



Economic Development & Local Government
Data Analysis & Transparency Division
Texas Comptroller of Public Accounts
111 East 17th Street, Room 427
Austin, Texas 78774
Attention: Ms. Tabita Collazo

May 20, 2022

Re: Amended Application #1793 to Ector County Independent School District from *1PointFive P1, LLC*

Dear Ms. Collazo:

On behalf of our client, *1PointFive P1, LLC* we would like to submit the following amendments to their Chapter 313 application (#1793) with Ector County Independent School District:

- Tab 1:
 - Section 10 – Please see backup documentation from Ector County ISD verifying the adopted M&O & I&S rate during the 2020-2021 school year.
 - Section 14, Q4. A – Wages updated from \$1,153.75 to \$1,184.50.
 - Section 14, Q4. B - Wages updated from \$1,617.00 to \$1,674.75.
 - Section 14, Q4.C – Wages updated from \$993.08 to \$993.07.
 - Section 14, Q6 & 7 – Wages updated from \$51,640.16 to \$51,639.50.
- Tab 6:
 - Map added showcasing location of Builds 1 – 6 and 1P5 DAC 1 (from App 1570) inside 1PointFive P1, LLC whole project area.
- Tab 11:
 - Map 1 - changed boundary labels from “Project Boundary” to “1PointFive P1, LLC whole project area”, “Project Build 5” to “Project Boundary (Build 5)” and removed “Project Area”.
 - Map 2 - changed boundary labels from “Project Boundary” to “1PointFive P1, LLC whole project area”, “Project Build 5” to “Project Boundary (Build 5)” and removed “Project Area”.
 - Map 3 – changed boundary label from “Approximate Location of Project Boundary” to “Approximate Location of 1PointFive P1, LLC whole project area”.
 - Map 4 - changed boundary labels from “Project Boundary” to “1PointFive P1, LLC whole project area”, “Project Build 5” to “Project Boundary (Build 5)” and added additional highway markers.

- Tab 13:
 - Average Weekly Wages for All jobs, All Industries in Ector County – updated to reflect Four Most Recent Quarters (Q1-Q4 2021).
 - Average Weekly Wages for Manufacturing jobs in Ector County – updated to reflect Four Most Recent Quarters (Q1-Q4 2021).
 - Council of Regional Governments – Permian Basin Region 110% of average weekly wages updated from \$993.08 to \$993.07.
- Tab 14:
 - Schedule C, Column E, wage commitments for new qualifying jobs changed from \$51,640.16 to \$51,639.50.
- Tab 16:
 - Map - changed boundary label from “Approximate Location of Proposed Project Boundary” to “Approximate Location of 1PointFive P1, LLC whole project area”.
- Tab 17:
 - Updated signature page

If you have any questions, please don't hesitate to reach me at (512) 671-5507.

Sincerely,

Doug Heinz

Doug Heinz
Manager, Site Selection & Incentives Advisory

iv. 8-10(5)

NOTICE OF PUBLIC MEETING TO DISCUSS BUDGET AND PROPOSED TAX RATE

The Ector County Independent School District will hold a public

meeting at 6:00PM, June 18, 2020 in ECISD Board Room, 802 N. Sam Houston

Odessa, TX

The purpose of this meeting is to discuss the school district's budget that will determine the tax rate that will be adopted. Public participation in the discussion is invited.

The tax rate that is ultimately adopted at this meeting or at a separate meeting at a later date may not exceed the proposed rate shown below unless the district publishes a revised notice containing the same information and comparisons set out below and holds another public meeting to discuss the revised notice.

Maintenance Tax \$ 1.0547 /\$100 (Proposed rate for maintenance and operations)

School Debt Service Tax
Approved by Local Voters \$.12322 /\$100 (proposed rate to pay bonded indebtedness)

Comparison of Proposed Budget with Last Year's Budget

The applicable percentage increase or decrease (or difference) in the amount budgeted in the preceding fiscal year and the amount budgeted for the fiscal year that begins during the current tax year is indicated for each of the following expenditure categories:

Maintenance and operations	<u>2.7</u>	% increase	or	<u></u>	% (decrease)
Debt service	<u>0</u>	% increase	or	<u></u>	% (decrease)
Total expenditures	<u>2.5</u>	% increase	or	<u></u>	% (decrease)

Total Appraised Value and Total Taxable Value (as calculated under Tax Code Section 26.04)

	Preceding Tax Year	Current Tax Year
Total appraised value* of all property	\$ <u>19,206,363,467</u>	\$ <u>19,610,181,258</u>
Total appraised value* of new property**	\$ <u>380,946,116</u>	\$ <u>266,884,770</u>
Total taxable value*** of all property	\$ <u>15,070,399,797</u>	\$ <u>15,528,011,062</u>
Total taxable value*** of new property**	\$ <u>310,919,079</u>	\$ <u>241,979,035</u>

* "Appraised value" is the amount shown on the appraisal roll and defined by Tax Code Section 1.04(8).

** "New property" is defined by Tax Code Section 26.012(17).

*** "Taxable value" is defined by Tax Code Section 1.04(10).

Bonded Indebtedness

Total amount of outstanding and unpaid bonded indebtedness* \$ 180,495,000

* Outstanding principal.

Property Tax

Based on
estimated
property
values at
4/30/20

Published in
Newspaper
on 6/5/20

50-280 (Rev. 8-10/5) (Back)

Comparison of Proposed Rates with Last Year's Rates

	Maintenance & Operations	Interest & Sinking Fund*	Total	Local Revenue Per Student	State Revenue Per Student
Last Year's Rate	\$ <u>1.068350</u>	\$ <u>0.109570</u> *	\$ <u>1.177920</u>	\$ <u>5,637</u>	\$ <u>3,882</u>
Rate to Maintain Same Level of Maintenance & Operations Revenue & Pay Debt Service	\$ <u>1.02483</u>	\$ <u>.08542</u> *	\$ <u>1.11026</u>	\$ <u>5,650</u>	\$ <u>3,794</u>
Proposed Rate	\$ <u>1.05470</u>	\$ <u>0.12322</u> *	\$ <u>1.177920</u>	\$ <u>5,669</u>	\$ <u>4,097</u>

* The Interest & Sinking Fund tax revenue is used to pay for bonded indebtedness on construction, equipment, or both. The bonds, and the tax rate necessary to pay those bonds, were approved by the voters of this district.

Comparison of Proposed Levy with Last Year's Levy on Average Residence

	Last Year	This Year
Average Market Value of Residences	\$ <u>192,733</u>	\$ <u>211,183</u>
Average Taxable Value of Residences	\$ <u>126,010</u>	\$ <u>142,549</u>
Last Year's Rate Versus Proposed Rate per \$100 Value	\$ <u>1.177920</u>	\$ <u>1.177920</u>
Taxes Due on Average Residence	\$ <u>1,484.30</u>	\$ <u>1,679.11</u>
Increase (Decrease) in Taxes		\$ <u>194.81</u>

Under state law, the dollar amount of school taxes imposed on the residence homestead of a person 65 years of age or older or of the surviving spouse of such a person, if the surviving spouse was 55 years of age or older when the person died, may not be increased above the amount paid in the first year after the person turned 65, regardless of changes in tax rate or property value.

Notice of Voter-Approval Rate: The highest tax rate the district can adopt before requiring voter approval at an election is 1.17792. This election will be automatically held if the district adopts a rate in excess of the voter-approval rate of 1.17792.

Fund Balances

The following estimated balances will remain at the end of the current fiscal year and are not encumbered with or by a corresponding debt obligation, less estimated funds necessary for operating the district before receipt of the first state aid payment:

Maintenance and Operations Fund Balance(s)	\$ <u>82,150,000</u>
Interest & Sinking Fund Balance(s)	\$ <u>15,000,000</u>

A school district may not increase the district's maintenance and operations tax rate to create a surplus in maintenance and operations tax revenue for the purpose of paying the district's debt service.

Property Tax Rates

\$1.17792

\$1.17792

	2019/2020	2020/2021	Change
M&O Maintenance & Operations General Fund 199	\$1.068350	\$1.05470	(.01365)
I&S Interest & Sinking Debt Service Fund 599	\$.10957	\$.12322	.01365
Net change			\$0
Gross Revenue per Penny of Tax	\$1,507,040	\$1,478,008	(2%)

Byrd, Gerald

From: Tabita Collazo <Tabita.Collazo@cpa.texas.gov>
Sent: Thursday, May 12, 2022 10:36 AM
To: Byrd, Gerald
Cc: Heinz, Doug
Subject: [EXTERNAL] RE: App 1789-Ector County ISD- 1 Pointfive P1, LLC (Build 1 of 6)- Information Required

Yes, this is sufficient

From: Byrd, Gerald <Gerald.Byrd@kroll.com>
Sent: Thursday, May 12, 2022 10:25 AM
To: Tabita Collazo <Tabita.Collazo@cpa.texas.gov>
Cc: Heinz, Doug <Doug.Heinz@kroll.com>
Subject: RE: App 1789-Ector County ISD- 1 Pointfive P1, LLC (Build 1 of 6)- Information Required

CAUTION: This email originated from outside of the Texas Comptroller's email system.
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Hi Tabita,

Thanks again for the feedback on some of the below amendment items a minute ago!

For item 1 (M&O & I&S documentation) below, is the attached tax budget policy pulled directly from the Ector County ISD website ([link](#)) sufficient proof? Page 13 outlines the adopted M&O & I&S rates.

Kind Regards,

Gerald Byrd

Senior Associate, Site Selection and Incentives Advisory

T +1 512 671 5511 | M +1 936 827 2900

From: Tabita Collazo <Tabita.Collazo@cpa.texas.gov>
Sent: Wednesday, May 11, 2022 1:42 PM
To: Peggine Huntley <Peggine.Huntley@uwlaw.com>; Fred Stormer <Fred.Stormer@uwlaw.com>; James Wester <James.Wester@uwlaw.com>
Cc: derek_willis@oxy.com; [Josh Barvin@oxy.com](mailto:Josh_Barvin@oxy.com); Lateur, Michael <Michael.Lateur@kroll.com>
Subject: [EXTERNAL] App 1789-Ector County ISD- 1 Pointfive P1, LLC (Build 1 of 6)- Information Required

Good afternoon,

In reviewing Application 1789, I have noted the following items that will require revision or further clarification. Please be advised I will not be able to issue a completeness letter until all the following items are resolved and App 1570 amendment after execution 1 is executed. I sent an email about the project boundary issue associated with 1570 earlier today.

1. Section 10. Provide documentation of M&O and I&S as it differs from ours

2. Section 14 Q4c. Will need to updated to $993.07 \times 46945 \times 1.1 = 993.067$ rounds to 993.07, therefore Q6 “minimum wage required” is 51639.5. Update Tab 13
3. Tab 6. Provide a map showing Build 1-6 and 1P5 DAC 1 (from App 1570) inside 1 Pointfive P1, LLC project area.
4. Tab 11 maps. Because the project boundary pertains to each individual application, rename “project boundary” to “1 Pointfive P1, LLC whole project area” and “project build 1” to “project boundary (build 1)”
 - a. In the close up map of the project boundary provide landmarks like roads or highways for precise location.

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

Tabita Collazo
Research Analyst
Economic Development & Local Government
Data Analysis & Transparency Division
Texas Comptroller of Public Accounts
111 East 17th Street, Room 427
Austin, Texas 78774
Phone: (512) 475-5626
tabita.collazo@cpa.texas.gov

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Texas Comptroller of Public Accounts

Data Analysis and
Transparency
Form 50-296-A

SECTION 14: Wage and Employment Information

1. What is the number of new qualifying jobs you are committing to create? 25
2. What is the number of new non-qualifying jobs you are estimating you will create? (See TAC 9.1051(14)) 0
3. 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
- 3a. If yes, attach evidence of industry standard 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.
4. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the Texas Workforce Commission 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 available at the time of the application review start date (date of a completed application). See TAC §9.1051(21) and (22). **Note:** If a more recent quarter of information becomes available before the application is deemed complete, updated wage information will be required.
- a. Non-qualified job wages
- average weekly wage for all jobs (all industries) in the county is \$ 1,184.50
- b. Qualifying job wage minimum option §313.021(5)(A)
-110% of the average weekly wage for manufacturing jobs in the county is \$ 1,674.75
- c. Qualifying job wage minimum option §313.021(5)(B)
-110% of the average weekly wage for manufacturing jobs in the region is \$ 993.07
5. 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)
6. What is the minimum required annual wage for each qualifying job based on the qualified property? \$ 51,639.50
7. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? \$ 51,639.50
8. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? ☒ Yes ☐ No
9. 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
- 9a. If yes, attach in **Tab 13** supporting documentation from the TWC, pursuant to §313.021(3)(F).
10. 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
- 10a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

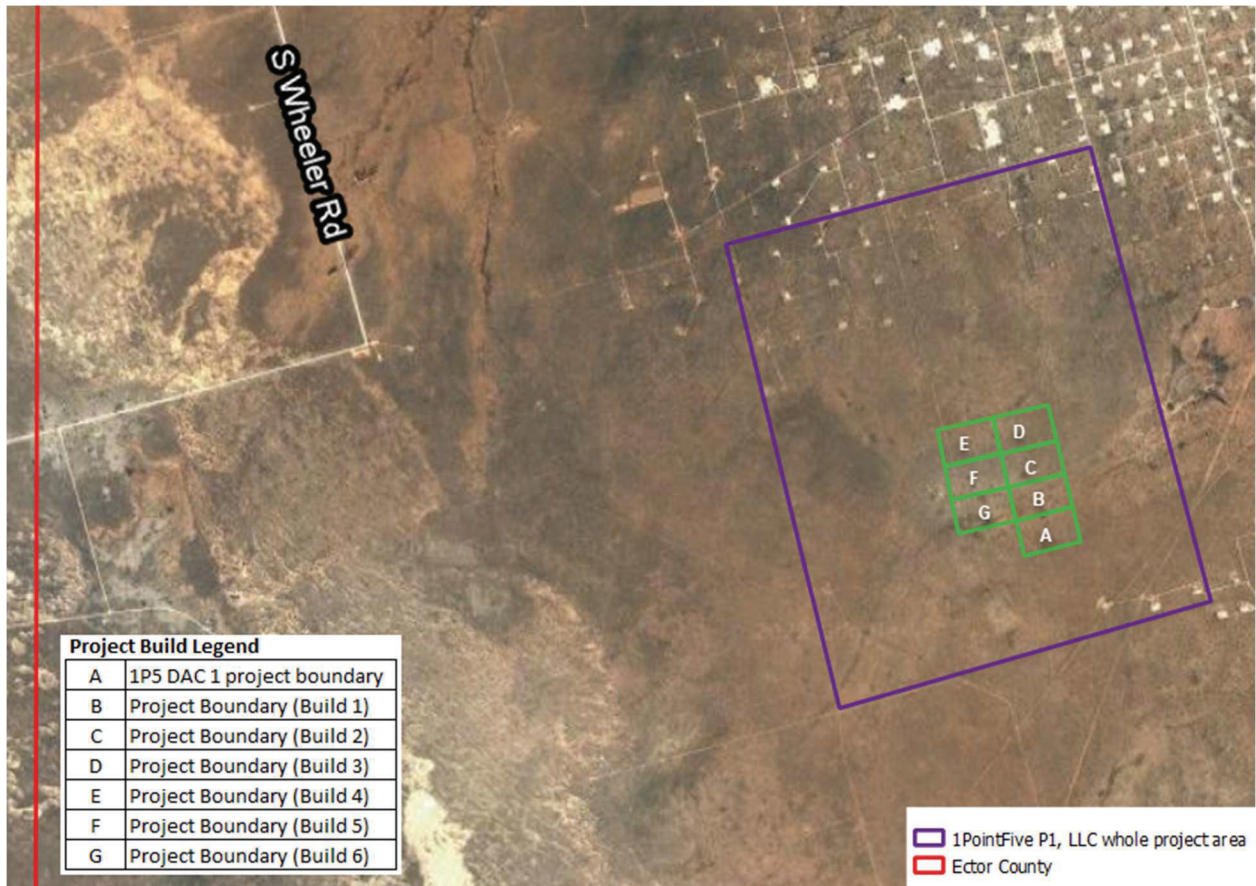
SECTION 15: Economic Impact

1. Complete and attach Schedules A1, A2, B, and C 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 an entity 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**.

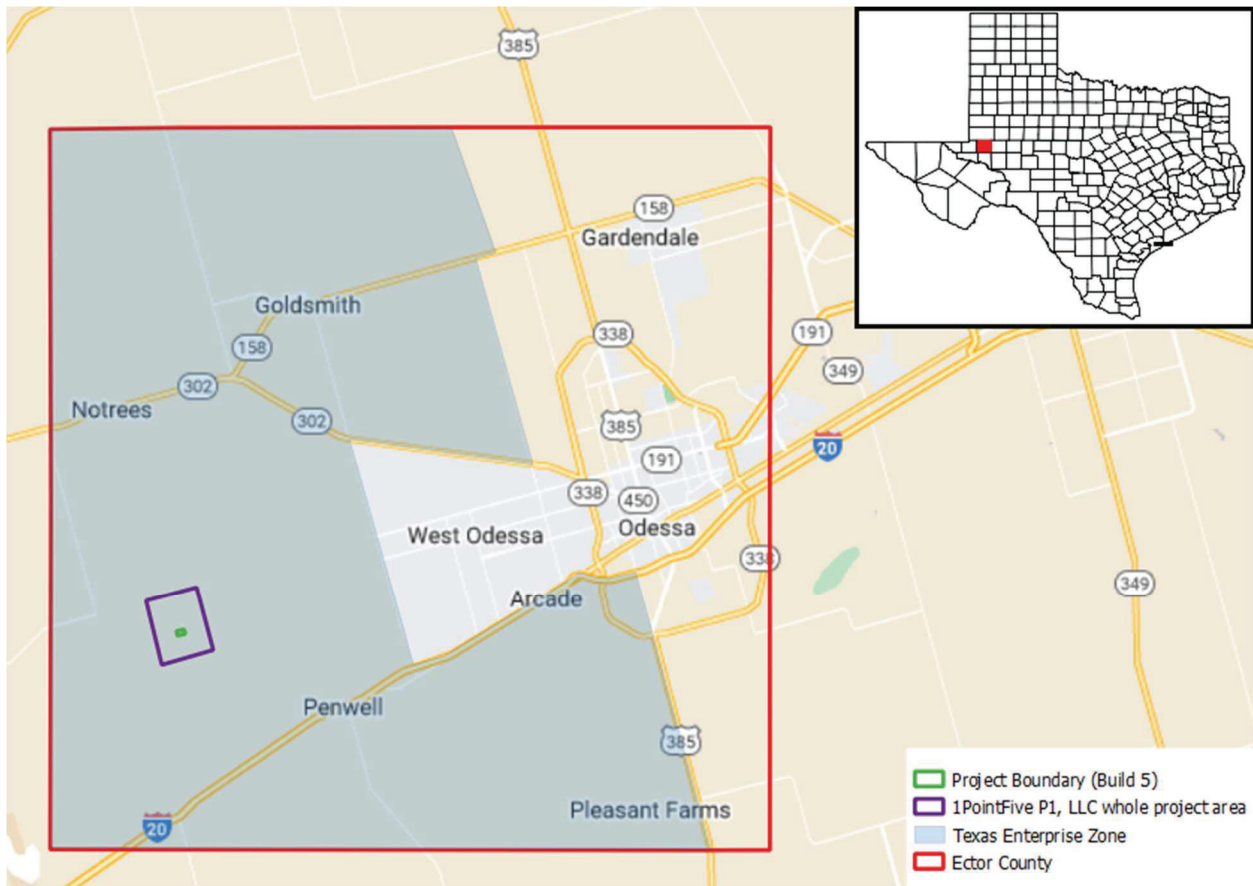
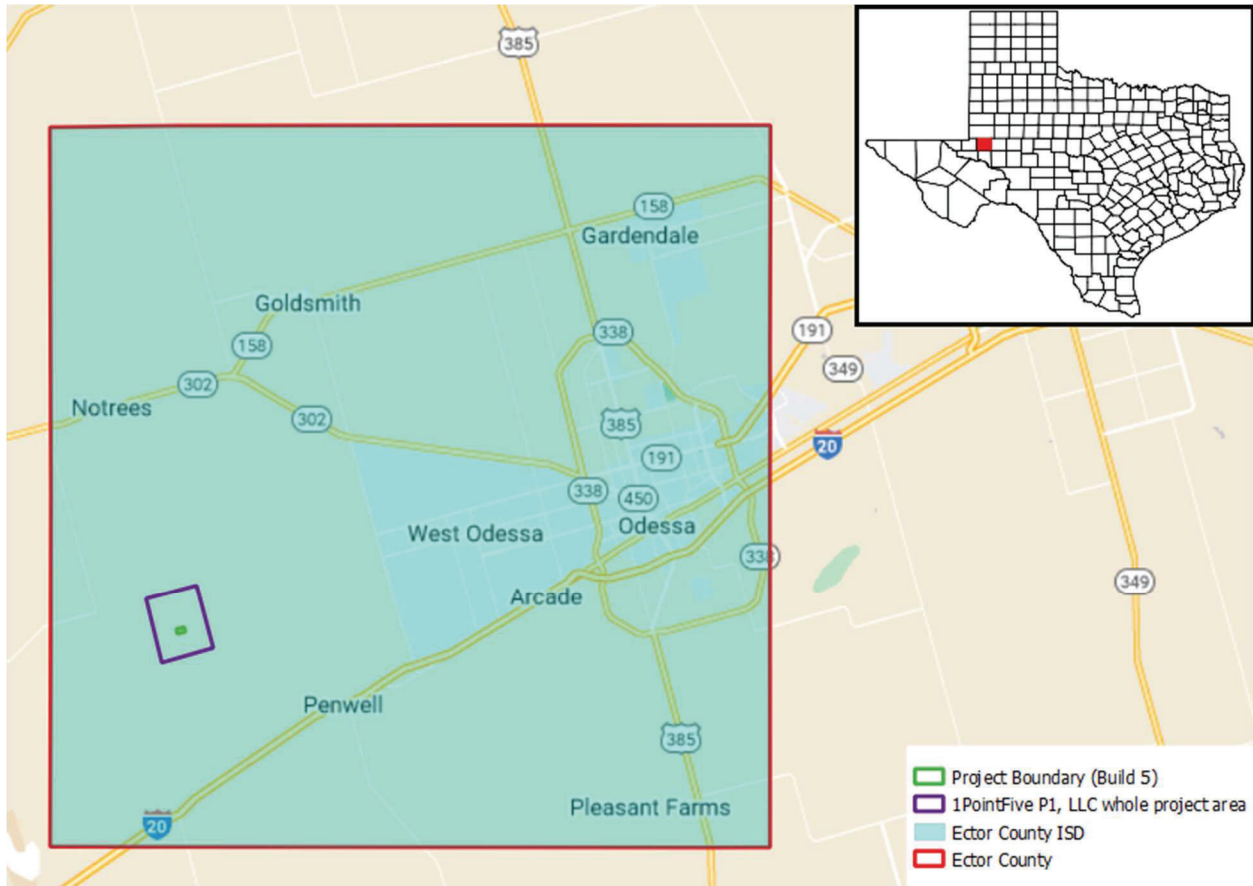
Tab 6

Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor *(if applicable)*

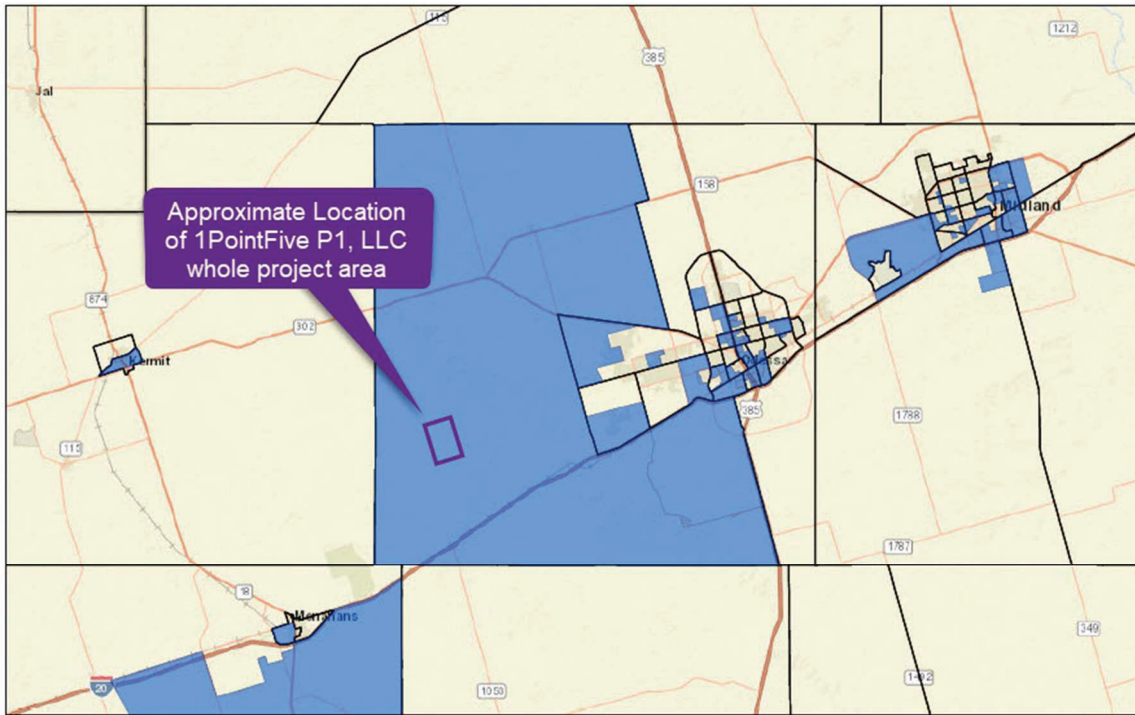
As requested, the map below showcases all builds in the 1PointFive P1, LLC whole project area that represent Application 1570 and Applications 1789-1794.



*Please note the land within the project area is ranch land without identifiable roadways. The lines passing through the project area are dirt and gravel pathways. In the interest of providing landmarks/identifiers, we have included the Ector County West Boundary and S. Wheeler Road to help locate the project.

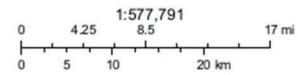


ArcGIS Web Map

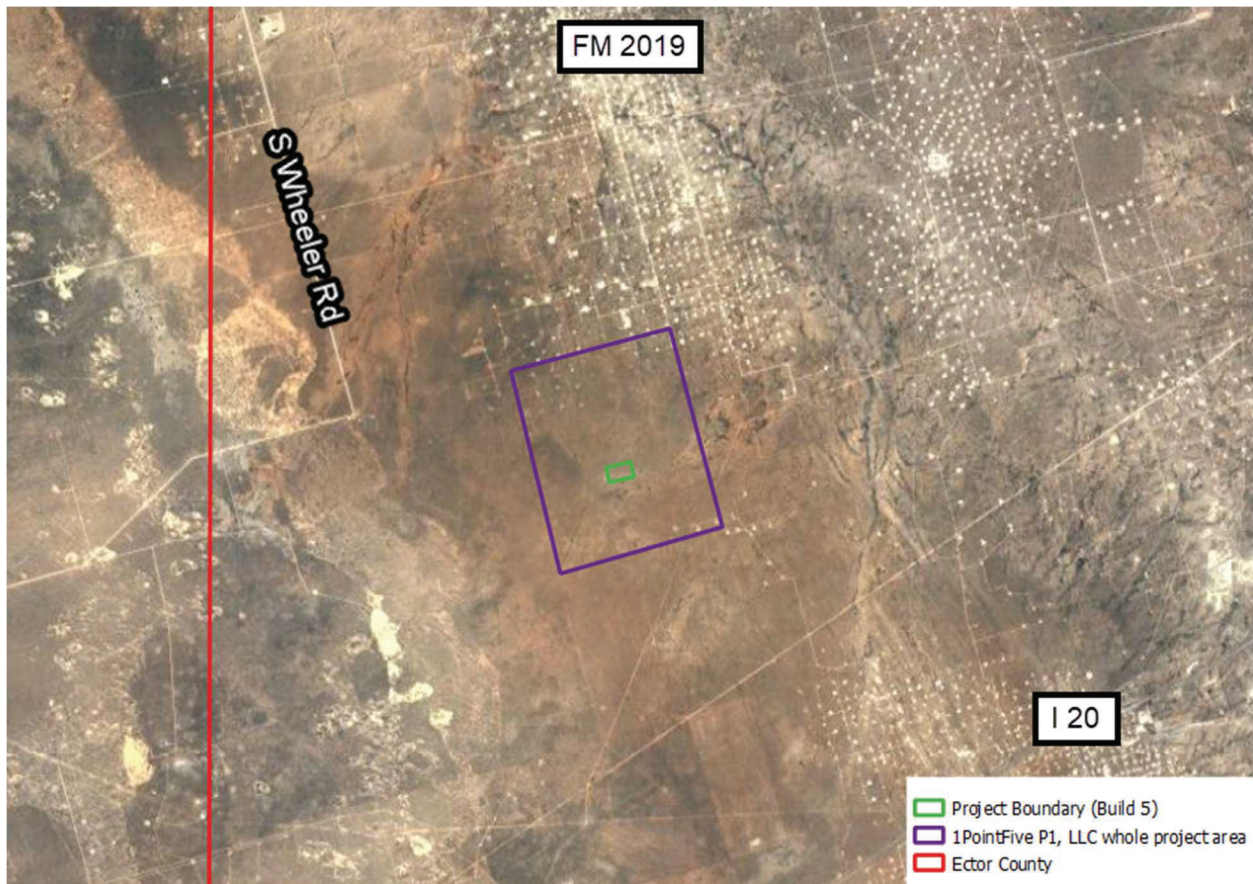


3/31/2022, 9:27:58 AM

- Texas Enterprise Zone - Block Groups Based on Poverty Level
- Texas Census Tracts



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), WebAppBuilder for ArcGIS
Esri, HERE, Garmin, NGA, USGS, NPS |



Tab 13

**Calculation of non-qualifying wage target and two possible qualifying job wage requirements with
TWC documentation**

Average Weekly Wages for All jobs, All Industries in Ector County (Four Most Recent Quarters)

County	Year	Quarter	Ownership	Avg. Weekly Wage
Ector County	2021	1	Total All	1,094
Ector County	2021	2	Total All	1,154
Ector County	2021	3	Total All	1,184
Ector County	2021	4	Total All	1,306
Sum Last 4 Quarters				\$ 4,738
Average Weekly Wage				\$ 1,184.50

Average Weekly Wages for Manufacturing Jobs in Ector County (Four Most Recent Quarters)

County	Year	Quarter	Ownership	Avg. Weekly Wage
Ector County	2021	1	Total All	\$ 1,425
Ector County	2021	2	Total All	\$ 1,484
Ector County	2021	3	Total All	\$ 1,457
Ector County	2021	4	Total All	\$ 1,724
Sum Last 4 Quarters				\$ 6,090
Average Weekly Wage				\$ 1,522.50
110% Average Weekly Wage				\$ 1,674.75

Average Weekly Wages for Manufacturing Jobs in Council of Government Region (Most Recent Year)

COG Region	Year	Hourly	Annual	Avg. Weekly Wage
Permian Basin	2020	\$ 22.57	\$ 46,945	\$ 902.80
110 % Average Weekly Wage				\$ 993.07

*Backup documentation provided in following pages

Year	Period	Area	Ownership	Industry	Average Weekly Wage
2021	01	Ector	Total All	Total, All Industries	1,094
2021	02	Ector	Total All	Total, All Industries	1,154
2021	03	Ector	Total All	Total, All Industries	1,184
2021	04	Ector	Total All	Total, All Industries	1,306

Year	Period	Area	Ownership	Industry	Average Weekly Wage
2021	01	Ector	Private	Manufacturing	1,425
2021	02	Ector	Private	Manufacturing	1,484
2021	03	Ector	Private	Manufacturing	1,457
2021	04	Ector	Private	Manufacturing	1,724

Schedule C: Employment Information

Date

5/13/2022

Applicant Name

1PointFive P1, LLC

Form 50-296A

ISD Name

Ector County ISD

Revised October 2020

				Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Number of Construction FTE's	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)	Annual wage of new qualifying jobs
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2022-2023	2022	0	\$0	0	0	\$0
	0	2023-2024	2023	0	\$0	0	0	\$0
	0	2024-2025	2024	0	\$0	0	0	\$0
	0	2025-2026	2025	0	\$0	0	0	\$0
	0	2026-2027	2026	0	\$0	0	0	\$0
	0	2027-2028	2027	0	\$0	0	0	\$0
	QTP 1	2028-2029	2028	0	\$0	0	0	\$0
	QTP 2	2029-2030	2029	12,500	\$50,000	0	0	\$0
	Deferral Year 1	2030-2031	2030	12,500	\$50,000	0	0	\$0
	Deferral Year 2	2031-2032	2031	12,500	\$50,000	0	0	\$0
	Deferral Year 3	2032-2033	2032	12,500	\$50,000	0	0	\$0
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2033-2034	2033	0	\$0	0	25	\$51,639.50
	2	2034-2035	2034	0	\$0	0	25	\$51,639.50
	3	2035-2036	2035	0	\$0	0	25	\$51,639.50
	4	2036-2037	2036	0	\$0	0	25	\$51,639.50
	5	2037-2038	2037	0	\$0	0	25	\$51,639.50
	6	2038-2039	2038	0	\$0	0	25	\$51,639.50
	7	2039-2040	2039	0	\$0	0	25	\$51,639.50
	8	2040-2041	2040	0	\$0	0	25	\$51,639.50
	9	2041-2042	2041	0	\$0	0	25	\$51,639.50
	10	2042-2043	2042	0	\$0	0	25	\$51,639.50
Years Following Value Limitation Period	11 through 25	2043-2058	2057	0	\$0	0	25	\$51,639.50

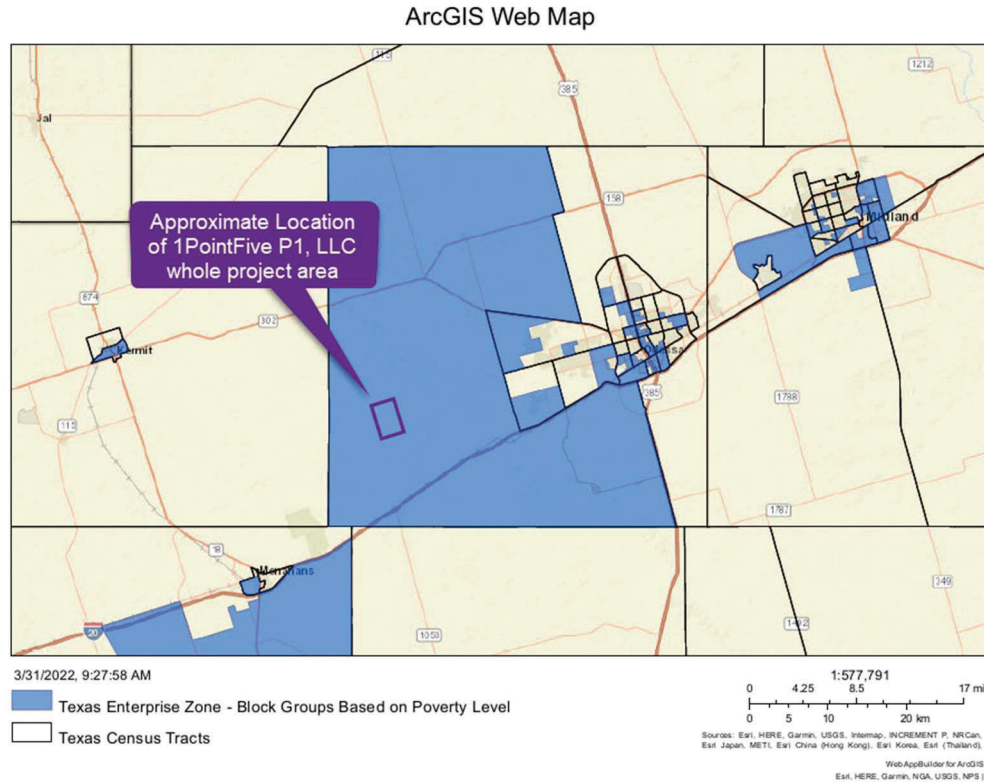
Notes: See TAC 9.1051 for definition of non-qualifying jobs.
Only include jobs on the project site in this school district.

Tab 16

Description of Reinvestment or Enterprise Zone, including:

a) evidence that the area qualifies as an enterprise zone as defined by the Governor's Office

The area qualifies as an enterprise zone as defined by the Governor's Office because it is in a block group within the State of Texas that has a poverty rate of 20 percent or more.



b) legal description of reinvestment zone

Not applicable

c) order, resolution or ordinance establishing the reinvestment zone

Not applicable

d) guidelines and criteria for creating the zone

Not applicable

Texas Comptroller of Public Accounts

Data Analysis and
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Form 50-296-A

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.

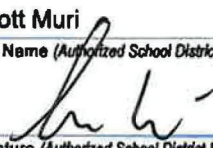
print
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Scott Muri

Print Name (Authorized School District Representative)

Superintendent

Title

sign
here


Signature (Authorized School District Representative)

Date

5-17-22

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

Derek Willis

Print Name (Authorized Company Representative (Applicant))

Vice President and Secretary

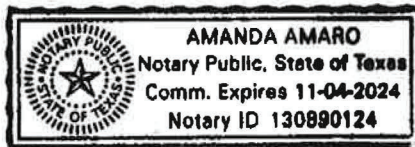
Title

sign
here


Signature (Authorized Company Representative (Applicant))

Date

5/16/22



(Notary Seal)

GIVEN under my hand and seal of office this, the

16 day of May, 2022



Notary Public in and for the State of Texas

My Commission expires:

11-04-2024

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.