



Special Meeting (Closed Session) - December 19, 2022, Minutes

Monday, December 19, 2022, at 8:00 a.m.

Simpson Education Support Center Board Room

1. Call to Order

Lori Carnes

Hal Biery

Melba Anderson

Nakisha Paul

Mable Pratt

Mike Matranga

Also Present

Dr. Duarte

2. First Order of Business

- 2.1 **Announcement by the President whether a quorum is present, that the meeting has been duly called, and a notice of the meeting has been posted for the time and manner required by law**

Melba Anderson, Board President, called the meeting to order at 8:00 a.m. Ms. Anderson announced that a quorum was present, that the meeting had been duly called, and notice of the meeting had been posted in the time and manner required by law.

3. Closed Meeting

Closed meeting will be held for the purposes authorized by the Texas Open Meetings Act, Texas Government Code Section 551.071-551.084 et seq. concerning any and all purposes permitted by the Act, including but not

limited to the following sections and purposes: Texas Government Code Sections:

A motion was made to convene into a closed meeting under Texas Government Code Sections 551.071 through 551.084. The Board of Trustees entered a closed session at 8:00 a.m.

Moved by: Nakisha Paul

Seconded by: Hal Biery

The motion carried 5/0.

- 3.1 **551.071** For the purpose of a private consultation with the Board's attorney on all subjects or matter authorized by law
1. When the governmental body seeks the advice of its attorney about:
 - a. Pending or contemplated litigation or
 - b. A settlement offer; or
 2. On a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter
 3. Consider legal advice regarding the purchase and sale agreement for the purchase of land-related action items.
 4. Consider legal advice regarding personnel issues.
 5. Consider legal advice regarding any item listed on the agenda
 6. Update and consultation with attorneys (Texas City I.S.D. v. Texas Windstorm Insurance Association).
- 3.2 **551.072 For the purpose of discussing the purchase, exchange, lease, or value of real property**
1. Review purchase and sale agreement for the purchase of land
- 3.3 **551.073 For the purpose of discussing negotiated contracts for prospective gifts or donations**

- 3.4 **551.074 For the purpose of considering the appointment, employment, resignation, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee**
 - 1. Consider hiring professional and nonprofessional personnel
 - 2. Consider renewals, non-renewals, and terminations of contracts for professional and nonprofessional personnel
- 3.5 **551.076 For the purpose of considering the deployment, specific occasions for, or**
implementation of, security personnel or devices
- 3.6 **551.082 For the purpose of considering discipline of a public school child, or complaint or**
charge against personnel
- 3.7 **551.0821 For the purpose of considering a matter regarding a public school student were**
personally identifiable information about the student will necessarily be revealed by the deliberation
- 3.8 **551.083 For the purpose of considering the students, guidelines, terms, or conditions the Board will follow or will instruct its representatives to follow in consultation with a representative of employee groups**
- 3.9 **551.084 Excluding witness for a hearing**

4. Reconvene from Closed Meeting

Trustees reconvened at 8:18 a.m.

5. Consider Action on Items Discussed in Closed Session

5.1 Consider Board Approval of Professional Personnel Recommendation and Related Actions

No action was taken at this time.

5.2 **Consider Board Approval of Renewal, Non-Renewal, and Terminations of Contracts for Professional Personnel and Related Actions**

No action was taken at this time.

5.3 **Discussion and Possible Action on Settlement Offers From Texas Windstorm Insurance Association**

Melba Anderson, Board President, entertained a motion to accept the possible action on settlement offers from Texas Windstorm Insurance Association.

Moved by: Mable Pratt

Seconded by: Mike Matranga

The motion carried 6/0.

6. Public Hearings

The Public Hearing began at 8:20 a.m. and closed at 8:30 a.m.

Kevin O'Hanlen, Moak Casey, spoke regarding two reinvestment zones Air Products Reinvestment Zone and Double C Reinvestment Zone. He explained that it affects the District's Tax Base. The Reinvestment Zone permits a school district to designate a reinvestment zone 312.0025 under the Texas Tax Code if that designation is likely to contribute to the expansion of primary employment in the reinvestment zone or attract major investment in the reinvestment zone that would be a benefit to the property and the school district and contribute to the economic development of the region of this state in which the school district is located. When a School District creates one, it can only use it to enter into a 313 agreement.

A recommendation was made to approve both Items 6.1 Air Products and 6.2 Blue Bayou Ammonia, L.L. C. listed below.

6.1 **Public Hearing on the Air Products Reinvestment Zone No. 1 and the Double C Reinvestment Zone No. 1**

6.2 **Public Hearing on the Application of Air Products L.L.C. (2006); Blue Bayou Ammonia, L.L.C. (2007); Blue Bayou Ammonia, L.L.C. (2039); Blue Bayou Ammonia, L.L.C. (2066) and Blue Bayou Ammonia, L.L.C. (2067) for an**

**Appraised Value Limitation on Qualified Property,
pursuant to Chapter 313 of the Texas Property Tax Code.**

7. Public Forum

There was no Public Forum at this time.

8. Information Items

8.1 Acknowledgment of Conflict of Interest Policy in Connection with the Application for Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes from Air Products L.L.C., Comptroller Application #2006.

Dr. Duarte, Superintendent, explained that information Items (8.1 and 8.2) reiterate that we have a conflict of interest policy in connection with the Air Products Application and the Blue Bayou Ammonia Application. The Board has signed the form and is ensuring that no changes or adjustments need to be made.

8.2 Acknowledgment of Conflict of Interest Policy in Connection with the Application for Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes from Blue Bayou Ammonia L.L.C., Comptroller Application #2007, 2039, 2066, and 2067.

9. Action Items

9.1 Approve resolution creating the Air Products Reinvestment Zone No. 1 and the Double C Reinvestment Zone No. 1

[Texas City I.S.D. Reinvestment Zone Air Products Reinvestment Zone No. 1.pdf](#) 

A motion was made to approve resolution agreement between Air Products Reinvestment Zone No. 1 and the Double C Reinvestment Zone No. 1.

Moved by: Nakisha Paul

Seconded by: Mable Pratt

The motion carried 6/0.

- 9.2 **Consider and adopt Findings under the Texas Economic Development Act on the Applications of Air Products L.L.C. (2006); Blue Bayou Ammonia, L.L.C. (2007); Blue Bayou Ammonia, L.L.C. (2039); Blue Bayou Ammonia, L.L.C. (2066) and Blue Bayou Ammonia, L.L.C. (2067), for an Appraised Value Limitation on Qualified Property for School District Maintenance and Operations Taxes**

[Air Products Financial Impact.pdf](#) 

[Blue Bayou Financial Impact - 4 Projects.pdf](#) 

A motion was made to adopt Findings under the Texas Economic Development Act on the Applications of Air Products L.L.C. (2006); Blue Bayou Ammonia, L.L.C. (2007); Blue Bayou Ammonia, L.L.C. (2039); Blue Bayou Ammonia, L.L.C. (2066) and Blue Bayou Ammonia, L.L.C. (2067), for an Appraised Value Limitation on Qualified Property for School District Maintenance and Operations Taxes.

Moved by: Mike Matranga

Seconded by: Nakisha Paul

The motion carried 6/0.

- 9.3 **Discussion and possible Board action to consider the waiver of job creation requirement requested by Air Products L.L.C. (2006).**

[2006-Job Waiver Letter.pdf](#) 

A motion was made to approve the waiver of the job creation requirement requested by Air Products L.L.C. (2006).

Moved by: Nakisha Paul

Seconded by: Lori Carnes

The motion carried 6/0.

9.4 **Consider and approve Agreements with Air Products L.L.C. (2006); Blue Bayou Ammonia, L.L.C. (2007); Blue Bayou Ammonia, L.L.C. (2039); Blue Bayou Ammonia, L.L.C. (2066) and Blue Bayou Ammonia, L.L.C. (2067)**

[2006-Texas City-Air Products-Final.pdf](#) 

[Texas City I.S.D. No. 2007, Blue Bayou Ammonia,](#)

[L.L.C.Final.pdf](#) 

[Texas City I.S.D. No. 2066, Blue Bayou Ammonia, L.L.C.\)](#)

[Final.pdf](#) 

[Texas City I.S.D. No. 2067, Blue Bayou Ammonia, L.L.C. -](#)

[Final.pdf](#) 

[Texas City I.S.D. No. 2039, Blue Bayou Ammonia, L.L.C. -](#)

[Chapter 313 Agreement \(Phase 4\).pdf](#) 

A motion was made to approve Agreements with Air Products L.L.C. (2006); Blue Bayou Ammonia, L.L.C. (2007); Blue Bayou Ammonia, L.L.C. (2039); Blue Bayou Ammonia, L.L.C. (2066) and Blue Bayou Ammonia, L.L.C. (2067)

Kevin O'Hanlen, Moak Casey, reviewed the worksheet passed out and reviewed what was net in Phase 1, Phase 2, Phase 3, and Phase 4.

Moved by: Mike Matranga

Seconded by: Mable Pratt

The motion carried 6/0.

10. Adjournment

Trustees took a motion to adjourn the meeting at 8.49 a.m.

Moved by: Mike Matranga

Seconded by: Mable Pratt

The motion carried 6/0.

10.1 Adjourn Meeting

Adriana Lyle

Melba Anderson