bee Caves Rd, Ste J1	
Mailing Address	
West Lake Hills	TX 78746
City	State ZIP
407-474-7331	
Phone Number	Fax Number
512-656-4546	christopher.elrod@apsolarholdings.com
Mobile Number <i>(optional)</i>	Business Email Address

2. Will a company official other than the authorized company representative be responsible for responding to future information requests? ..... ☒ Yes ☐ No
- 2a. If yes, please fill out contact information for that person.

Lisa	Murphy
First Name	Last Name
Project Developer	AP Solar Holdings, LLC
Title	Organization
5524 Bee Caves Rd, Ste J1, West Lake Hills, TX 78746	
Street Address	
5524 Bee Caves Rd, Ste J1	
Mailing Address	
West Lake Hills	TX 78746
City	State ZIP
512-922-0293	
Phone Number	Fax Number
	lisa.murphy@apsolarholdings.com
Mobile Number <i>(optional)</i>	Business Email Address

3. Does the applicant authorize the consultant to provide and obtain information related to this application? ..... ☒ Yes ☐ No

## Texas Comptroller of Public Accounts

Data Analysis and  
Transparency  
Form 50-296-A

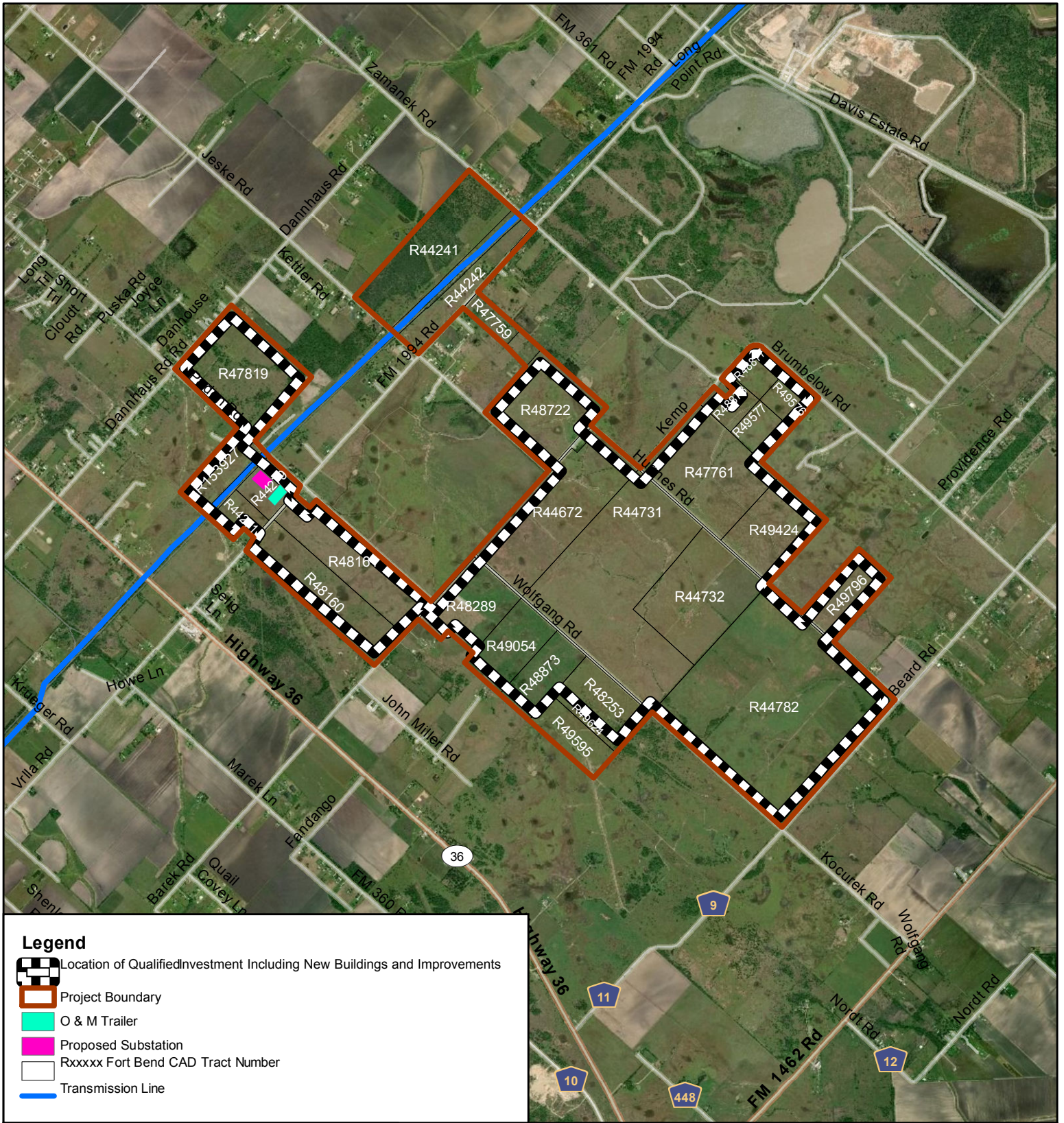
## SECTION 14: Wage and Employment Information

1. What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)? ..... 0
2. What is the last complete calendar quarter before application review start date:  
☐ First Quarter    ☐ Second Quarter    ☐ Third Quarter    ☒ Fourth Quarter of 2018  
(year)
3. What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the Texas Workforce Commission (TWC)? ..... 0
- Note:** For job definitions see TAC §9.1051 and Tax Code §313.021(3).
4. What is the number of new qualifying jobs you are committing to create? ..... 3
5. What is the number of new non-qualifying jobs you are estimating you will create? ..... 0
6. Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1)? ..... ☒ Yes    ☐ No
- 6a. If yes, attach evidence in **Tab 12** documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.
7. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the TWC website. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(21) and (22).
- a. Average weekly wage for all jobs (all industries) in the county is ..... 998
- b. 110% of the average weekly wage for manufacturing jobs in the county is ..... 1,698.13
- c. 110% of the average weekly wage for manufacturing jobs in the region is ..... 1,309.44
8. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? ..... ☐ §313.021(5)(A) or ☒ §313.021(5)(B)
9. What is the minimum required annual wage for each qualifying job based on the qualified property? ..... 68,090.88
10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? ..... 68,090.88
11. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? ..... ☒ Yes    ☐ No
12. Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.021(3)(F)? ..... ☐ Yes    ☒ No
- 12a. If yes, attach in **Tab 12** supporting documentation from the TWC, pursuant to §313.021(3)(F).
13. Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements? ..... ☐ Yes    ☒ No
- 13a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).







## SECTION 15: Economic Impact

1. Complete and attach Schedules A1, A2, B, C, and D in **Tab 14**. Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.
2. Attach an Economic Impact Analysis, if supplied by other than the Comptroller's Office, in **Tab 15**. (*not required*)
3. If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, attach a separate schedule showing the amount for each year affected, including an explanation, in **Tab 15**.





### Legend

-  Location of Qualified Investment Including New Buildings and Improvements
-  Project Boundary
-  O & M Trailer
-  Proposed Substation
-  Rxxxx Fort Bend CAD Tract Number
-  Transmission Line

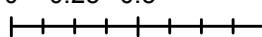
Source: ESRI StreetMap North America  
Datum: WGS 1984



AP Solar 2, LLC  
Fighting Jays Solar Project  
Location of Qualified Investment

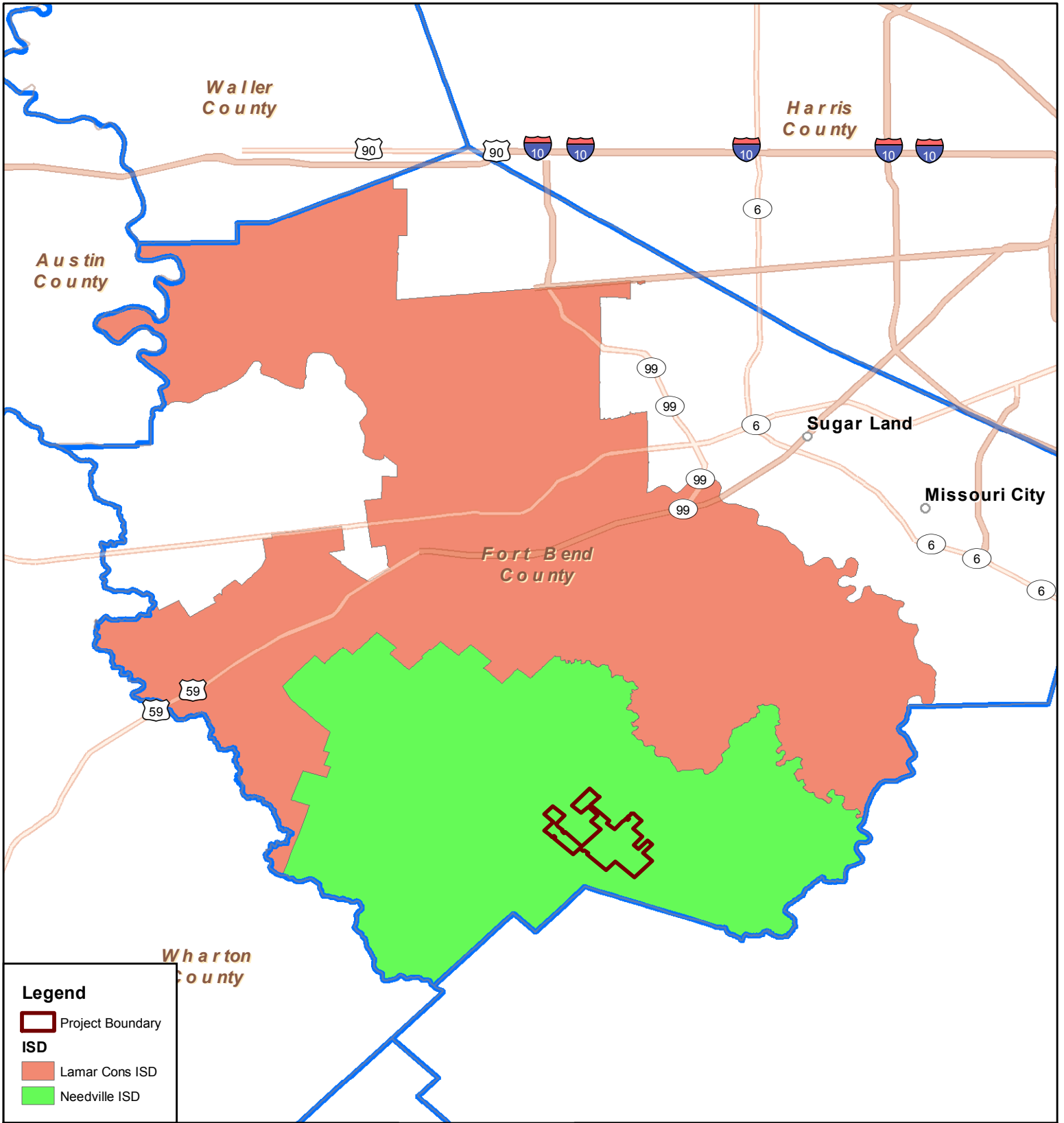




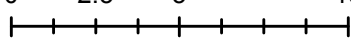
Location: 3788 +/- acres  
Fort Bend County, Texas

0 0.25 0.5 1 Miles  


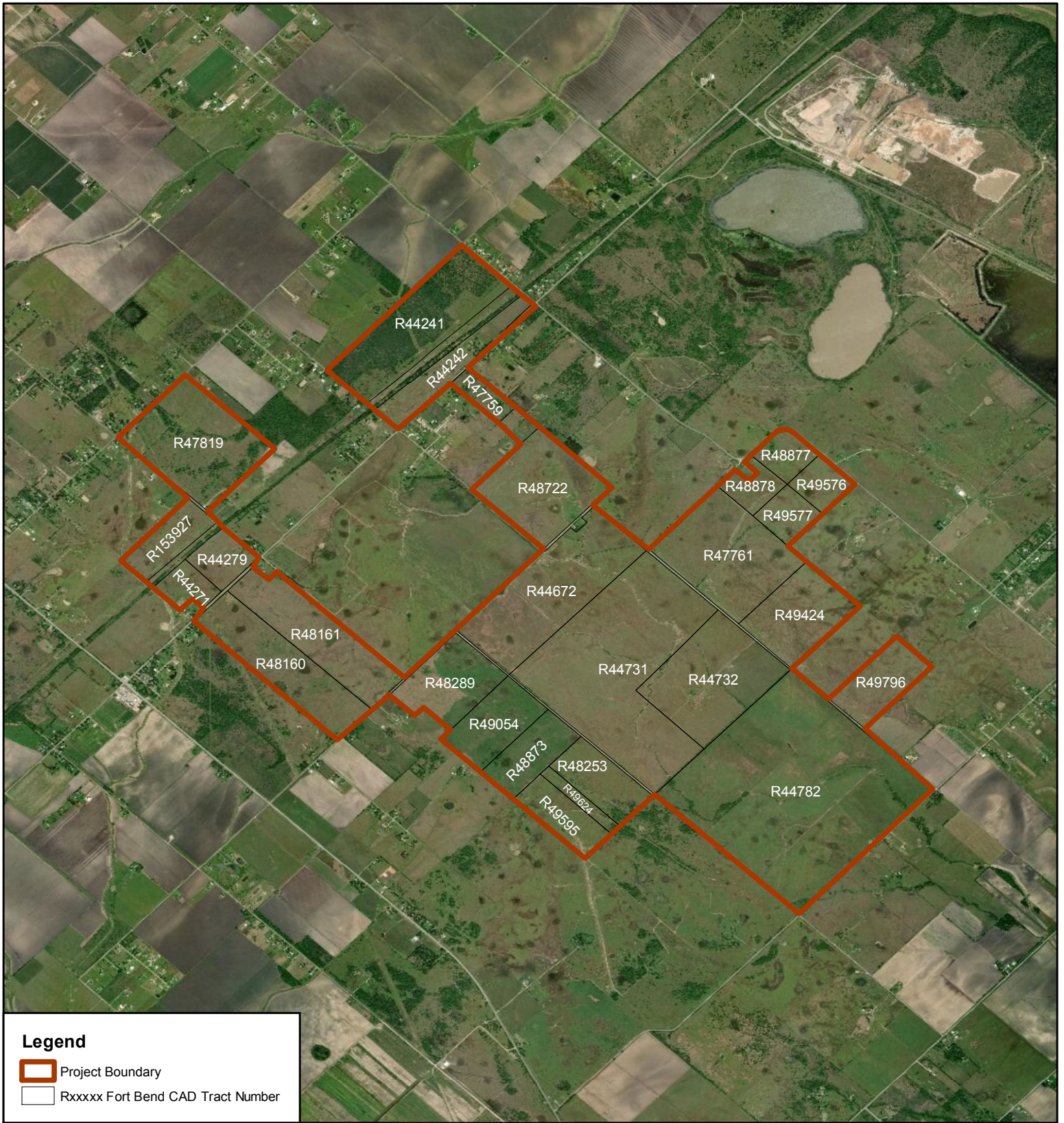
Date: 7/30/19 REV 1







<p>Source: ESRI StreetMap North America Datum: WGS 1984</p>	<p>N</p> 	<p>AP Solar 2, LLC Fighting Jays Solar Project Vicinity Map</p>
	<p>Location: Fort Bend County, Texas</p>	<p>0 2.5 5 10 Miles</p>  <p>Date: 7/30/19 REV 1</p>





**Legend**

-  Project Boundary
-  Rxxxxx Fort Bend CAD Tract Number

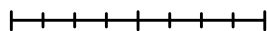
Source: ESRI StreetMap North America  
Datum: WGS 1984



AP Solar 2, LLC  
Fighting Jays Solar Project  
Reinvestment Zone



Location: 3788 +/- acres  
Fort Bend County, Texas

0 0.25 0.5 1 Miles  


Date: 7/30/19 REV 1

**Tab 7**  
**Description of Qualified Investment**

AP Solar is requesting an appraise value limitation on all of the property constructed or placed upon the real property described and shown in Tab 11 as the “Site” with the Needville Independent School District located in Fort Bend County. This includes but is not limited to the following the following improvements:

- PV modules;
- DC-to-AC inverter stations (inverters, medium-voltage transformers, associated electrical cabling and controls;
- Tracker racking system (mounting structures);
- Medium- and high-voltage electric cabling;
- Project substation (transformer, switchgear, transmission equipment, telecommunications, SCADA equipment);
- High-voltage transmission line connecting the project to the grid;
- Operations and Maintenance trailer; and
- Balance of plant and associated equipment (including DC cabling, communication and control cabling, conduit, combiner boxes and/or disconnect switches) to safely operate and maintain the facility and deliver electricity to the grid.

All of the improvements that make up the amount of the Qualified Investment will be new and will be made within the Project Investment Area depicted in Tab 11.

This application covers all qualified property/investment in the reinvestment zone and project boundary within Needville ISD.

**Tab 8**  
**Description of Qualified Property**

Included in Qualified Investment (Tab 7)

This application covers all qualified property/investment in the reinvestment zone and project boundary within Needville ISD.



Tab 13

## Calculation of Three Possible Wage Requirements with TWC Documentation

Average Weekly Wage (All Jobs, All Industries)

County: Fort Bend

Ownership: Total, all

Industry: Total, all industries

Year	Qtr	Average Weekly Wages
2018	1	1,048
2018	2	959
2018	3	952
2018	4	1,033
	<b>Average</b>	<b>998</b>

Source: <https://texaslmi.com/LMIbyCategory/QCEW>110% of Average Weekly Wage for Manufacturing Jobs

County: Fort Bend

Ownership: Private

Industry: Manufacturing

Year	Qtr	Average Weekly Wages
2018	1	1,677
2018	2	1,417
2018	3	1,447
2018	4	1,634
	<b>Average</b>	<b>1,543.75</b>
	<b>110% of Average</b>	<b>1,698.13</b>

Source: <https://texaslmi.com/LMIbyCategory/QCEW>

**110% of Average Weekly Wage for Manufacturing Jobs in Region**

Region: Gulf Coast Area Council of Governments

Average Hourly Wages \$29.76

Average Weekly Wages (40 hr/wk) \$1,190.40

110% of Average Weekly Rate \$1,309.44

**Minimum Required Annual Wage** $\$1,190.40/\text{wk} * 110\% * 52 \text{ wk/yr} = \$68,090.88$ Source: 2018 Manufacturing Average Wages by Council of Government Region; Wages for All Occupations (<https://texaslmi.com/LMIbyCategory/Wages>)**110% of Average Weekly Wage for Utility Construction Jobs**

County: Fort Bend

Ownership: Private

Industry: Construction: Utility Systems

Year	Qtr	Average Weekly Wages
2018	1	1,396
2018	2	1,342
2018	3	1,349
2018	4	1,407
	Average	1,373.50

Source: <https://texaslmi.com/LMIbyCategory/QCEW>**Average Annual Wage Rates for Construction Workers** $\$1,373.50 * 52 = \$71,422$

Year	Period	Area	Ownership	Industry Code	Industry	Level	Establishments	Firms	Average Employment	Average Weekly Wage
2018	01	Fort Bend	Total All	10	Total, All Industries	0	13,675	12,053	184,656	1,048
2018	02	Fort Bend	Total All	10	Total, All Industries	0	13,717	12,065	188,171	959
2018	03	Fort Bend	Total All	10	Total, All Industries	0	13,905	12,243	190,542	952
2018	04	Fort Bend	Total All	10	Total, All Industries	0	14,043	12,377	193,601	1,033

Year	Period	Area	Ownership	Industry Code	Industry	Level	Establishments	Firms	Average Employment	Average Weekly Wage
2018	01	Fort Bend	Private	31-33	Manufacturing	2	427	400	13,654	1,677
2018	02	Fort Bend	Private	31-33	Manufacturing	2	426	399	13,864	1,417
2018	03	Fort Bend	Private	31-33	Manufacturing	2	426	403	14,057	1,447
2018	04	Fort Bend	Private	31-33	Manufacturing	2	428	403	14,249	1,634



Area	SOC Code	Occupation Title	NAICS Code	Industry Title	Rate Type	No. Of Employed	Mean Wage
Gulf Coast	00-0000	Total, All Occupations	31-33	Manufacturing	Hourly	230,810	29.76

Year	Period	Area	Ownership	Industry Code	Industry	Level	Establishments	Firms	Average Employment	Average Weekly Wage
2018	01	Fort Bend	Private	2371	Utility System Construction	4	42	42	1,426	1,396
2018	02	Fort Bend	Private	2371	Utility System Construction	4	42	42	1,413	1,342
2018	03	Fort Bend	Private	2371	Utility System Construction	4	42	42	2,298	1,349
2018	04	Fort Bend	Private	2371	Utility System Construction	4	42	42	2,988	1,407

Schedule C: Employment Information

Date#####  
Applicant NameAP Solar 2, LLC - Fighting Jays Solar  
ISD NameNeedville ISD

Form 50-296A  
Revised May 2014

Construction				Non-Qualifying Jobs		Qualifying Jobs	
	Column A	Column B	Column C	Column D	Column E		
	Number of Construction FTE's or man-hours (specify)	Average annual wage rates for construction workers	Number of non-qualifying jobs applicant estimates it will create (cumulative)	Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Average annual wage of new qualifying jobs		
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY				
	0	2019-2020	2019	0	0		
Qualified Investment Period	1	2020-2021	2020	\$70,486	0		
	2	2021-2022	2021	N/A	0	68,090.88	
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2022-2023	2022	N/A	0	68,090.88	
	2	2023-2024	2023	N/A	0	68,090.88	
	3	2024-2025	2024	N/A	0	68,090.88	
	4	2025-2026	2025	N/A	0	68,090.88	
	5	2026-2027	2026	N/A	0	68,090.88	
	6	2027-2028	2027	N/A	0	68,090.88	
	7	2028-2029	2028	N/A	0	68,090.88	
	8	2029-2030	2029	N/A	0	68,090.88	
	9	2030-2031	2030	N/A	0	68,090.88	
	10	2031-2032	2031	N/A	0	68,090.88	
Years Following Value Limitation Period	11 through 25	2032-2047	2032-2046	N/A	0	68,090.88	

Notes: See TAC 9.1051 for definition of non-qualifying jobs.  
Only include jobs on the project site in this school district.

C1. Are the cumulative number of qualifying jobs listed in Column D less than the number of qualifying jobs required by statute? (25  
qualifying jobs in Subchapter B districts, 10 qualifying jobs in Subchapter C districts)  
If yes, answer the following two questions:

C1a. Will the applicant request a job waiver, as provided under 313.025(f-1)?

C1b. Will the applicant avail itself of the provision in 313.021(3)(F)?

Yes

No

Yes

No

Yes

No

**Tab 16**  
**Description of Reinvestment or Enterprise Zone**

a) **Evidence that area qualifies as an enterprise zone as defined by the Governor's Office - Not applicable**

b) **Legal description of the Reinvestment Zone**

<b>Tract Number</b>	<b>Legal Description</b>
R153927	0724 LINA BARTH, ACRES 40.00, SEC 110
R180987	0234 H AND TC RY, ACRES 6.00, ABANDONED RR ROW
R180988	0233 H AND TC RY, ACRES 14.001, Abandoned RR Row
R44240	0233 H AND TC RY, ACRES 24.60
R44241	0233 H AND TC RY, ACRES 239.069, LAND NORTH OF RAILROAD
R44242	0233 H AND TC RY, ACRES 43.331, LAND SOUTH OF RAILROAD
R44271	0234 H AND TC RY, ACRES 32.72, PT ON SOUTHSIDE HL&P ROW
R44276	0234 H AND TC RY, ACRES 12.04
R44279	0234 H AND TC RY, ACRES 45.0
R44672	0252 H AND TC RY, ACRES 236.00, SEC 103
R44731	0255 H AND TC RY, ACRES 440.00, SEC 109
R44732	0255 H AND TC RY, ACRES 200.00, SEC 109
R44782	0258 H AND TC RY, ACRES 640
R47759	0467 J M BENNETT, ACRES 26.75
R47761	0468 R V BOARD, ACRES 200.00
R47819	0471 J G GOTH, ACRES 200.00, SEC 58
R48160	0724 LINA BARTH, ACRES 40.00, SEC 110
R48161	0493 GEO WILLIFORD, ACRES 153.64, SEC 64
R48194	0497 J M BENNETT, ACRES 13.25
R48195	0497 J M BENNETT, ACRES 13.25
R48253	0724 LINA BARTH, ACRES 40.00, SEC 110
R48289	0528 J E SAMSON, ACRES 108, 104
R48722	0724 LINA BARTH, ACRES 40.00, SEC 110
R48873	0602 GEO WOLFGANG, ACRES 80, 108
R48878	0607 GUSTAV BARTH, ACRES 35.725, SEC 110
R49054	0640 H A WATSON, ACRES 79.89, 108
R49424	0693 ELLEN F BOARD, ACRES 120.00, SEC 110
R49576	0724 LINA BARTH, ACRES 40.00, SEC 110
R49577	0724 LINA BARTH, ACRES 40.00, SEC 110
R49595	0734 HENRY WASKOW, ACRES 60.00, SEC 108
R49624	0741 J WATSON, ACRES 20.00, SEC 108
R49796	0760 DAILY AND ROBINOWITZ, ACRES 80.00

c) **Order, Resolution or Ordinance Establishing the Reinvestment Zone** Reinvestment Zone established by Fort Bend County on May 28, 2019



- d) **Guidelines and Criteria for Creating the Zone** - Attached

## SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in **Tab 17**. **NOTE:** If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

## 1. Authorized School District Representative Signature

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

print  
here

Curtis W. Rhodes

Print Name (Authorized School District Representative)

Superintendent

Title

sign  
here

Curtis W Rhodes

Signature (Authorized School District Representative)

8/8/19

Date

## 2. Authorized Company Representative (Applicant) Signature and Notarization

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application and schedules is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print  
here

Christopher Elrod

Print Name (Authorized Company Representative (Applicant))

Manager

Title

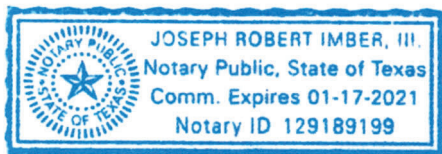
sign  
here

J. M. Elrod

Signature (Authorized Company Representative (Applicant))

07/30/19

Date



(Notary Seal)

GIVEN under my hand and seal of office this, the

day of

Notary Public in and for the State of Texas

My Commission expires: 1-17-2021

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.