

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES

Notice is hereby given that a meeting of the Board of Trustees of the Hays Consolidated Independent School District will be held on September 18, 2023 beginning at 5:30 PM at the Kunkel Room at the Historic Buda Upper Campus, 300 San Marcos St., Buda, TX 78610.

If during the course of the meeting, discussion of any item on the agenda should be held in a closed session, the Board will adjourn to a closed session in accordance with the Texas Open Meetings Act, Texas Government Code Section 551, Subchapters D and E or Texas Government Code Section 418.183(f). Before any closed session is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions or decisions will be taken in open meeting. Policy BEC Legal attached.

The subjects to be discussed, considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

- A. CALL TO ORDER: Establish a quorum
- B. CLOSED SESSION
 - 1. Deliberation regarding safety and security, including safety personnel, systems, infrastructure, and/or devices, pursuant to Tx. Gov't Code Section 551.076
- C. RECONVENE IN OPEN SESSION - immediately following Closed Session
- D. PLEDGE OF ALLEGIANCE TO UNITED STATES AND TEXAS FLAGS
 - United States Flag Pledge:
I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.
 - Texas Flag Pledge:
Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.
- E. MISSION STATEMENT
 - The mission of Hays CISD is to educate, value, and nurture students through innovative and personalized educational experiences while celebrating our diversity.
- F. SOCIAL CONTRACT
 - The Board will:
 - Serve as District Ambassadors
 - Assume Positive and Noble Intentions
 - Collaborate as a Team and Respect the Body Corporate
 - Promote Discussion and Value Each Other's Perspectives
 - Be Professional
- G. SUPERINTENDENT & SAFETY REPORT
 - 1. Superintendent Report 6
 - 2. Safety and Security Report *for September 25, 2023* 7
- H. PUBLIC FORUM 8

It is the policy of the Board that, if members of the public wish to address the Board in Public Forum, they must complete and submit the Request to Address the Board of Trustees form (green sheet). This form may be obtained at the entrance to the Board room and must be submitted to Tim Savoy, Chief Information Officer, at the entrance prior to reconvening in open session. Public participation in Board meetings is limited to the Public Forum portion of the meeting agenda, as is provided in Board policy.

Please be aware that the audio and video of Public Forum is recorded as part of the recording of the entire meeting and is published on the District's website without alteration. A person who chooses to speak in Public Forum consents to the online publication of their comments.

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	September 25, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM	
	TUESDAY, October 17, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM	
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TUESDAY, February 20, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM
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March 18, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM
March 25, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM
April 15, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM
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** June 17, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM
** June 24, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM
** July 22, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM

***Meeting location may be moved to the newly constructed Hays CISD Academic Support Center
Official Board of Trustees information may be obtained at www.hayscisd.net*

Q. ADJOURN

This notice was posted in compliance with the Texas Open Meetings act on: Friday, September 15, 2023 at 2:30 PM

EXCEPTIONS FOR CLOSED MEETINGS	The Board may conduct a closed meeting for the purpose described in the following provisions.
ATTORNEY CONSULTATION	1. The Board may conduct a private consultation with its attorney only when it seeks the attorney's advice about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the requirement for open meetings. <i>Gov't Code 551.071</i> [See BE for permissible methods of communication for attorney consultations.]
REAL PROPERTY	2. The Board may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the Board's position in negotiations with a third person. <i>Gov't Code 551.072</i>
PROSPECTIVE GIFT	3. The Board may conduct a closed meeting to deliberate a negotiated contract for a prospective gift or donation to the District if deliberation in an open meeting would have a detrimental effect on the Board's position in negotiations with a third person. <i>Gov't Code 551.073</i>
PERSONNEL MATTERS	4. The Board is not required to conduct an open meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee. However, the Board may not conduct a closed meeting for these purposes if the officer or employee who is the subject of the deliberation or hearing requests a public hearing. <i>Gov't Code 551.074</i> The closed meeting exception for personnel matters does not apply when the Board discusses an independent contractor who is not a school employee, such as an engineering, architectural, or consultant firm, or when the Board discusses a class or group of employees, not a particular employee. <i>Atty. Gen. Op. MW-129 (1980), Atty. Gen. Op. H-496 (1975)</i>
EMPLOYEE-EMPLOYEE COMPLAINTS	The Board is not required to conduct an open meeting to deliberate in a case in which a complaint or charge is brought against a District employee by another employee and the complaint or charge directly results in the need for a hearing. However, the Board may not conduct a closed meeting for this purpose if the employee against whom the complaint or charge is brought makes a written request for an open hearing. <i>Gov't Code 551.082</i>
STUDENT DISCIPLINE	5. The Board is not required to conduct an open meeting to deliberate in a case involving discipline of a public school child. However, the Board may not conduct a closed meeting for this purpose if the child's parent or guardian makes a written request for an open hearing. <i>Gov't Code 551.082</i>
PERSONALLY IDENTIFIABLE STUDENT INFORMATION	6. The Board is not required to conduct an open meeting to deliberate a matter regarding a student if personally identifiable information about the student will necessarily be revealed by the deliberation. Directory information about a public school student is considered to be personally identifiable information about the student for this purpose only if a parent or guardian of the student, or the student if the student has attained 18 years of age, has informed the District that the directory information should not be released without prior consent. [See FL] This exception does not apply if an open meeting about the matter is requested in writing by a parent or guardian of the student or by the student if the student has attained 18 years of age. <i>Gov't Code 551.0821</i>
MEDICAL OR PSYCHIATRIC RECORDS	7. A board that administers a public insurance, health, or retirement plan is not required to conduct an open meeting to deliberate: <ul style="list-style-type: none">a. The medical records or psychiatric records of an individual applicant for a benefit from the plan; orb. A matter that includes a consideration of information in the medical or psychiatric records of an individual applicant for a benefit from the plan. <i>Gov't Code 551.0785</i>
SECURITY	8. The Board is not required to conduct an open meeting to deliberate: <ul style="list-style-type: none">a. The deployment, or specific occasions for implementation, of security personnel or devices; orb. A security audit. <i>Gov't Code 551.076</i>

ASSESSMENT INSTRUMENTS	9. The Board shall conduct a closed meeting to discuss or adopt individual assessment instruments or assessment instrument items. <i>Education Code 39.030(a)</i>
EMERGENCY MANAGEMENT	10. The Board is not required to conduct an open meeting to deliberate information confidential under Government Code 418.175–418.182, relating to Homeland Security. However, the Board must make a tape recording of the proceedings of a closed meeting held to deliberate the information. <i>Gov't Code 418.183(f)</i>
ECONOMIC DEVELOPMENT NEGOTIATIONS	11. The Board is not required to conduct an open meeting: <ul style="list-style-type: none"> a. To discuss or deliberate regarding commercial or financial information that the Board has received from a business prospect that the Board seeks to have locate, stay, or expand in or near the District and with which the Board is conducting economic development negotiations; or b. To deliberate the offer of a financial or other incentive to such a business prospect. <i>Gov't Code 551.087</i>
PROCEDURES FOR CLOSED MEETINGS	If a closed meeting is allowed, the Board shall not conduct the closed meeting unless a quorum of the Board first convenes in an open meeting for which proper notice has been given [see BE] and the presiding officer has publicly announced that a closed meeting will be held and has identified the section or sections of the Open Meetings Act or other applicable law under which the closed meeting is held. <i>Gov't Code 551.101</i>
VOTE OR FINAL ACTION	A final action, decision, or vote on a matter deliberated in a closed meeting shall be made only in an open meeting for which proper notice has been given. <i>Gov't Code 551.102</i> [See BE]
CERTIFIED AGENDA OR TAPE RECORDING	The Board shall either keep a certified agenda or make a recording of the proceedings of each closed meeting, except for private consultation with the District's attorney. The certified agenda must include a statement of the subject matter of each deliberation, a record of any further action taken, and an announcement by the presiding officer at the beginning and end of the closed meeting indicating the date and time. A presiding officer shall certify that a certified agenda is a true and correct record of the proceedings. If a recording is made, it must include announcements by the presiding officer at the beginning and end of the meeting indicating the date and time. <i>Gov't Code 551.103</i> "Recording" means a tangible medium on which audio or a combination of audio and video is recorded, including a disc, tape, wire, film, electronic storage drive, or other medium now existing or later developed. <i>Gov't Code 551.001(7)</i> Closed meetings may not be recorded by an individual trustee against the wishes of a majority of the Board. <i>Zamora v. Edgewood ISD, 592 S.W.2d 649 (Tex. App.—San Antonio, 1979, writ ref'd n.r.e.)</i>
PRESERVATION	The Board shall preserve the certified agenda or recording of a closed meeting for at least two years after the date of the meeting. If a legal action involving the meeting is brought within that period, the Board shall preserve the certified agenda or recording while the action is pending. <i>Gov't Code 551.104(a)</i>
PUBLIC ACCESS	A certified agenda or recording of a closed meeting is available for public inspection and copying only under a court order issued as a result of litigation involving an alleged violation of the Open Meetings Act. <i>Gov't Code 551.104(b), (c)</i>
PROHIBITIONS	No Board member shall participate in a closed meeting knowing that neither a certified agenda nor a recording of the closed meeting is being made. <i>Gov't Code 551.145</i> No individual, corporation, or partnership shall without lawful authority disclose to a member of the public the certified agenda or recording of a meeting that was lawfully closed to the public. <i>Gov't Code 551.146</i> No Board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act, close or aid in closing a regular meeting to the public except as permitted under the Open Meetings Act, or participate in a closed meeting that is not permitted under the Open Meetings Act. <i>Gov't Code 551.144(a)</i>
AFFIRMATIVE DEFENSE	It is an affirmative defense to prosecution under Government Code 551.144(a) that a Board member acted in reasonable reliance on a court order or a written interpretation of the open meetings law contained in an opinion of a court of record, the attorney general, or the Board's attorney. <i>Gov't Code 551.144(c)</i>

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 18, 2023

Agenda Item: G.1

Board Goal: Board/Staff/Community Relations

Subject: Superintendent's Report

Administrator Responsible/Position: Dr. Eric Wright, Superintendent of Schools

A. Purpose of Agenda Item:

Action Needed

Information Only

Receive Input

B. Authority for This Action

Local Policy

Law or Rule

N/A

C. Goal or Need Addressed:

Share with Board and Community information regarding current events in the district.

D. Administrative Recommendation: N/A

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: G.2

Board Goal: Safety and Security

Subject: Superintendent's Report

Administrator Responsible/Position: Jeri Skrocki, Chief Safety and Security Officer

A. Purpose of Agenda Item:

Action Needed

Information Only

Receive Input

B. Authority for This Action

Local Policy

Law or Rule

N/A

C. Goal or Need Addressed:

Share with Board and Community information regarding safety and security in the district.

D. Administrative Recommendation: N/A

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: September 18, 2023

Agenda Item: H

Board Goal: Board/Staff/Community Relations

Subject: Public Forum

Administrator Responsible/Position: Dr. Eric Wright, Superintendent

A. Purpose of Agenda Item

Action needed

Information only

Receive input

B. Authority for This Action:

Local Policy BED

Law or Rule

N/A

The Board encourages comments from citizens of the District and from District employees.

Policy BED local states that audience participation at a Board Meeting is limited to the public comment portion of the meeting designated for that purpose. At all other times during a Board Meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer. An open forum will be conducted at each meeting. The Board shall allot approximately 30 minutes for comments from members of the public about school district concerns.

Any member of the public who wishes to address the Board in Public Forum must complete and submit the Request to Address the Board of Trustees form (green sheet). This form may be obtained and at the entrance to the Board room and must be submitted to Tim Savoy, Chief Information Officer, at the entrance prior to reconvening in open session. Public participation in Board meetings is limited to the Public Forum portion of the meeting agenda, as is provided in Board policy.

Board Policy DEC (LOCAL) sets the maximum time for any individual presentation as 5 minutes, unless decreased by the Board President prior to the start of public comment. In order to ensure efficiency in all meetings, our standard practice is to afford 3 minutes for speakers covering current agenda items and 2 minutes for speakers covering non-agenda items. Speakers with comments on posted agenda items will be called to speak first. Speakers with comments on items not posted for tonight's agenda will then be called to speak, if time permits.

Please be aware that the audio and video of Public Forum is recorded as part of the recording of the entire meeting and is published on the District's website without alteration. A person who chooses to speak in Public Forum consents to the online publication of their comments.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: I

Subject: Campus Recognition – Dahlstrom Middle School

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Jesus Gomez, Deputy Academic Officer
Dedrah Ginn, Principal

- A. Purpose of Agenda Item:
 Action needed Information only Receive input
- B. Authority for This Action:
 Local Policy Law or Rule N/A
- C. Goal or Need Addressed: The purpose of this agenda item is to recognize one of our campuses.
- D. Summary:
 Previous board action relating to this item –
 Future action anticipated –
 Background information – Our district recognizes a campus each month to highlight their academic achievement, student programs, and their parent/community involvement.
- E. Comments Received:
 Cabinet DLT FBOC Teacher Org. Reps. Other:
- F. Administrative Recommendation:
The administration is not making a recommendation on this item as it is only informational.
- G. Fiscal Impact and Cost: Total Amount: N/A
 Budget – General Operating Fund Bond 2021 Grant/Special Funds Other
Prior Year Spending – n/a
Future/Ongoing –
- H. Monitoring and Reporting Time Line:
Person responsible for evaluating this decision or action – Jesus Gomez, Deputy Academic Officer
Evaluation method and time line -
Next report to the board – Upon request.
- I. Suggested Motion:
No motion required. This agenda item is presented for information only.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: J

Board Goal: Board/Staff/Community Relations

Subject: Consideration and Possible Approval of Consent Agenda

Administrator Responsible/Position: Dr. Eric Wright, Superintendent

A. Purpose of Agenda Item:

- Action needed Information only Receive input

B. Authority for This Action:

- Local Policy BE Law or Rule N/A

Board Policy BE states that the consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote

C. Goal or Need Addressed:

As listed on attached pages

D. Summary:

- Previous board action relating to this item - Ongoing
- Future action anticipated - Monthly
- Background information – The following items are presented for approval
 1. Board Meeting Minutes
 2. Procurements
 3. Contracts/MOUs
 4. Budget Amendments

E. Comments Received:

- Cabinet DLT FBOC Teacher Org. Reps. Other

F. Administrative Recommendation:

The Superintendent recommends the Board approve consent agenda items as presented.

G. Fiscal Impact and Cost: Amount: Per individual items attached

H. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the consent agenda, as presented.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: J.1

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of meeting minutes

Administrator Responsible/Position: Dr. Eric Wright, Superintendent

A. Purpose of Agenda Item:

- Action needed Information only Receive input

B. Authority for This Action:

- Local Policy Law or Rule N/A

Policy BE local states that Board action shall be carefully recorded by the Board Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board President and the Board Secretary

C. Goal or Need Addressed: N/A

D. Summary:

- Previous board action relating to this item - Ongoing
 Future action anticipated - Monthly
 Background information – Minutes from the July 26, 2023 Business Meeting, August 1, 2023 Special Meeting, August 17, 2023 Special Meeting – Team Building, and August 21, 2023 Agenda Workshop Meeting are presented for approval

E. Comments Received:

- Cabinet DLT FBOC Teacher Org. Reps. Other

All agenda items have been reviewed by the Superintendent's Cabinet.

F. Administrative Recommendation:

The Superintendent recommends the Board approve minutes from the July 26, 2023 Business Meeting, August 1, 2023 Special Meeting, August 17, 2023 Special Meeting – Team Building, and August 21, 2023 Agenda Workshop Meeting, as presented

G. Fiscal Impact and Cost: Amount: N/A

- Budget Bond Grant/Special Funds Other

H. Suggested Motion:

I move that the Hays CISD Board of Trustees approve minutes from the July 26, 2023 Business Meeting, August 1, 2023 Special Meeting, August 17, 2023 Special Meeting – Team Building, and August 21, 2023 Agenda Workshop Meeting,, as presented

Minutes of Regular Meeting July 24, 2023

Hays CISD Board of Trustees

These minutes are a record of the actions taken by the Hays CISD Board of Trustees in the meeting held on the above date. The complete video of the meeting is accessible at www.hayscisd.net for those who wish to hear the specific details of the discussions on the agenda topics presented.

A Regular Meeting of the Board of Trustees of Hays CISD was held on Monday, July 24, 2023 beginning at 5:30 PM in the Kunkel Room at the Historic Buda Upper Campus, 300 San Marcos Street, Buda, Texas 78610.

CALL TO ORDER: Establish a quorum

Board President, Will McManus, called the meeting to order at 5:30 PM. All Board Members were present.

CLOSED SESSION

The Board adjourned to Closed Session at 5:31 PM to deliberate regarding safety and security, including safety personnel, systems, infrastructure, and/or devices, pursuant to Tx. Gov't Code Section 551.076, and to deliberate regarding the Superintendent's recommendations for employment, resignations, extended leave, and other personnel matters, pursuant to Tx. Gov't Code Section 551.071.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 6:32 PM.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES AND TEXAS FLAGS

Board Secretary Courtney Runkle lead the Board in the Pledge of Allegiance to the US and Texas flags.

MISSION STATEMENT

Board Vice President Raul Vela read the Hays CISD Board of Trustees Mission Statement.

SOCIAL CONTRACT

Trustee Esperanza Orosco read the Hays CISD Board of Trustees Social Contract.

SUPERINTENDENT'S REPORT

Superintendent Dr. Eric Wright provided a legislative update as well as an update on enrollment – 21,681 fully enrolled, 1390 in progress for a total of 23,071 students. Dr. Wright engaged in dialog in response to questions from Trustee Orosco.

PUBLIC FORUM

Carla Perez spoke to provide the Board with information regarding an upcoming back-to-school event.

CONSENT AGENDA

President Will McManus introduced this agenda item.

Trustee Vanessa Petrea requested to pull item I.1c for discussion. Board Secretary Courtney Runkle requested to pull item I.1a for discussion, I.1i and I.1n. Michelle Velasquez, Executive, Executive Officer of Special Education, responded to Trustee Runkle's question regarding item I.1a. Marivel Sedillo, Deputy Superintendent / Chief Academic Officer, engaged in dialog and responded to questions from the Board of Trustees regarding agenda items I.1c and I.1i. Derek McDaniel, Executive Officer of Curriculum and Instruction, also provided information. After a lengthy discussion, it was requested that agenda item I.1i be pulled from the agenda until additional details and data can be provided. Cassandra Behr, Assistant Director of Transportation, was present to respond to questions from the Board of Trustees regarding item I.1n.

President McManus read the suggested motion that the Hays CISD Board of Trustees approve the Consent Agenda, with the exception of item I.1i, as presented. Esperanza Orosco moved and Raul Vela seconded the motion. There was no further discussion, and the item was approved by a vote of 7-0.

ACTION ITEMS

Consideration and possible action, if any, resulting from closed session.

Consideration and possible approval of the Superintendent's recommendation to contractually employ administrative personnel.

Will McManus read the suggested motion that the Hays CID Board of Trustees approve the Superintendent's recommendation to contractually employ Assistant Principals at McCormick Middle School, Carpenter Hill Elementary School, and Education Foundation Executive Director, as discussed. Courtney Runkle moved and Johnny Flores seconded the motion. There was no further discussion, and the motion passed with a vote of 7-0. Dr. Eric Wright introduced Casey Gerner as the new Assistant Principal at McCormick Middle School, Lyndsy Brown as the new Assistant Principal at Carpenter Hill Elementary School, and Ida Musgrove as the Executive Director of the Hays Education Foundation.

Consideration and possible approval of the rescheduling of the October 16, 2023 Board Meeting

Will McManus read the suggested motion that the Hays CISD Board of Trustees approve to reschedule the Monday, October 16, 2023 Board Meeting to Tuesday, October 17, 2023, as presented. Courtney Runkle moved and Vanessa Petrea seconded the motion. Dr. Eric Wright informed the group of the reasoning for the reschedule request. There was no further discussion, and the motion passed with a vote of 7-0.

Consideration and possible appointment of Texas Association of School Board Delegate and Alternate Delegate for the Annual 2023 TASA/TASB Convention

Raul Vela moved that the Hays CISD Board of Trustees appoint Trustee Byron Severance as Delegate and Esperanza Orosco as the Alternate Delegate for the 2023 TASA/TASB Convention. Vanessa Petrea seconded the motion. There was no further discussion, and the motion passed with a vote of 7-0.

Consideration and possible approval of the purchase of materials and support for Advanced Placement Biology 2 and Advanced Placement World History – Bedford Freeman and Worth Publishers

Will McManus read the suggested motion that the Hays CISD Board of Trustees approve the purchase of materials and support for Advanced Placement Biology 2 and Advanced Placement World History, from Bedford Freeman and Worth Publishers, in the amount of \$95,090.63, as presented. Esperanza Orosco moved and Vanessa Petrea seconded the motion. Derek McDaniel, Executive Officer of Curriculum & Instruction, engaged in dialog in response to questions and feedback from trustees Byron Severance, Vanessa Petrea, Johnny Flores, and Courtney Runkle. There was no further discussion, and the motion passed with a vote of 7-0.

Consideration and possible approval of consulting services for the support of School Improvement Efforts and Face-to-Face Coaching – MGW Educational Consulting

Will McManus read the suggested motion that the Hays CISD Board of Trustees approve the consulting contract with MGW Educational Consulting for an amount not to exceed \$70,000, as presented. Esperanza Orosco moved and Vanessa Petrea seconded the motion. Johnny Flores spoke in support of this agenda item. There was no additional discussion, and the motion passed with a vote of 7-0.

Consideration and possible approval to Empanel and Charge a Committee for Elementary School Rezoning committee for Elementary School #16

Tim Savoy presented this agenda item, and engaged in response to questions and feed back with trustees Byron Severance, Vanessa Petrea, Courtney Runkle, Esperanza Orosco, and Johnny Flores. Will McManus read the suggested motion that the Hays CISD Board of Trustees empanel a school rezoning committee comprised of fourteen (14) total members ((2) two appointees per trustee) for the limited purpose of providing recommendations regarding the creation of an attendance zone for

elementary school #16, including necessary changes to existing, surrounding elementary school zones, and potentially affected middle or high school areas if applicable, as presented. Esperanza Orosco moved and Johnny Flores seconded the motion. There was no further discussion, and the motion passed with a vote of 7-0.

Consideration and possible approval to Empanel and Charge a Committee for New School and Facility Naming

Will McManus read the suggested motion that the Hays CISD Board of Trustees empanel a school naming committee comprised of fourteen (14) total members (two (2) per trustee) to provide a recommendation regarding a possible name for the elementary schools #16 and #17, and the new Hays CISD Academic Support Center, which have been approved by voters, as presented. Esperanza Orosco moved and Johnny Flores seconded the motion. There was no further discussion, and the motion passed with a vote of 7-0.

The Board paused for a 10-minute break, returning to the dais at 8:24PM.

Consideration and possible approval of the purchase of Safety and Security Products and Services – Navigate 360

Will McManus read the suggested motion that the Hays CISD Board of Trustees approve the purchase of safety and security products and services from Navigate 360 in the amount of \$81,828.90, as discussed and presented. Esperanza Orosco moved and Raul Vela seconded the motion. There was no further discussion, and the motion passed with a vote of 7-0.

Consideration and possible approval of the 2023 Bond purchase and implementation of an Enterprise Resource Planning System - Frontline

Will McManus read the suggested motion that the Hays CISD Board of Trustees approve the 2023 Bond purchase and implementation of an enterprise resource planning system from Frontline, in the amount of \$1,510,076.51, as presented. Esperanza Orosco moved and Vanessa Petrea seconded the motion. Vanessa Petrea and Will McManus spoke in support of this agenda item. There was no additional discussion, and the motion passed with a vote of 7-0.

Consideration and possible approval of the 2023 Bond purchase of School Buses – Longhorn Bus Sales

Will McManus read the suggested motion that the Hays CISD Board of Trustees approve the 2023 Bond purchase of school buses from Longhorn Bus Sales in the amount of \$1,522,012.00, as presented. Esperanza Orosco moved and Byron Severance seconded the motion. Max Cleaver, Chief Operations Officer, and Cassandra Behr, Assistant Director of Transportation, responded to questions and feedback from trustees Byron Severance, Raul Vela, and Will McManus. There was no further discussion, and the motion passed with a vote of 7-0.

Consideration and possible approval of the 2017 Bond purchase of Student furniture for Johnson High School – Worthington Contract Furniture, L.P.

Will McManus read the suggested motion that the Hays CISD Board of Trustees approve the 2017 bond purchase of student furniture for Johnson High School from Worthington Contract Furniture, L.P., in the amount of \$127,508.08, as presented. Esperanza Orosco moved and Byron Severance seconded the motion. Max Cleaver, Chief Operations Officer, responded to questions and feedback from trustees Byron Severance, Vanessa Petrea, and Johnny Flores. There was no additional discussion, and the motion passed with a vote of 7-0.

Consideration and possible approval of the 2023 Bond Design Intent for High School Baseball and Softball Artificial Turf

Will McManus introduced the agenda item to open discussion regarding this agenda item. Max Cleaver, Chief Operations Officer, responded in dialog to questions and feedback from trustees Byron Severance and Johnny Flores. Will McManus read the suggested motion that the Hays CISD Board of Trustees approve the design intent for the 2023 Bond Baseball and Softball Improvements, as

presented. Esperanza Orosco moved and Courtney Runkle seconded the motion. There was no further discussion, and the motion passed with a vote of 7-0.

Consideration and possible approval of proposed amendments to the 2023-2024 Compensation Plan
Will McManus introduced this agenda item to open for discussion. Christina Courson, Chief Human Resources Officer, responded to questions and feedback from Trustee Esperanza Orosco. Will McManus read the suggested motion that the Hays CISD Board of Trustees approve the proposed amendments to the 2023-2024 Compensation Plan, as presented. Esperanza Orosco moved and Byron Severance seconded the motion. There was no further discussion, and the motion passed with a vote of 7-0.

INFORMATION ITEM

First Reading of proposed revisions to Policy CH (Local)

Will McManus introduced this agenda item to open discussion. The Board engaged in discussion with points made by Esperanza Orosco, Raul Vela, Vanessa Petrea, Johnny Flores, and Byron Severance. Superintendent Dr. Eric Wright was also engaged in the discussion of the agenda item. This item will be brought back to the board for discussion after the conclusion of the upcoming legislative special session later this fall.

First reading of proposed revisions to TASB Policy FEA (Local)

Will McManus introduced this agenda item to open discussion. Dr. Brian Dawson, Director of Student Services, presented information and provided detailed feedback. Dana Braun was also present to provide information. Together, they responded to questions from trustees Vanessa Petrea, Byron Severance, Johnny Flores, Esperanza Orosco, Raul Vela, Courtney Runkle, and Will McManus.

Update on Safety and Security Initiatives in the District

There were no questions from the Board of Trustees regarding this agenda item.

Update on Bond, Construction, and Renovation Projects in the District

Max Cleaver responded to requests from the Board of Trustees regarding this agenda item.

REQUESTS FOR INFORMATION FROM THE BOARD OF TRUSTEES

Trustee Esperanza Orosco requested information, as did Courtney Runkle.

RECAP OF QUESTIONS

Courtney Runkle did not read the list of questions from the Board of Trustees.

ADJOURN

Board President Will McManus noted that the next meeting of the Hays CISD Board of Trustees is planned for Monday, August 21, 2023 at the Historic Buda Elementary Kunkel Room at 5:30 PM. No further business was conducted and the meeting was adjourned at 9:38 PM.

Minutes of Special Meeting August 1, 2023

Hays CISD Board of Trustees

These minutes are a record of the actions taken by the Hays CISD Board of Trustees in the meeting held on the above date. The complete video of the meeting is accessible at www.hayscisid.net for those who wish to hear the specific details of the discussions on the agenda topics presented.

A Special Meeting of the Board of Trustees of Hays CISD was held on Tuesday, August 1, 2023 beginning at 7:30 AM in the Kunkel Room at the Historic Buda Upper Campus, 300 San Marcos Street, Buda, Texas 78610.

CALL TO ORDER: Establish a quorum

Board President, Will McManus, called the meeting to order at 7:30 AM. All Board Members were present with the exception of Johnny Flores and Esperanza Orosco.

PUBLIC FORUM

There was no one from the public present wishing to address the Board of Trustees.

ACTION ITEMS

Consideration and possible adoption of the order authorizing the Issuance, Sale, and Delivery of Hays CISD Unlimited Tax School Building Bonds, Series 2023, and containing other matters related thereto

Will McManus introduced the agenda item to begin discussion. There were no initial questions. Mr. McManus read the suggested motion that the Hays CISD Board of Trustees adopt the order authorizing the issuance, sale and delivery of Hays Consolidated Independent School District Unlimited Tax School Building bonds, Series 2023; and containing other matters related thereto, as presented. Byron Severance moved and Vanessa Petrea seconded the motion. Randy Rau, Chief Financial Officer, responded to questions from trustees Vanessa Petrea and Byron Severance. There were no additional question regarding this agenda item.

REQUESTS FOR INFORMATION FROM THE BOARD OF TRUSTEES

There were no requests for information from the Board of Trustees.

RECAP OF QUESTIONS

Courtney Runkle did not read the list of questions from the Board of Trustees.

ADJOURN

Board President Will McManus noted that the next meeting of the Hays CISD Board of Trustees is planned for Monday, August 21, 2023 at the Historic Buda Elementary Kunkel Room at 5:30 PM. No further business was conducted and the meeting was adjourned at 7:34 AM.

Minutes of Special Meeting – Team Building August 17, 2023

Hays CISD Board of Trustees

These minutes are a record of the actions taken by the Hays CISD Board of Trustees in the meeting held on the above date. The complete video of the meeting is accessible at www.hayscisid.net for those who wish to hear the specific details of the discussions on the agenda topics presented.

A Special Meeting of the Board of Trustees of Hays CISD was held on Thursday, August 17, 2023 beginning at 5:30 PM in the Kunkel Room at the Historic Buda Upper Campus, 300 San Marcos Street, Buda, Texas 78610.

CALL TO ORDER: Establish a quorum

Board President, Will McManus, called the meeting to order at 5:31 PM. All Board Members were present.

PUBLIC FORUM

There was no one from the public present wishing to address the Board of Trustees.

REQUIRED BOARD TRAINING: BBD TEAM BUILDING

State Mandated Board Training: Team Building according to Board Policy BBD

Orin Moore of Texas Association of School Boards (TASB) conducted the state-manded board training for the 2023-2024 requirements.

ADJOURN

Board President Will McManus noted that the next meeting of the Hays CISD Board of Trustees is planned for Monday, August 21, 2023 at the Historic Buda Elementary Kunkel Room at 5:30 PM. No further business was conducted and the meeting was adjourned at 8:30 PM.

Minutes of Regular Meeting August 21, 2023

Hays CISD Board of Trustees

These minutes are a record of the actions taken by the Hays CISD Board of Trustees in the meeting held on the above date. The complete video of the meeting is accessible at www.hayscisid.net for those who wish to hear the specific details of the discussions on the agenda topics presented.

A Regular Meeting of the Board of Trustees of Hays CISD was held on Monday, August 21, 2023 beginning at 5:00 PM in the Kunkel Room at the Historic Buda Upper Campus, 300 San Marcos Street, Buda, Texas 78610.

CALL TO ORDER: Establish a quorum

Board President, Will McManus, called the meeting to order at 5:01PM. All Board Members were present.

CLOSED SESSION

The Board adjourned to Closed Session at 5:01 PM to deliberate regarding safety and security, including safety personnel, systems, infrastructure, and/or devices, pursuant to Tx. Gov't Code Section 551.076.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 6:27 PM.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES AND TEXAS FLAGS

Board Secretary Courtney Runkle lead the Board in the Pledge of Allegiance to the US and Texas flags.

MISSION STATEMENT

Board Vice President Raul Vela read the Hays CISD Board of Trustees Mission Statement.

SOCIAL CONTRACT

Trustee Johnny Flores read the Hays CISD Board of Trustees Social Contract.

SUPERINTENDENT & SAFETY REPORT

Superintendent Dr. Eric Wright provided a legislative update as well as an update on enrollment, assessment and accountability data, and introduced information relating to an "A-F Lawsuit" against the Texas Education Agency regarding Texas Education code Ch 39.0542. Dr. Wright engaged in conversation in response to questions from trustees Byron Severance, Vanessa Petrea, and Esperanza Orosco.

Chief Safety and Security Officer Jeri Skrocki provided an update regarding updates to campus traffic plans. She engaged in conversation in response to questions and feedback from trustees Johnny Flores, Esperanza Orosco, Vanessa Petrea, Courtney Runkle, and Raul Vela.

PUBLIC FORUM

Lelan Larroque addressed the Board of Trustees regarding non-enrolled student participation in UIL and extracurricular activities. William "Bill" Ward addressed the Board of Trustees regarding escorting students to classrooms at the start of the school day.

ACTION ITEMS

Consideration and possible approval of the 2023 Bond Installation of Artificial Turf at Baseball and Softball Fields for Hays High School and Johnson High School

Board President Will McManus introduced this agenda item to begin discussion. Max Cleaver, Chief Operations Officer, and Lance Moffett, Director of Athletics, responded to questions and feedback from trustees Byron Severance and Johnny Flores.¹⁸

Consideration and possible approval of the 2023 Bond Adaptive Playground Improvements at Buda Elementary School – T.F. Harper & Associates LP

Will McManus introduced this agenda item to begin discussion. There were no questions from the Board of Trustees regarding this agenda item.

Consideration and possible approval of the 2023 Bond Schematic Design Package for 2023 Bond Elementary School 17

Will McManus introduced this agenda item to begin discussion. Jason Andrus with Huckabee provided updated drawings to the Board of Trustees and presented information. Max Cleaver was also present for the presentation of drawings. Both Mr. Andrus and Mr. Cleaver engaged in conversation in response to questions and feedback from trustees Johnny Flores, Vanessa Petrea, and Raul Vela.

Consideration and possible approval of the Schematic Design Package for 2023 Bond Improvements for Lehman High School

Will McManus introduced this agenda item to begin discussion. Jason Andrus presented updated drawings to the Board of Trustees. Mr. Andrus, Max Cleaver, and Patty Moreno, Director of Fine Arts, were responsive to questions and feedback from the Board of Trustees. Trustees Vanessa Petrea, Byron Severance, Raul Vela, and Johnny Flores engaged in conversation regarding Fine Arts areas. Trustees Byron Severance, Raul Vela, and Courtney Runkle engaged in conversation regarding Career and Technology Education (CTE) areas.

Consideration and possible approval of the 2023 Bond Schematic Design Package for Improvements at Johnson High School

Will McManus introduced this agenda item to begin discussion. Jason Andrus presented updated drawings to the Board of Trustees. Mr. Andrus and Max Cleaver responded to questions from the Board of Trustees.

Consideration and possible approval of Educational Specifications for Elementary and High School Campuses

Will McManus introduced this agenda item to begin discussion. Jason Andrus presented slides and responded to questions and feedback from the Board of Trustees. The Board noted that they would like to set additional standards for high school campuses in the future.

Consideration and possible approval of the denial of Participation of Non-Enrolled Students in Hays CISD Extracurricular or UIL Activities

Superintendent Dr. Eric Wright introduced this agenda item to begin discussions. Patty Moreno, Director of Fine Arts, introduced Jason Adam, Assistant Director of Fine Arts, to present feedback information from Fine Arts campus leadership. Director of Athletics Lance Moffett presented feedback from campus athletic leadership. Both Patty Moreno and Lance Moffett responded to questions and feedback from trustees Vanessa Petrea, Courtney Runkle, Johnny Flores and Esperanza Orosco. Dr. Wright also provided details.

CONSENT AGENDA

Consideration and possible approval of the Memorandum of Understanding (MOU) for the 2023-2024 school year between Hays CISD and Communities in Schools (CIS)

President Will McManus introduced this agenda item to begin discussion. Dr. Michael Watson, Deputy Academic Officer, responded to questions and feedback from trustees Byron Severance, Esperanza Orosco, and Will McManus.

Consideration and possible approval of the appointment of Student Health Advisory Committee (SHAC) members for the 2023-2024 school year

Will McManus introduced this agenda item to begin discussion. Trustee Esperanza Orosco spoke in support of this agenda item. There were no additional questions or comments from the Board of Trustees.

Consideration and possible approval of Investment Officers for Hays CISD

Will McManus introduced this agenda item to begin discussion. There were no questions from the Board of Trustees regarding this agenda item.

CONSENT AGENDA

Consideration and possible approval of Certified Teacher Appraisers and Future Certified Administrators for the 2023-2024 School Year

Will McManus introduced this agenda item to begin discussion. Trustee Esperanza Orosco noted that she will abstain from voting on this item as she is an employee of Texas Association of School Boards (TASB). There were no additional questions or comments from the Board of Trustees.

Consideration and possible approval of Investment Officers for Hays CISD

Will McManus introduced this agenda item to begin discussion. There were no questions or comments from the Board of Trustees.

Hays CISD Budget Amendments

Will McManus introduced this agenda item to begin discussion. There were no questions or comments from the Board of Trustees.

ACTION ITEMS

Consideration and possible action, if any, resulting from closed session

Consideration and possible approval of the Superintendent's recommendation to contractually employ administrative personnel, including an Assistant Principal at Dahlstrom Middle School

This agenda item is being pulled, and will be brought back for vote at a later date.

Consideration and possible approval of the Student Code of Conduct for the 2023-2024 School Year

Dr. Brian Dawson, Director of Student Services, responded to questions and feedback from Trustees Johnny Flores and Courtney Runkle.

Consideration and possible selection of an option in response to 88th Texas Legislative House Bill 3 requirements

Will McManus introduced this agenda item to reference the sample resolution in dais folders.

Second Reading and possible adoption of revisions to Policy FEA (Local)

Will McManus introduced this agenda item to begin discussion. Dr. Brian Dawson, Director of Student Services, responded to questions from trustees Esperanza Orosco and Byron Severance regarding this agenda item.

Consideration and possible approval of the Disposal and Destruction of Obsolete Voting Machines

Will McManus introduced this agenda item to begin discussion. There were no questions from the Board of Trustees regarding this agenda item.

Consideration and possible approval of Demographic Services – Population and Survey Analysts (PASA)

Will McManus introduced this agenda item to begin discussion. Max Cleaver, Chief Operations Officer, responded to questions and feedback from Trustee Vanessa Petrea.

Consideration and possible approval of District Real Estate Brokerage Services

Will McManus introduced this agenda item to begin discussion. Max Cleaver, Chief Operations Officer, responded to questions and feedback from Trustee Byron Severance.

Consideration and possible approval of 2021 Bond Stage Lighting Equipment and Electrical Infrastructure for Dahlstrom Middle School – Olden Lighting

Will McManus introduced this agenda item to begin discussion. There were no questions or comments from the Board of Trustees.

Consideration and/or action to approval an Agreement for the Purchase of Attendance Credit (Netting Chapter 48 funding) (Option 3 Agreement) and to delegate contractual authority to the Superintendent
Will McManus introduced this agenda item to begin discussion. Randy Rau, Chief Financial Officer, presented verbal information to the Board of Trustees.

Consideration and possible acceptance of the 2023-2024 Certified Property Values for Hays, Caldwell, and Travis Counties

Will McManus introduced this agenda item to begin discussion. Randy Rau, Chief Financial Officer, responded to questions from Board President Will McManus.

Consideration and possible adoption of the 2023-2024 Tax Rate

Will McManus introduced this agenda item to begin discussion. There were no questions or comments from the Board of Trustee.

Consideration and possible endorsement of an individual to serve on the TASB Board of directors – Region 13, Position B

Will McManus introduced this agenda item to begin discussion. There were no questions or comments from the Board of Trustees.

INFORMATION ITEM

Information items were not discussed at the August 21, 2023 Board Meeting.

ADJOURN

Board President Will McManus announced that there were no objections to pausing for the evening's discussions. No further business was conducted and the meeting was adjourned at 10:18 PM.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: J.2

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of Procurements

Administrator Responsible/Position: Cabinet Members

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy - BE Law or Rule Other

C. Goal or Need Addressed:

Procurement of necessary items for the district.

D. Summary:

- Previous board action relating to this item - Ongoing
- Future action anticipated - Monthly
- Background information – The following procurements will be presented for approval
 - a. Emergency Firewall Infrastructure Protection Districtwide – Solid Border, Inc.
 - b. Web Hosting and Mass Communication Services – Active Internet Technologies

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other

All agenda items have been reviewed by the Superintendent's Cabinet.

F. Administrative Recommendation:

The Administration recommends approval of the listed procurement items.

G. Fiscal Impact and Cost: Amount: as set forth in the procurement item.

H. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the procurement items, as presented.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: J.2a

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the procurement for Emergency Firewall Infrastructure Protection Districtwide – Solid Border, Inc.

Administrator Responsible/Position: Dianne Borreson, Chief Technology Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A

C. Goal or Need Addressed:

The purpose of this agenda item is to procure emergency firewall infrastructure protection districtwide from Solid Border, Inc.

D. Summary:

Previous board action relating to this item –
 Future action anticipated –
 Background information –

The district currently uses two Palo Alto firewalls to protect the district infrastructure against threats and harmful traffic. Our current firewalls were installed in 2017. As part of the 2023 Bond, we included funds to upgrade these two appliances. The new PA-5400 Series hardware will replace the older PA-5250 appliances. Throughput and performance will increase on the new hardware in the range of 1.66x to 1.97x. The bundled security subscriptions will also upgrade our Threat Prevention and Wildfire modules. Solid Border is our current provider for support and maintenance for the Palo Alto infrastructure. They are on the DIR contract and offered the most competitive pricing for this upgrade.

Because they are our current support provider, they offered these additional benefits:

- 1,000 Cortex XDR Pro licenses with Managed Threat Hunting for **1 Year** included at no cost.
- In addition to the additional 1,000 XDR Pro licenses, Hays CISD's total Cortex licensing will be extended through 7/31/2024 at no additional cost.
- Subscription Bundle will also include net-new, valuable subscription of DNS Security at no additional cost.

E. Scope of Options Reviewed:

DIR Contract-DIR-TSO-4850

This is a one-year contract with four (4) options to renew through 3/01/2027

Reasons for rejecting alternatives: n/a

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other: Technology

G. Administrative Recommendation:

The administration recommends approval of the procurement of Firewall Infrastructure Protection districtwide from Solid Border, Inc.

H. **Fiscal Impact and Cost: Total Amount: \$522,515.00**
 Budget – General Operating Fund 2023 Bond Grant/Special Funds Other
Prior Year Spending – \$266,515.98
Future/Ongoing – This procurement will be a recurring annual cost.

I. **Monitoring and Reporting Time Line:**
Person responsible for evaluating this decision or action – Dianne Borreson, Chief Technology Officer
Evaluation method and time line –
Next report to the board -

J. **Suggested Motion:**
I move that the Hays CISD Board of Trustees approve the procurement of Firewall Infrastructure Protection districtwide from Solid Border, Inc, for the amount of \$522,515.00, as presented.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: J.2b

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the procurement of Web Hosting and Mass Communication Services
– Active Internet Technologies

Administrator Responsible/Position: Tim Savoy, Chief Communication Officer
Dianne Borreson, Chief Technology Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A

C. Goal or Need Addressed:

The purpose of this agenda is to approve the renewal of our website hosting and content management solution. Active Internet Technologies previously Blackboard, Inc will provide reliable web hosting and our mass notification system for the entire district.

D. Summary:

Previous board action relating to this item –

Future action anticipated –

Background information –

Active Internet Technologies provides the district with a reliable mass notification system for sending messages via voice, text, email, push notification, website announcements, website alerts, and social media.

E. Scope of Options Reviewed:

1GPA Contract #21-11PV-01 – Web Hosting and Mass Communication System

This is a one-year contract with three (3) options to renew through 8/05/2026

Reasons for rejecting alternatives: n/a

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other: Communications / Technology

G. Administrative Recommendation:

The administration recommends approval of the purchase of services from Active Internet Technologies.

H. Fiscal Impact and Cost: Total Amount: \$78,821.00

Budget – General Operating Fund Bond Grant/Special Funds Other

Prior Year Spending – \$75,171.05

Future/Ongoing – Ongoing

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Tim Savoy, Chief Communication Officer

Evaluation method and time line –

Next report to the board -

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the procurement of services from Active Internet Technologies for the amount of \$78,821.00, as presented.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: J.3a

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the renewal of an Interlocal Agreement between Hays CISD and the City of Mountain City for Emergency Water Service

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A

C. Goal or Need Addressed:

Maintain clean, safe facilities.

D. Summary:

Previous board action relating to this item

Future action anticipated -

Background information –

In addition to serving the students and staff at Hays High School and Barton Middle School, the water well at Hays High School serves as the emergency backup for the City of Mountain City (COMC) via an interlocal agreement. Likewise, the COMC water well serves as the district's emergency connection. COMC has used the connection twice since 2010.

When the agreement was originally written, the water operator was a for-profit company. The private water well was purchased by the COMC in 2017, who now owns and operates the well.

In the current agreement, the cost for emergency water is to be charged at the highest rate the District pays for water for any of its water providers at the time the water is used. The COMC is requesting the agreement be modified so that the fee for water will be charged at an average of what the District pays for water.

If favorable, the COMC water consultant will submit the required documentation to the Texas Commission on Environmental Quality (TCEQ) to update the record once the agreement is executed. A draft of the agreement is included for your review.

E. Scope of Options Reviewed: N/A

Contract Information:

Length of Contract:

Reasons for rejecting alternatives

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other:

G. Administrative Recommendation:

Staff recommends approval of the interlocal agreement, as presented

H. Fiscal Impact and Cost: Amount: N/A

Budget Bond 2023 Grant/Special Funds Other
Future/Ongoing -

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver, COO

Evaluation method and time line:

Next report to the board:

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the renewal of an interlocal agreement between Hays CISD and the City of Mountain City for Emergency Water Service, as presented.

THE STATE OF TEXAS
COUNTY OF HAYS

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INTERLOCAL AGREEMENT FOR
EMERGENCY WATER SERVICE

This INTERLOCAL AGREEMENT is made and entered into by and between the Hays Consolidated Independent School District ("HCISD"), and the City of Mountain City Water System ("MC W/S"), for the purpose of providing an interconnection between the water systems of both Parties ("Parties").

WHEREAS, MC W/S and HCISD each have and intend to continue operating their respective public water supply systems; and

WHEREAS, the Parties desire to develop an alternative source of potable water in the event of an emergency disrupting one's capability to provide potable water to its customers; and

WHEREAS, the Parties operate adjacent water systems and it would be to the advantage and benefit of the Parties to construct the required facilities to interconnect their water systems so that in the event of an emergency or water shortage by MC W/S, HCISD can sell any water surplus under and subject to the terms and conditions set forth in this Agreement; and

WHEREAS, the governing bodies of MC W/S and HCISD have determined it would serve the public interest for HCISD to provide such alternate water service to MC W/S in the event of an emergency and in accordance with the terms and conditions set forth in this Agreement; and

WHEREAS, Chapter 290 of the Texas Commission on Environmental Quality at (g) contemplates such Agreements for interconnection; and

WHEREAS, HCISD and MC W/S are desirous of setting forth in an interlocal agreement the terms and conditions for providing water service in the event of an emergency as more particularly defined below.

NOW, THEREFORE, in consideration of the foregoing promises and the mutual agreements, covenants, and conditions hereinafter set forth, HCISD and MC W/S agree as follows:

ARTICLE I.
DEFINITIONS

As utilized herein, the following terms shall have these meanings:

- A. Water: means potable water meeting applicable requirements of the Texas Commission on Environmental Quality or any successor agency of competent jurisdiction delivered at the normal operating pressure of the Providing Utility.
- B. Emergency: means an act of God or similar unforeseen and unpreventable catastrophic circumstance or disaster that renders MC W/S substantially unable to provide water to its customers to the degree that would threaten the health, safety and welfare of its customers.
- C. Points of Delivery: means the points of interconnection between the Parties' respective water systems as shown on Exhibit "A" at which the Providing Utility can deliver water to the Receiving Utility.
- D. Providing Utility: means HCISD when HCISD is providing emergency water service to MC W/S under this Agreement.
- E. Receiving Utility: means MC W/S when MC W/S is receiving emergency water service from HCISD under this Agreement.

ARTICLE II.
GENERAL CONDITIONS FOR PROVISION
OF EMERGENCY WATER SERVICE

- A. Provision of Service During Emergency. Subject to the terms and conditions stated herein, the Providing Utility agrees to provide water service required for operation of the water system of the Receiving Utility in the event of an Emergency.
- B. Volume and Demand Limitations. The amount of water delivered to the Receiving Utility and the rate of flow thereof shall not exceed the rated capacity of the water facilities installed for delivery of emergency water service.
- C. Subject to Availability. Subject to the remaining conditions set forth herein, the Providing Utility will provide emergency water service to the Receiving Utility depending on availability of water in excess of that required to service the Providing Utility's customers as determined by the Administrator of HCISD.
- D. Duration of Service. The Providing Utility agrees to provide emergency water service to the Receiving Utility in accordance with this Agreement for the shortest time needed. In the event the Emergency exceeds the shorter period, the Receiving Utility may make written request to the Administrator of the Providing Utility to continue or resume emergency water service beyond said period. The Administrator of the Providing Utility may continue or resume such service for an additional two-week period or such other and further period as the Administrator of the Providing Utility shall determine appropriate if:
- (1) the disability caused by the Emergency has not abated and the Receiving Utility has exercised diligence in attempting to remove such disability;

and

- (2) the providing Utility continues to have water available to serve the Receiving Utility in excess of that required to service the Providing Utility's own customers.

E. Procedure for Commencement of Service. If, upon the occurrence of an Emergency the Receiving Utility needs emergency water service from the Providing Utility, the following protocol shall be utilized to confirm the existence of an emergency and to commence Emergency water service to the Receiving Utility:

- (1) HCISD and MC W/S shall designate and communicate to the other the name(s) of the contact person(s) authorized to make requests for emergency water service or to confirm the existence of an Emergency and authorize commencement of emergency water service;
- (2) the designated contact person of the Receiving Utility shall notify the Providing Utility's dispatcher or designated contact person of the fact and nature of the Emergency and the reason why the Receiving Utility is unable to provide water service to its customers. Such notification, if given verbally, shall be confirmed in writing and addressed to the Providing Utility's dispatcher or designated contact person within 48 hours of verbal notification; the 'providing' Utility's dispatcher or contact person shall report the foregoing information to the Administrator of the Providing Utility and obtain confirmation from the Administrator that an Emergency exists and for authorization to commence service to the Receiving Utility;

- (3) following such confirmation and authorization, the Providing Utility and Receiving Utility will dispatch their crews to open the interconnection between the Providing Utility and the Receiving Utility to commence emergency water service;
 - (4) the Receiving Utility shall cooperate at all times with the Providing Utility to ensure the safe and efficient delivery of emergency water service.
- F. Ingress and Egress. The Parties agree to ensure the ingress and egress of each Party to the Points of Delivery and Interconnection for all reasonable purposes incident to this Agreement including, without limitation, Inspection, Installation, operation, maintenance, repair or removal of the interconnection and all valves, meters and other equipment utilized therewith.
- G. Discontinuance of Emergency Service. The Receiving Utility shall promptly notify the Administrator of the Providing Utility or its designated contact person of the completion of repairs to its system or the abatement of the Emergency giving rise to the request for emergency service hereunder and the Providing Utility will then remove the Interconnection within a reasonable time of such notice not to exceed twenty-four (24) hours.
- H. Rates. The Receiving Utility agrees to pay the Providing Utility for emergency water service delivered under this Agreement at the rate equal to the average rate for water source of the Providing Utility on a per 1,000-gallon basis. If requested by the Receiving Utility, the Providing Utility is required to provide documented evidence justifying the actual average cost of the water source of the Providing Utility prior to payment.

- I. Billing Protocol. The Providing Utility shall bill the Receiving utility in a monthly bill for water service based on the readings from the master meter at the interconnect point. Should the Receiving Utility request that the metering equipment be calibrated to determine any error in accuracy, the Providing Utility shall pay calibration cost if the inaccuracy is found to be in excess of 2%. If inaccuracy is less than 2%, the Receiving Utility shall pay cost of calibration. If either Party is due a refund or entitled to additional payment, the same shall be invoiced by the Party claiming same as above, and failure to pay or refund same shall be subject to the same provisions as are applicable to the usual sale of water as provided above.
- J. Payment. All payments shall be made in accordance with Texas Government Code, Chapter 2251. Should the Receiving Utility require justification of the billing amount from the Providing Utility said request must be made within fifteen (15) days of receipt of bill by Receiving Utility. Providing Utility shall then have fifteen (15) days to provide said justification. The Receiving Utility shall be responsible for making payment of justified amount within 15 days of receipt of acceptable documentation. Payments not made within the period provided shall be subject to a service charge of 10%, and if the payment is not made to the Providing Utility within the period immediately following the month the bill is received, the interconnection may be disconnected by the Providing Utility at the expense of the Receiving Utility and this Agreement shall be null and void. If suit is required to collect the amount due for the water taken, service charge and/or disconnection expenses, the Receiving Utility shall be liable for the reasonable attorney's fees of the Providing Utility and all court

costs incurred.

- K. Receiving Utility Rates. The Receiving Utility may charge its individual water customers such uniform rate(s) as the Receiving Utility shall determine.
- L. Conservation Restrictions. The Receiving Utility agrees to impose on its customers all voluntary and mandatory conservation and use restrictions imposed by the Providing Utility on its customers in such instances provided, however, that the Receiving Utility shall not be required to impose more stringent controls than the Providing Utility imposes on its own customers in such instances.
- M. Water Quality. HCISD shall provide potable water through the interconnection of the same quality provided to its own customers. The Parties shall not be liable for delivering water of a standard less than the potable water standard of the State so long as they are providing the same quality of water provided their own customers. The Parties neither represent nor agree to furnish water at any particular pressure. Any water delivered pursuant to this Agreement shall be measured at the Points of Delivery, being at the meter installed to record the amount of water taken by the Receiving Utility and the proper conveyance and distribution of water taken shall be the sole responsibility of the Receiving Utility.
- N. Water Volume. The Parties neither represent nor agree to provide any particular volume of water at any specific time, and shall not be liable for the refusal or failure to provide water through the interconnection, or for any losses or damages resulting or alleged to be the result of any refusal or failure to provide water through the interconnection. TO THE EXTENT ALLOWED BY LAW,

THE RECEIVING UTILITY AGREES TO INDEMNIFY THE PROVIDING UTILITY, ITS SUCCESSORS AND ASSIGNS, AND HOLD IT FREE AND HARMLESS FROM AND AGAINST ANY AND ALL LIENS, CLAIMS, DEBTS, CHARGES, DAMAGES, LOSS, PENALTIES, AND EXPENSES, LIQUIDATED OR UNLIQUIDATED, EXECUTED OR EXECUTORY, ORAL OR WRITTEN, EXPRESS OR IMPLIED, ACTUAL OR CONTINGENT, WHETHER OR NOT HEREBY EXPRESSLY LISTED OR DESCRIBED, BUT WHICH MAY BE ASSERTED NEVERTHELESS AGAINST THE PROVIDING UTILITY, ITS SUCCESSORS OR ASSIGNS, RESULTING FROM OCCURRENCES OR OMISSIONS OCCURRING DURING OR IN CONNECTION WITH THE PROVISION OF WATER TO THE RECEIVING UTILITY.

ARTICLE III.
REQUIREMENTS FOR INTERCONNECTION

- A Points of Delivery. Emergency water service provided shall be delivered from the Providing Utility to the Receiving Utility to the Points of Delivery described on Exhibit "A" attached hereto. The location of the Points of Delivery may be modified, at the sole expense of the party requesting the modification, by agreement between the Parties. A Party making request for an additional connection of its facilities to the other's water system shall accompany each such request with an engineering report and plans prepared by a registered professional engineer which detail the area to be served and include the quantity of water and characteristics of service to be provided to the additional point of delivery.

- B. Nature of interconnection. The interconnection between HCISD and MC W/S shall include a meter.

ARTICLE IV.
CONSTRUCTION RESPONSIBILITIES

- A. Construction Responsibilities. MC W/S shall construct, at its sole expense, all approach and delivery facilities required for receipt of emergency water service from HCISD hereunder, if additional work is needed. Both Parties shall be responsible for obtaining all easements and rights of way necessary for construction of approach and delivery facilities.
- B. Approval of Plans. Prior to commencement of construction of the water facilities, all plans and specifications must be approved in writing by both HCISD and MC W/S before actual construction begins.
- C. Inspection. In order to ensure compliance with the standards and specifications set forth herein, each Party shall have the right to inspect, at its expense, all phases of the construction of water facilities required to be constructed by the other Party in order to receive emergency water service hereunder.

ARTICLE V.
OPERATION AND MAINTENANCE
RESPONSIBILITIES

- A. System Operation and Maintenance. The Parties shall be solely responsible for the operation and maintenance of its own water distribution system in its entirety including:
- (1) those facilities of a party located within its corporate limits or service area used to transport water to or from the Points of Delivery;

- (2) those facilities constructed by a party for the purpose of transporting water to or across the corporate limits or service area of the other; and
 - (3) the interconnection facilities constructed by the party.
- B. Maintenance Standard. The Parties agree that operation and maintenance of the facilities used to transport water shall be in accordance with the standards and procedures used by MCO W/S and HCISD in the operation and maintenance of their other distribution facilities.
- C. Operation and Maintenance of Interconnection. MC W/S shall be responsible for the installation, operation, maintenance and security of the interconnection to and the water meter used to serve MC W/S.
- D. Protective Measures. Except as specifically provided herein, the Receiving Utility shall be solely responsible for undertaking all measures to protect its system from damage or harm caused by the connection of its system to the other or otherwise from the receipt of emergency water service hereunder.
- E. Routine Maintenance. Both Parties agree that water lines should be flushed frequently to prevent the water from becoming stagnant, and the mechanical/electrical equipment should be exercised. To this end there will be up to six (6) line flushes per year without charge. For each flushing, the first 2,000 gallons of water will not be billed to the Receiving Utility (this amount of water will adequately flush the line segment common to both entities). All water consumed by the Receiving Utility after the first 2,000 gallons will be billed at the rates established in Article 2.H of this Agreement. Each Party will provide water for up to six (6) line flushings per year. At the time of these flushings appropriate testing will be done on the mechanical/electrical equipment. These

activities will be scheduled at a time agreeable to both Parties, and personnel from both will conduct the testing on their own equipment.

ARTICLE VI.
GENERAL PROVISIONS

- A. Term. This Agreement shall be for a term of one (1) year unless terminated pursuant to Paragraph B below. This Agreement shall automatically renew for an additional term of one (1) year commencing upon the expiration of the preceding term unless otherwise agreed by the parties.
- B. Termination. Either party may terminate this Agreement upon ninety (90) days written notice to the other.
- C. Liability. To the extent authorized by the constitution and laws of Texas, the Receiving Utility agrees to hold the Providing Utility harmless from liability or claims for personal injury, property damage, damages to the Receiving Utility's water system, or other loss or expense arising directly or indirectly from the provision of emergency water service hereunder.
- D. Payments from Current Revenues. Pursuant to Texas Government Code, Chapter 791, payments required to be made hereunder shall be payable from current revenues lawfully available to the payor for such purpose.
- E. No Effect on Customer Contracts. This Agreement shall not affect contracts between a party and its customers, either retail or wholesale.
- F. Interlocal Cooperation. The parties hereto agree to cooperate at all times in good faith to effectuate the purposes and intent of this Agreement
- G. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes all prior or contemporaneous understandings or representations,

whether oral or written, respecting the subject matter hereof

- H. Amendments. Any amendment hereof must be in writing and signed by the authorized representative of each party hereto.
- I. No Amendment of Other Agreements. Unless otherwise expressly stipulated herein, the Agreement is hereby separate from and shall not constitute an amendment or modification of any other agreement between the parties.
- J. No Third Party Beneficiaries. This Agreement shall inure only to the benefit of the parties hereto and third persons not privy hereto shall not, in any form or manner, be considered a third-party beneficiary of this Agreement. Each party hereto shall be solely responsible for the fulfillment of its customer contracts or commitments and the Providing Utility shall not be construed to be responsible for same by virtue of this Agreement or any provision contained herein.
- K. Applicable Law. This Agreement shall be construed under and in accordance with Texas law.
- L. Venue. Venue for any action arising hereunder shall be in Hays County, Texas.
- M. Effective Date. This Agreement shall be effective from and after the date of due execution hereof by all parties.

Hays CISD School District

By: _____

Printed Name:

Date Attest: _____

Mountain City Water System

By: _____

Printed Name: Ralph McClendon, Mayor

Date Attest: _____

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: J.4

Board Goal: Board/Staff/Community Relations

Subject: Budget Amendments

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A

C. Summary:

Previous board action relating to this item - Monthly
 Background information – The 2023-2024 budget has been approved by the Board of Trustees. Amendments to the budget must also be approved by the Board.

D. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other

E. Administrative Recommendation:

The administration recommends approval of the retro-active budget amendment to Child Nutrition, as presented.

F. Fiscal Impact and Cost: Amount:

Budget (See attached detail) Bond Grant/Special Funds Other

G. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision: Randy Rau

H. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the budget amendment, as presented.

BUDGET AMENDMENT 1 – September 25, 2023

RECOMMENDATION:

The Administration recommends the listed budget amendments and transfers be approved.

BACKGROUND INFORMATION:

In accordance with the TEA budget and accounting procedures and guidelines, the District’s official budget includes the General Fund, Food Service Fund, and the Debt Service Fund. The Board of Trustees should approve the adoption of the budgets associated with these funds, and subsequent amendments, at the *Fund Function* level. Other funds such as Special Revenue Funds for grants and capital projects are approved on a *Project Basis*; and consequently, *are* not required to be approved with the same level of detail.

The administration routinely allows transfers of existing budgeted funds within the same fund function in order to accommodate the necessary operations of the requesting department or campus. These transfers usually become necessary due to account coding requirements. Requests for transfers of existing funds between functions are reviewed by the administration to ensure that the related expenditures will not exceed the overall approved budget at the function level. These requests allowed at the administrative level are subject to final approval by the Board of Trustees.

In addition to the transfers of existing budget funds outlined above, the Board of Trustees must approve requests for new appropriations prior to expenditure. These requests include appropriations from fund balance, and reappropriation of designated fund balances.

ADMINISTRATIVE CONSIDERATIONS:

Transfers: The Administration has reviewed the following transfers and determined that there will be **no impact to the budget.**

Cross Function Transfer Summary

Description	Increase (Decrease)
11 - Instruction	\$ (54,490)
12 - Instructional Resources and Media Services	\$ 0
13 - Instructional Staff Development	\$ 12,293
21 - Instructional Administration	\$ 42,197
23 - Campus Administration	\$ 0
31 - Guidance and Counseling Services	\$ 0
32 - Social Work Services	\$ 0
33 - Health Services	\$ 0
34 - Transportation	\$ 0
36 - Co curricular / Extracurricular	\$ 0
41 - General Administration	\$ 0
51 - Maintenance	\$ 0
52 - Security	\$ 0
53 - Data Services	\$ 0
61 – Community Services	\$ 0
71 – Debt Service	\$ 0
81 – Facilities Acquisition & Construction	\$ 0
91 – Chapter 41 Payments	\$ 0
93 – Payments to Fiscal Agents	\$ 0
95 – Payments to JJAEP	\$ 0
99 – Other Intergovernmental Charges	\$ 0
Total Net Transfers	\$ 0

REQUESTS for Re-APPROPRIATIONS:

New appropriations requested for purchase orders encumbered in the prior fiscal year “rolled over” to the current fiscal year for payment. These are purchase orders in the normal course of business that were not closed prior to June 30, 2023. Prior year purchase order rollover in the normal course of business totaled \$759,390 at June 30, 2022 for the General Operating Fund and \$16,535 for the Child Nutrition Fund.

New appropriations are also requested for the JROTC program representing the budget for “reimbursables” from the federal government totaling \$11,000.

General Operating Fund Re-Appropriations Summary			
Description	Official Budget	Increase/ (Decrease)	Amended Budget
<u>Revenues:</u>			
183-00-5949-10-005-00-0-0	\$ 0	\$ 11,000	\$ 11,000
Total	\$ 0	\$ 11,000	\$ 11,000
<u>Expenditures:</u>			
183-11-6xxx-10-005-11-1-0	\$ 0	\$ 8,000	\$ 8,000
183-13-6xxx-10-005-38-1-0	\$ 0	\$ 1,000	\$ 1,000
183-36-6xxx-10-005-11-1-0	\$ 0	\$ 2,000	\$ 2,000
199-11-6xxx-00-xxx-xx-x-0	\$ 0	\$ 44,315	\$ 44,315
199-12-6xxx-00-xxx-xx-x-0	\$ 0	\$ 1,026	\$ 1,026
199-13-6xxx-00-xxx-xx-x-0	\$ 0	\$ 750	\$ 750
199-21-6xxx-00-xxx-xx-x-0	\$ 0	\$ 8,463	\$ 8,463
199-31-6xxx-00-xxx-xx-x-0	\$ 0	\$ 3,349	\$ 3,349
199-33-6xxx-00-xxx-xx-x-0	\$ 0	\$ 2,006	\$ 2,006
199-34-6xxx-00-xxx-xx-x-0	\$ 0	\$ 5,043	\$ 5,043
199-36-6xxx-00-xxx-xx-x-0	\$ 0	\$ 211,413	\$ 211,413
199-41-6xxx-00-xxx-xx-x-0	\$ 0	\$ 5,254	\$ 5,254
199-51-6xxx-00-xxx-xx-x-0	\$ 0	\$ 438,343	\$ 438,343
199-52-6xxx-00-xxx-xx-x-0	\$ 0	\$ 10,179	\$ 10,179
199-53-6xxx-00-xxx-xx-x-0	\$ 0	\$ 29,249	\$ 29,249
Total	\$ 0	\$ 770,390	\$ 770,390
Total Net Appropriations (Revenues minus Expenditures)		\$ (759,390)	

Child Nutrition Fund Re-Appropriations Summary			
Description	Official Budget	Increase/ (Decrease)	Amended Budget
<u>Revenues:</u>			
	\$ 0	\$ 0	\$ 0
Total	\$ 0	\$ 0	\$ 0
<u>Expenditures:</u>			
240-35-62xx-00-895-99-1-0	\$ 0	\$ 16,535	\$ 16,535
Total	\$ 0	\$ 16,535	\$ 16,535
Total Net Appropriations (Revenues minus Expenditures)		\$ (16,535)	

ACTION REQUIRED

Board Approval

SUPPORT INFORMATION

Additional information provided upon request.
 Contact: Randall Rau – Chief Financial Officer

Hays Consolidated Independent School District
Budget Amendment 1 Support Information
for the Fiscal Year Ending June 30, 2024

Budget Amendment #1 Support:

<u>Account</u>	<u>Function</u>	<u>Location</u>	<u>Amount</u>	<u>User ID</u>	<u>Status</u>	<u>Original Period</u>	<u>New Period</u>	<u>JE #</u>	<u>New JE #</u>	<u>Reason</u>
199 -11-6397-TE-980-23-3-0	11	980	\$ (18,797.00)	vargasn	Pending	1		445		Amount budgeted in wrong account.
199 -21-6295-MB-888-23-3-0	21	888	\$ 18,797.00	vargasn	Pending	1		445		Amount budgeted in wrong account.
199 -11-6269-GC-946-11-3-0	11	946	\$ 19,595.00	bracamontese	Pending	2		248		Cover TXST Strahan Invoice.
199 -13-6399-00-946-99-3-0	13	946	\$ (19,595.00)	bracamontese	Pending	2		248		Cover TXST Strahan Invoice.
199 -11-6399-00-118-30-1-0	11	118	\$ (7,128.00)	salazarma	Pending	2		373		Cover cost amount for Leader in Me.
199 -13-6399-00-118-30-1-0	13	118	\$ 7,128.00	salazarma	Pending	2		373		Cover cost amount for Leader in Me.
199 -11-6397-TE-921-25-3-0	11	921	\$ (42,000.00)	logniond	Pending	2		484		Cover upcoming expenses.
199 -13-6295-00-921-25-3-0	13	921	\$ 10,000.00	logniond	Pending	2		484		Cover upcoming expenses.
199 -21-6397-TE-921-25-3-0	21	921	\$ 32,000.00	logniond	Pending	2		484		Cover upcoming expenses.
199 -11-6399-00-109-30-1-0	11	109	\$ (6,160.00)	villalona	Pending	2		905		Amount budgeted in wrong account.
199 -13-6399-00-109-30-1-0	13	109	\$ 6,160.00	villalona	Pending	2		905		Amount budgeted in wrong account.
199 -13-6411-00-944-99-3-0	13	944	\$ 8,600.00	lopezo	Pending	3		56		Amount budgeted in wrong account.
199 -21-6394-TE-944-99-3-0	21	944	\$ (8,600.00)	lopezo	Pending	3		56		Amount budgeted in wrong account.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 18, 2023

Agenda Item: K.1

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible adoption of a Resolution to join Litigation regarding A-F Accountability System

Administrator Responsible/Position: Dr. Eric Wright, Superintendent

A. Purpose of Agenda Item:

Action Needed

Information Only

Receive Input

B. Authority for This Action

Local Policy

Law or Rule

N/A

C. Goal or Need Addressed:

The goal of this agenda item is to seek approval of the adoption of a resolution to join litigation regarding the A-F Accountability System

D. Summary:

Previous board action relating to this item -

Future action anticipated -

Background information – The A-F Accountability System is a statewide rating system established by the Texas Legislature to provide information about the academic performance of Texas public schools. Texas Education Code 39.054, has granted broad authority to the Commissioner of the Texas Education Agency to “adopt the rules to evaluate school district and campus performance and assign each district and campus an overall performance rating of A, B, C, D, or F”. Without requirement, the Commissioner has stated that the A-F Accountability System should be revised every five years. The enclosed resolution provides details regarding the litigation.

E. Suggested Motion

I move that the Hays CISD Board of Trustees adopt a resolution to join litigation regarding the A-F Accountability System, as presented.

**RESOLUTION OF THE BOARD OF TRUSTEES OF
THE HAYS CONSOLIDATED INDEPENDENT DISTRICT
REGARDING THE A-F ACCOUNTABILITY SYSTEM**

WHEREAS, the A–F Accountability System is a statewide rating system established by the Texas Legislature to provide information about the academic performance of Texas public schools; and

WHEREAS, the Texas Legislature, in Texas Education Code §39.054, has granted broad authority to the Commissioner (“the Commissioner”) of the Texas Education Agency to “adopt rules to evaluate school district and campus performance and assign each district and campus an overall performance rating of A, B, C, D, or F; and

WHEREAS, the current A-F accountability system was designed by the current Commissioner; and

WHEREAS, despite the lack of a requirement in the statute that the Commissioner change the accountability system on any particular schedule, the Commissioner has stated that the A-F accountability system should be revised every five years; and

WHEREAS, the Commissioner intends to impose, on a retroactive basis, a new accountability system for the 2022-23 school year which has still yet to be finalized; and

WHEREAS, the changes made by the Commissioner are intended to be applied to graduating classes who have already graduated from the Hays Consolidated Independent School District (“the District”); and

WHEREAS, the Commissioner intends to release ratings for the 2022-23 school year in October or November using retroactive updates to the accountability system that would lower the rating of thousands of schools; and

WHEREAS, the Commissioner still has not finalized the rules and methodologies that will be used to evaluate schools for the 2022-2023 school year or the 2023-2024 school year; and

WHEREAS, in violation of state law, in the 2022-2023 school year, the Commissioner failed to provide school districts “a document in a simple, accessible format that explains the accountability performance measures, methods, and procedures that *will* be applied” for the 2022-2023 school year; and

WHEREAS, in violation of state law, in the 2023-2024 school year, the Commissioner has failed to provide school districts “a document in a simple, accessible format that explains the accountability performance measures, methods, and procedures that *will* be applied” for the 2023-2024 school year; and

WHEREAS, the District believes the A-F Accountability System should be adjusted to raise standards, but only with appropriate advanced notice; and

WHEREAS, the purpose of the A-F Accountability System is to provide transparency and clarity for schools, parents, and the community at large about the performance of Texas public schools in relation to state expectations; and

WHEREAS, contrary to the purpose of transparency regarding school performance, the ratings intended to be issued by the Commissioner under the 2022-2023 school year will give the appearance that schools with higher levels of student achievement are actually declining in performance; and

WHEREAS, the failure of the Commissioner to comply with state law and provide an explanation of the measures, methods, and procedures to be used during the 2022-2023 school year prevented the District from appropriately adjusting its practices and allocation of resources in accordance with state expectations; and

WHEREAS, the retroactive application of new measures, methods, and procedures without the required advanced notice represents harm to the District and its community because it gives the appearance of declining school performance which impacts enrollment, property values, the application of potential sanctions by the Commissioner, and the effective use of resources; and

WHEREAS, several Texas school districts have filed a lawsuit seeking an injunction to prevent the Commissioner from issuing new ratings using the retroactively applied, yet-to-be-finalized, measures, methods, and procedures; and

WHEREAS, the District agrees with the arguments laid out in the lawsuit and believes the intention of the Commissioner to issue ratings using retroactively applied, yet-to-be-finalized measures, methods, and procedures to be in contravention of state policy regarding the A-F accountability system and in violation of the law;

NOW, THEREFORE, BE IT RESOLVED, that:

1. All the above-referenced paragraphs, findings, and recitals are incorporated into and made part of this resolution.
2. The Hays Consolidated Independent School District Board of Trustees directs the Superintendent to take the necessary steps to join the litigation challenging of the Commissioner's failure to provide Texas school districts advanced notice of the measures, methods, and procedures to be used in the 2022-2023 and 2023-2024 school years prior to the start of each of those school years in violation of state law.
3. The Hays Consolidated Independent School District Board of Trustees urges the Commissioner to comply with state law and issue ratings for the 2022-2023 and 2023-2024 school years utilizing the existing measures, methods, and procedures of which school districts had notice in accordance with state law.

Board President's Signature: _____

Date: _____

Board Secretary's Signature: _____

Date: _____

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: L.1

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible adoption of the Hays CISD Goals for 2023-2024

Administrator Responsible/Position: Dr. Eric Wright, Superintendent of Schools

A. Purpose of Agenda Item:

Action Needed Information Only Receive Input

B. Authority for This Action

Local Policy Law or Rule N/A

C. Goal or Need Addressed:

Adoption of the Hays CISD Goals for 2023-2024

D. Summary:

Previous board action relating to this item -

Future action anticipated -

Background information – Board members and the Superintendent and Cabinet have participated in professional development to develop the goals for the district.

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. **Other - Board Members**

F. Administrative Recommendation:

The administration recommends the board adopt the Hays CISD Goals for 2023-2024, as presented.

G. Fiscal Impact and Cost: Amount: N/A

Budget – General Operating Fund Bond Grant/Special Funds Other

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Board and Superintendent

Evaluation method and time line -

Next report to the board -

I. Suggested Motion

I move that the Hays CISD Board of Trustees adopt the Hays CISD Goals for 2023-2024, as presented.

Proposed Goals 2023-2024

Student Achievement Goal - Through attention to individual students' needs, each campus will demonstrate continuous improvement by showing academic growth and student engagement, including intervention and enrichment. The District will evaluate and address the individual needs of each student. Student performance will be evaluated in academics; college, career, and military readiness; and character and power skills education.

School Safety & Security Goal - A safe environment must include secure facilities, staff and student training, and our adopted standard response protocol. The district will partner with local, state, and federal entities to assure preparedness related to School Safety and Security.

Community Relations Goal - The district will foster a welcoming culture of positive engagement and public service. Our district is committed to customer service with timely and effective communication.

Finance Goal – The district will work to reduce the Fiscal Year 24 deficit, working toward a balanced budget for Fiscal Year 25.

**Updated at 9/6/23 Special Meeting*

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: L.2

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible adoption of the instrument to be used to evaluate the Superintendent

Administrator Responsible/Position: Dr. Eric Wright/ Superintendent

A. Purpose of Agenda Item:

- Action needed Information only Receive input

B. Authority for This Action:

- Local Policy Law or Rule N/A

Board Policy BJCD states the Board shall prepare a written evaluation of the Superintendent at annual or more frequent intervals and that the appraisal process and criteria will be adopted by the board.

C. Goal or Need Addressed:

Adoption of document to be used to evaluate the Superintendent

D. Summary:

Previous board action relating to this item – Previous Superintendent Evaluation Document was adopted by the board on September 2022.

Future action anticipated - annually

Background information -

E. Comments Received:

- Cabinet DLT FBOC Teacher Org. Reps. Other

F. Administrative Recommendation:

The Superintendent recommends adoption of the presented evaluation document.

G. Fiscal Impact and Cost: Amount: N/A

- Budget Bond Grant/Special Funds Other

H. Suggested Motion:

I move that the Hays CISD Board of Trustees adopt the Superintendent Evaluation Instrument, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: September 25, 2023

Agenda Item: L.3

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of proposed amendments to the 2023-2024 Compensation Plan

Administrator Responsible/Position: Dr. Eric Wright, Superintendent
Christina Courson, Chief Human Resources Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A
DC & DP (Legal and Local)

C. Goal or Need Addressed:

As the school district continues to grow, requiring the management of bond projects to facilitate growth, we request approval to amend the 23-24 Compensation Plan that was approved on June 26, 2023, in order to include a bond-funded position for this purpose.

D. Summary:

Previous board action relating to this item

Future action anticipated -

Background information – In accordance with policy (DEA) Local, the board approves any amendments/changes to the Compensation Plan. The amendments include the following:

The addition of a new bond-funded position called deputy operations and bond management officer

- Would report to the chief operations officer
- Would serve as a deputy to the chief operations officer
- Would be responsible for the management of bond projects throughout the district
- Would be placed on Business Professional Pay Grade 9

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other

F. Administrative Recommendation:

Administration recommends the Board of Trustees approve the Superintendent's recommendations regarding the employment of administrative professional personnel.

Advantages/benefits of this proposal - This proposal fulfills the need for the school district to have an individual responsible for managing bond projects throughout the district while also providing additional support to the chief operations officer.

Consequences of not approving recommendation – The district would not have a position whose responsibility is largely devoted to bond management in our fast-growth school district.

G. Fiscal Impact and Cost: Amount: \$136,000 from bond funds
 Budget 2023 Bond Grant/Special Funds Other

H. Monitoring and Reporting Timeline:
Person responsible for evaluating this decision or action — Christina Courson, CHRO

I. Suggested Motion:
I move that the Hays CISD Board of Trustees approve the proposed amendments to the 2023-2024 Compensation Plan, as presented.

Hays Consolidated Independent School District
Business / Professional Compensation Plan
for the Fiscal Year ending June 30, 2024

Updated 9/18/2023

Pay Grade 1					2.00%
Daily	Minimum	Midpoint	Maximum	MPI	
	\$198.50	\$242.06	\$285.64		\$4.84
230	45,655	55,674	65,697		1,113
248	49,228	60,031	70,839		1,201
SIS Assistant (230) Cabling Technician (248)		Technician I (248) Inventory Specialist (248)			

Pay Grade 2					2.00%
Daily	Minimum	Midpoint	Maximum	MPI	
	\$218.34	\$266.26	\$314.19		\$5.33
210	45,851	55,915	65,980		1,118
226	49,345	60,175	71,007		1,203
230	50,218	61,240	72,264		1,225
248	54,148	66,032	77,919		1,321
Attendance Intervention Specialist (210) Purchasing Buyer (230)		CN Registered Dietician (226) Technician II / Help Desk (230/248)		Visual Media Specialist (226)	

Pay Grade 3					2.00%
Daily	Minimum	Midpoint	Maximum	MPI	
	\$251.10	\$306.20	\$361.34		\$6.12
226	56,749	69,201	81,663		1,384
230	57,753	70,426	83,108		1,409
248	62,273	75,938	89,612		1,519
Coordinator, Fleet Services (248) Coordinator, Performing Arts Center (226) Coordinator, Visual Media (226) Mobile Device Specialist (248) Software Support Specialist (248)		Assistant Tech Specialist (248) Coordinator, SE Tech Services (248) Manager, Print Shop (230) Safety & Security Coordinator (230) Coordinator, Transportation (230)		MIS Assistant II (230) Transportation Tech Analyst (230) Technician III (248)	

Pay Grade 4					2.00%
Daily	Minimum	Midpoint	Maximum	MPI	
	\$276.21	\$336.85	\$397.48		\$6.74
230	63,528	77,476	91,420		1,550
248	68,500	83,539	98,575		1,671
Accountant II (230) Coordinator, HR (230) Security System Administrator (248)		Coordinator, Volunteer & Partnerships (230) Coordinator, Payroll (230) System Administrator (248)		Coordinator, Digital Materials/Textbooks (230) Coordinator, SIS (230) Data Programmer Analyst I (248)	

Pay Grade 5					2.00%
Daily	Minimum	Midpoint	Maximum	MPI	
	\$303.83	\$370.53	\$437.22		\$7.41
230	69,881	85,222	100,561		1,704
248	75,350	91,891	108,431		1,838
Compensation Administrator (230) Coordinator, Tech Workflow (230) Coordinator, Mobile Device Mgmt. (248)		Cybersecurity Specialist (248) Systems Administrator - VOIP (248) Systems Engineer (248)		Coordinator, PI/Webmaster (230) Network Engineer (248) Data Programmer Analyst II (248)	

Pay Grade 6					2.00%
Daily	Minimum	Midpoint	Maximum	MPI	
	\$334.21	\$407.57	\$480.97		\$8.15
226	75,531	92,111	108,699		1,842
248	82,884	101,077	119,281		2,022
Asst Director, Transportation (226) Bond Project Manager II (248)		Cybersecurity Engineer (248) Director, Grounds/Utilities/IPM (248)		Senior Network Engineer (248) Senior Data Programmer (248)	

Hays Consolidated Independent School District
Business / Professional Compensation Plan
for the Fiscal Year ending June 30, 2024

Updated 9/18/2023

Pay Grade 7				2.00%
Daily	Minimum	Midpoint	Maximum	MPI
	\$370.97	\$452.42	\$533.83	\$9.05
226	83,839	102,247	120,646	2,045
230	85,323	104,057	122,781	2,081
248	92,001	112,200	132,390	2,244
	Director of Accounting (226) Director, MIS (230) Director, Software Services (248) Director of Benefits (226)	Director, Budget (226) Director, Purchasing (226) Director, Tech Admin Support (230) Director, Communications (226)	Director, Desktop Support (248) Director, Tech Security (248)	

Pay Grade 8				2.00%
Daily	Minimum	Midpoint	Maximum	MPI
	\$434.04	\$529.32	\$624.60	\$10.59
226	98,093	119,626	141,160	2,393
248	107,642	131,271	154,901	2,625
	Deputy Technology Officer (248) Director, Transportation (226)	Director, Construction & Planning (248) Director, Mech., Electrical, Plumbing (248)	Director, Custodial & Maintenance (248) Director, Student Health Services (226)	

Pay Grade 9				N/A
Daily	Minimum	Midpoint	Maximum	MPI
	\$486.98	\$608.72	\$730.46	
248	120,771	150,963	181,154	
	Executive Director of Facilities, Construction, and Bond Programs (248)			

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: L.4

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of a memorandum of Understanding between Hays CISD and Texas Workforce Housing Foundation regarding affordable housing for Hays CISD Employees

Administrator Responsible/Position: Christina Courson, Chief Human Resources Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A

C. Goal or Need Addressed:

Hays CISD is committed to being an unrivaled employee-friendly organization. As the cost of living continues to rise, the district would like to explore options to provide more affordable housing options for its staff.

D. Summary:

Previous board action relating to this item
 Future action anticipated -
 Background information - The Texas Workforce Housing Foundation (the "Foundation") is a Texas nonprofit corporation created for the purposes of providing economic development, education, and workforce housing opportunities for Texas residents. Workforce housing is generally aimed at individuals and families earning somewhere between 60% and 80% of the area median income-- between \$73,380 and \$97,840 per year. A partnership with the Foundation could enable our employees to access rental housing at significant discounts from market rent.

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other

F. Administrative Recommendation:

Administration recommends that the board approve the MOU, as presented.

G. Fiscal Impact and Cost: Amount: N/A

Budget Bond Grant/Special Funds Other

H. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision or action — Christina Courson, CHRO
Evaluation method and timeline – The Chief HR Officer will monitor the progress of the partnership, and provide updates to the Board via Board Blog.

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the Memorandum of Understanding between Hays CISD and Texas Workforce Housing Foundation, as presented.

**MEMORANDUM OF UNDERSTANDING BETWEEN
HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT AND
THE TEXAS WORKFORCE HOUSING FOUNDATION**

WHEREAS, the Hays Consolidated Independent School District (the “District”), has agreed to enter into this Memorandum of Understanding agreement (the “Memorandum of Understanding” or the “Cooperation Agreement”) with the Texas Workforce Housing Foundation (the “Foundation”) to enable District personnel to receive financial benefits and other incentives from the Foundation; and

WHEREAS, the Foundation is a Texas nonprofit corporation dedicated to providing safe and sanitary workforce housing which declared a desire to assist in the provision of safe and sanitary workforce housing available to the District’s workforce within the boundaries of the District at rent levels that its personnel can afford; and

WHEREAS, on November 3, 2022, the Board of Directors of the Foundation adopted a resolution to develop a workforce housing strategy to partner with and support Texas independent school districts and to exercise certain of its powers for the advancement of and for the benefit of such districts’ interests, including authorization to provide financial benefits and other incentives from the Foundation to personnel of the District at initial multifamily residential developments previously acquired or under development by the Foundation that are owned currently (the “Inaugural Developments”) and (to the extent expressly approved by the District) additional multifamily residential developments to be developed or acquired by the Foundation after the date of this Memorandum of Understanding (the “Future Developments” and, together with the Inaugural Development, the “Developments”); and

WHEREAS, the Foundation has been formed for purposes of, among other services and activities, (a) supporting the economic development, education, and workforce housing needs of Texas residents, (b) acquiring, constructing, rehabilitating, renovating, repairing, equipping, furnishing and placing in service public facilities, including multifamily residential housing developments, (c) partnering with entities to assist in the provision, oversight, and maintenance of such public facilities, and (d) issuing tax-exempt or taxable bonds to finance the costs of public facilities to benefit the Texas workforce; and

WHEREAS, the Foundation shall be solely responsible for any and all acquisition costs, development costs, rehabilitation costs, repairing, maintaining, and financing for the Developments, and the District shall have no obligations whatsoever to the Foundation, including, but not limited to, procuring tenants, repayment of any debt incurred in relation to the Developments, collecting rents or deposits, communications with District personnel, maintaining the affordability fund, or any other responsibility, act, or omission of an act.

NOW, THEREFORE, the parties hereto, the District, and the Foundation agree as follows:

Section 1: Cooperation Agreement. The District and the Foundation agree to cooperate to authorize the Foundation to provide the Developments for the benefit of the District's workforce inside the boundaries of the District, consistent with the provisions below.

Section 2: Multifamily Residential Workforce Housing Authorization; Bond Issuance. The Foundation shall be authorized to exercise its powers under the Texas Local Government Code, Chapter 303 (the "LGC"), to acquire, construct, rehabilitate, renovate, repair, equip, furnish, or operate Developments in the District as provided in this Memorandum of Understanding. The Foundation agrees to exercise its powers under the Internal Revenue Code (the "IRC") and the LGC for the benefit of the District in connection with the financing and operation of Developments within the boundaries of the District, to the extent each such Development has been identified to the satisfaction of and approved by the Superintendent of the District, including, but not limited to, incurring debt or issuing tax-exempt or taxable bonds to finance the costs of such Developments. Moreover, the Foundation agrees to allow the District or the District's component entities to exercise any and all of the Foundation's powers under Chapter 303 of the LGC.

Section 3: Ownership. The Foundation agrees to own, operate, construct, and acquire Developments within the territorial boundaries of the District and agrees to operate and manage such Developments in part for the benefit of District personnel residing in the District. The District shall have no responsibility, obligation or duty with respect to the Developments. For the avoidance of doubt, the District shall not be required to own the Developments or be obligated to provide any services in connection therewith.

Section 4. Financial Benefits; Annual Reports. The Foundation shall provide upfront payments into the Texas Educator Housing Affordability Fund, a Texas nonprofit organization (the "Affordability Fund") of at least \$250,000.00 (the "Upfront Payment") for each Development and ongoing annual payments of at least \$50,000.00 (the "Ongoing Payments") for each Development to be used exclusively for District personnel who reside at the Development. The Upfront Payments will be made by the within 45 days of the effective date of the Cooperation Agreement for the existing Inaugural Developments and on the respective date of acquisition for each Future Development, and the Ongoing Payments will be made by the Foundation with respect to each Development on or before the anniversary date of each subsequent year that the Foundation owns the Development.

If the Foundation issues tax-exempt bonds to finance a Development, the respective affordability fund payments made by the Foundation for the benefit of the District shall be \$500,000.00 for each Upfront Payment, \$250,000.00 of which shall be contributed by the Foundation and \$250,000.00 of which shall be contributed by the Foundation's bond counsel and co-financial advisor(s), and \$100,000.00 for each Ongoing Payment. The District shall not incur any pecuniary obligation or bear any responsibility (financial or otherwise) for any debt incurred to finance or associated with any Development. The Foundation acknowledges and agrees that the District is not authorized to and shall not pledge any ad valorem tax or bond rating in connection with any financing activities of the Foundation or the Developments. Further, the District shall

not be responsible for management or operation of the Affordability Fund. In connection therewith, the Foundation shall cause to be submitted within 120 days after the end of its fiscal year an annual report to the Board of Trustees of the District describing the type and amount of workforce housing and financial benefits provided to and utilized by District personnel and any other activities of the Foundation that have been undertaken for the benefit of the District, provided, however, that such reports shall not contain any confidential or personal financial information of District personnel.

Section 5. Preservation of Authority. No applicable provision or intention in this Memorandum of Understanding limits the authority or power of the District to exercise its powers in any manner or under any law. No provision or intention in this Memorandum of Understanding shall be construed to limit the authority or power of the Foundation to exercise its powers under Section 501(c) of the IRC or under the LGC, particularly with respect to its ability to finance, plan, undertake, construct, acquire, or operate the Developments under this Memorandum of Understanding, nor does this Memorandum of Understanding relieve or alleviate the Foundation from any of its legal responsibilities in connection therewith.

Section 6. Implementation. The Superintendent of the District and the President of the Foundation are authorized to take any reasonable and necessary action to effectuate and implement the direction and intention of this Memorandum of Understanding and the authorizing resolutions. For the avoidance of doubt, the Board of Directors hereby authorizes the Superintendent of the District to provide such approvals as may be required or contemplated by and to take such actions as he shall deem necessary or appropriate to accomplish the purposes of this Memorandum of Understanding.

Section 6. Termination. Either party may terminate this Memorandum of Understanding at any time upon written notice to the other party; provided, that no such termination shall reduce or terminate any financial benefits that are committed to any District personnel from the Affordability Fund at the time of such termination.

Section 7. Execution. The Memorandum of Understanding may be executed simultaneously or individually in separate parts.

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EXECUTED AND DELIVERED this 25th day of September 2023.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL
DISTRICT**

President, Board of Trustees

Superintendent of Schools

TEXAS WORKFORCE HOUSING FOUNDATION

President, Board of Director

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: September 25, 2023

Agenda Item: L.5

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the 2023 Bond Schematic Design Package for Improvements at Johnson High School

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

- Action needed Information only Receive input

B. Authority for This Action:

- Local Policy Law or Rule N/A

C. Goal or Need Addressed:

Provide safe and clean facilities.

D. Summary:

- Previous board action relating to this item** – In April 2023 the Board assigned this project to Huckabee Architects. In August 2023, the Board took no action on SD approval to allow for additional stakeholder input.
- Future action anticipated** –
- Background information** – The 2023 Bond contains provisions for Johnson High School Improvements including an Academic Expansion to accommodate 2,800 students with regular and CTE classrooms, an All-purpose Gym (Fine Arts Gym), a new Band Hall, driveway and drainage improvements, and master planning for future projects.

This is a separate project from the baseball and softball field improvements.

Huckabee and Bartlett-Cocke have provided SD documentation and a schematic design construction estimate for your review.

E. Comments Received:

- Cabinet DLT FBOC Teacher Org. Reps. Other:

F. Administrative Recommendation:

Staff recommends approval of the SD package.

G. Fiscal Impact and Cost: Amount: Table Below

- Budget Bond 2023 Grant/Special Funds Other

	Budget	SD Estimate
Construction	\$49,281,675	\$49,979,485
Architect	\$3,449,717	\$3,498,564
FFE	\$3,449,717	\$3,449,717
Infr and Fees	\$1,848,063	\$1,848,063
Contingency	\$3,572,921	\$2,826,265
Total	\$61,602,094	\$61,602,094

Prior Year Spending – Not applicable
Future/Ongoing -

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver, Nate Wensowitch

Evaluation method and time line:

Next report to the board:

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the Schematic Design Package for 2023 Bond Improvements at Johnson High School, for an amount not to exceed \$61,602,094, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: September 25, 2023

Agenda Item: L.6

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the Schematic Design Package for 2023 Bond Improvements for Lehman High School

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

- A. Purpose of Agenda Item:**
 Action needed Information only Receive input
- B. Authority for This Action:**
 Local Policy Law or Rule N/A
- C. Goal or Need Addressed:**
 Provide safe and clean facilities.
- D. Summary:**
 Previous board action relating to this item – In April 2023 the Board assigned this project to Huckabee Architects. In August 2023, the Board took no action on SD approval to allow for additional stakeholder input.
 Future action anticipated –
 Background information – The 2023 Bond contains provisions for Lehman High School Improvements including an 800-seat auditorium with a scene shop and classrooms, mariachi and orchestra areas, CTE classrooms, driveway improvements, drainage improvements, and master planning for future expansion to 2,800 students.
- This is a separate project from the baseball and softball field improvements.
- Huckabee and Bartlett-Cocke are providing SD documentation and a schematic design construction estimate for your review.
- E. Comments Received:**
 Cabinet DLT FBOC Teacher Org. Reps. Other:
- F. Administrative Recommendation:**
 Staff recommends approval of the SD package.
- G. Fiscal Impact and Cost: Amount: See Table**
 Budget Bond 2023 Grant/Special Funds Other

	Original Budget	SD Estimate
Construction	\$55,407,662	\$53,717,521
Architect	\$3,878,536	\$3,760,226
FFE	\$3,878,536	\$3,878,536
Infr and Fees	\$2,077,787	\$2,077,787
Contingency	\$4,017,055	\$5,825,507
Total	\$69,259,577	\$69,259,577

Prior Year Spending – Not applicable
 Future/Ongoing -

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver and Nate Wensowitch

Evaluation method and time line:

Next report to the board:

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the Schematic Design Package for 2023 Bond Improvements for Lehman High School, for an amount not to exceed \$69,259,577, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: September 25, 2023

Agenda Item: L.7

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the 2023 Bond installation of Artificial Turf at Softball and Baseball Fields at Lehman High School

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

- Action needed Information only Receive input

B. Authority for This Action:

- Local Policy Law or Rule N/A

C. Goal or Need Addressed:

Maintain clean, safe facilities.

D. Summary:

Previous board action relating to this item

On June 26, 2023, the Board approved CEI for design services for high school baseball and softball artificial turf installation projects. On July 24, 2023, the Board approved the design intent for all three high schools. On August 28, 2023 the Board approved a construction contract with Paragon Sports Company (PSC) for the installation of artificial turf at Hays and Johnson High Schools.

Future action anticipated -

Background information – The 2023 Bond contains provisions for Athletic improvements at three high schools including the installation of artificial turf on three baseball and three softball fields, improvements to LHS baseball and softball venues, track and retaining wall, and sports lighting improvements at Hays HS (tennis) and Barton MS (tennis and stadium) with an estimated total project budget of \$15,147,210, referred to as Bid Package 11. In an attempt to complete the baseball and softball projects by January 15, 2024, staff recommends the following schedule and project packaging:

June 2023	Board Assigns Engineer
June-July 2023	Begin design process for JHS and HHS
	Begin design process for LHS (additional site requirements and water line coordination)
	Begin design process for Sports Lighting
July 2023	Seek Design Intent Approval for all High Schools
August 2023	Seek Approval of Construction Contract for JHS and HHS
September 2023	Seek Approval of Construction Contract for LHS and Sports Lighting
October 2023	Start construction
January 15, 2023	Substantial Completion

Due to the compressed schedule, the proposal opening is scheduled for Monday, August 21, 2023 which is the same day as the Board Workshop. Staff will open the proposals, develop a draft tabulation, and provide it to the BOT at the time of the meeting. Five staff members scored the proposals, identified Paragon Sports Group as the best value, and began negotiations

Staff presented this to FBOC on August 23, 2023 and explained that the cost overruns from this project could be absorbed by other projects. There was no dissention on that concept. Staff has worked exclusively with PSC to develop the Lehman HS construction proposal contained in this agenda to ensure all three schools receive the same quality installation. The construction proposal is composed of known cost items and allowances as shown on the attached spreadsheet.

E. Scope of Options Reviewed:

Contract Information: to be determined based on final selection

Length of Contract: to be determined based on final selection

Reasons for rejecting alternatives

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other: Coaching Staff

G. Administrative Recommendation:

Staff recommends approval of the construction contract, as presented

H. Fiscal Impact and Cost: Amount: \$7,366,972

Budget Bond 2023 Grant/Special Funds Other

See Bid Package 11 Cost Estimate Tab and 2023 Bond Accounting Look-ahead for details.

Future/Ongoing -

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver, COO

Nate Wensowitch, Dir. Planning & Const.

Lance Moffett, Athletic Director

Evaluation method and time line:

Next report to the board

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the construction contract with Paragon Sports for the installation of artificial turf on the Lehman High School baseball and softball fields, designed by CEI, in the amount of \$7,366,972, as presented.

Hays CISD
 2023 Bond Artificial Turf Budget Look-Ahead
 09/14/23

	Original Total Budget	Combined Turf Budget JHS/HHS	Paragon Sports Construction (PSC) Proposal HHS and JHS	LHS Turf Budget	LHS Venue Budget	Combined LHS Turf and Venue Budget	Paragon Sports Construction Proposal LHS	LHS Track and Wall Budget	LHS Track And Wall Estimate	Sports Lighting HHS and BMS Budget	Sports Lighting Lighting Estimate	Total Estimated Cost
Construction	\$12,117,768	\$4,969,309	\$6,607,556	\$2,484,655	\$1,814,815	\$4,299,470	\$7,366,972	\$2,196,400	\$2,196,400	\$652,589	\$750,000	\$16,920,928
Architect	\$848,244	\$347,852	\$330,378	\$124,233	\$90,741	\$214,974	\$368,349	\$109,820	\$109,820	\$32,629	\$37,500	\$846,046
FFE	\$848,244	\$347,852	\$0	\$0	\$0	\$0	\$5,000	\$0	\$0	\$0	\$0	\$5,000
Infr and Fees	\$454,416	\$186,349	\$186,349	\$93,175	\$68,056	\$161,230	\$161,230	\$82,365	\$82,365	\$24,472	\$24,472	\$454,416
Contingency	\$878,538	\$360,274	-\$478,264	\$403,756	\$294,908	\$698,663	-\$2,527,214	\$356,915	\$356,915	\$106,045	\$3,764	-\$3,079,181
Total	\$15,147,210	\$6,211,636	\$6,646,019	\$3,105,818	\$2,268,519	\$5,374,337	\$5,374,337	\$2,745,500	\$2,745,500	\$815,736	\$815,736	\$15,147,210
	\$15,147,210	\$6,211,636	\$6,646,019	\$3,105,818	\$2,268,519	\$5,374,337	\$5,374,337	\$2,745,500	\$2,745,500	\$815,736	\$815,736	\$15,147,210

2023 Bond Budget Look Ahead
09/14/23

	BP1 ES 17	BP2 JHS	BP3 HHS,BMS,PA C	BP4 LHS	BP5 DMS, WMS	BP6 KES, TGES	BP7 TES, Impact	BP8 District Items	BP9 Safety/Sec urity	BP10 Playgrounds	BP11 Athletics	BP12 Planning	Totals
Construction	\$51,993,783	\$49,979,485	\$18,848,044	\$53,717,521	\$11,979,800	\$6,679,848	\$6,824,332	\$8,869,101	\$7,840,000	\$1,962,824	\$16,920,928	\$18,857,062	\$254,472,728
Architect	\$3,639,565	\$3,498,564	\$1,319,363	\$3,760,226	\$838,586	\$467,589	\$477,703	\$620,837	\$548,800	\$137,398	\$846,046	\$1,319,994	\$17,474,672
FFE	\$4,255,296	\$3,449,717	\$1,000,687	\$3,878,536	\$0	\$467,589	\$477,703	\$620,837	\$548,800	\$137,398	\$5,000	\$1,319,994	\$16,161,558
Infr and Fees	\$2,279,623	\$1,848,063	\$536,082	\$2,077,787	\$359,818	\$250,494	\$255,912	\$332,591	\$294,000	\$73,606	\$454,416	\$707,140	\$9,469,533
Contingency	\$13,819,169	\$2,826,265	-\$3,834,770	\$5,825,507	-\$1,184,267	\$484,289	\$494,764	\$643,010	\$568,400	\$142,305	-\$3,079,181	\$1,367,137	\$18,072,628
Total	\$75,987,436	\$61,602,094	\$17,869,406	\$69,259,577	\$11,993,937	\$8,349,810	\$8,530,415	\$11,086,376	\$9,800,000	\$2,453,530	\$15,147,210	\$23,571,328	\$315,651,119

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: L.8

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the 2023 Bond Bid Package 5 Schematic Design for Long-Lead Items for Improvements at Dahlstrom Middle School and Wallace Middle School

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A

C. Goal or Need Addressed:

Maintain clean, safe facilities.

D. Summary:

Previous board action relating to this item

In April 2023, the Board granted the Superintendent authority to assign minor 2023 Bond Projects to the district's architects, OCR or Huckabee.

Future action anticipated -

Background information –

The 2023 Bond contains provisions for the replacement of select HVAC Systems and Parking Areas per the schematic design documents produced by O'Connell Robertson (OCR). Additionally, the Dahlstrom Middle School scope includes a new parking loop on the north side of the site. The purpose of this agenda item is to familiarize you with Bid Package 5 and seek approval for the long lead-time HVAC equipment in order to make the Summer 2024 work schedule. OCR and Jackson Construction have provided schematic design documents and a schematic design construction estimate for your review.

Staff anticipates discussing this item with the FBOC at the September 20, 2023 meeting.

E. Scope of Options Reviewed:

Contract Information: to be determined based on final selection

Length of Contract: to be determined based on final selection

Reasons for rejecting alternatives

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other:

G. Administrative Recommendation:

Staff recommends approval of the schematic design package, as presented

- H. **Fiscal Impact and Cost:** Amount: See table below
 Budget Bond 2023 Grant/Special Funds Other

	Original Budget	SD
Construction	\$9,595,150	\$11,979,800
Architect	\$671,660	\$838,586
FFE	\$671,660	\$0
Infr and Fees	\$359,818	\$359,818
Contingency	\$695,648	-\$1,184,267
Total	\$11,993,937	\$11,993,937

Future/Ongoing -

- I. **Monitoring and Reporting Time Line:**
Person responsible for evaluating this decision or action: Max Cleaver, COO
Nate Wensowitch, Dir. Planning & Const.

Evaluation method and time line:

Next report to the board:

Suggested Milestones	
Consideration of SD	September 2023
Consideration of DD	October 2023
Consideration of GMP 1 (Long-lead items)	November 2023
Consideration of CD for Remaining Project	January 2024
Consideration of GMP 2 for Remaining Project	March 2024

- J. **Suggested Motion:**
I move that the Hays CISD Board of Trustees approve the 2023 Bond Bid Package 5 Schematic Design for long-lead items for improvements at Dahlstrom Middle School and Wallace Middle School, as designed by O'Connell Robertson and submitted by Jackson Construction, in the amount of \$11,979,880, as presented.



September 13, 2023

Mr. Max Cleaver

Hays Consolidated Independent School District

21003 Interstate 35

Kyle, Texas 78460

Re: Schematic Design Budget for BP #5 – Dahlstrom MS & Wallace MS Improvements

Dear Mr. Cleaver:

Jackson Construction has solicited and received Subcontractor budgets for the Schematic Design Documents for the Dahlstrom MS and Wallace MS improvements. Based upon the analysis of the budgets received, we have assembled this estimate deliverable for the work included in this proposal package. We are pleased to offer the following overall Schematic Design budget update:

**Eleven Million Nine Hundred Seventy Nine Thousand Eight Hundred Dollars
(\$11,979,800)**

Included in this SD Budget:

- Owner Contingency.....\$200,000
- CM / Design Contingency\$541,303

Alternates Provided for District Consideration Outside of Bond Scope:

- Dahlstrom MS - DOAS Unit - 12,000 CFM & 3,040 CFM\$1,197,265
- Dahlstrom MS - DOAS Unit 2,700 CFM\$447,781
- Dahlstrom MS - Indoor Split DOAS - 6,120 CFM\$473,653
- Wallace MS - Additional Lift Station.....\$82,922
- Wallace MS - Outdoor DOAS - 3,040 CFM\$470,558
- Wallace MS - Outdoor DOAS - 2,700 CFM\$447,781
- Wallace MS - Indoor DOAS - 6,120 CFM\$473,653

Cost Value Options Items Included in this SD Budget:

- None

Items Included in this SD Budget:

- Payment and Performance Bond and Insurance
- Construction Manager Fee



- General Conditions Costs
- Cost -of-Work Items
- Payroll Taxes, Insurance, and other Costs
- All Construction work per plans and specifications, unless specifically noted or excluded below and in submitted estimate.

Items Excluded from this SD Budget:

- Sales Tax for all incorporated materials.
- Testing and Inspections
- Design / Impact / Use / Development / Consultant / Jurisdictional / Agency Fees
- Building Permit Fee
- Environmental surveys and hazardous material identification, handling, and/or removal
- Adjustments, removal, or relocations to existing utilities, unless specifically shown or specified.
- Sub-surface investigations, test probe holes, geo-technical testing, and hidden conditions costs.
- Utility consumption costs, public utility applications, public utility construction costs and hook up fees.
- Modification of any existing system or conditions to bring them up to code compliance unless the scope of such modifications is clearly shown in the Construction Documents.
- Test and Balance of the HVAC System after replacement.
- All items not shown or specified in the referenced Proposal Documents.

Clarifications and Assumptions:

- Work is assumed to be done over the summer months of 2024 and 2025. General Conditions cost have been based upon Dahlstrom MS being completed in summer of 2024, and Wallace MS being completed in summer of 2025.
- New Canopy Walkway Cover to the New Bus Drive is assumed to have column footings every 15 feet on center.
- For replacement of interior Water Source Heat Pumps, Jackson has assumed to remove and replace exiting ceiling tile and grid throughout corridor for areas where units are replaced. All flooring and walls will be protected by poly protection for dust control during renovation.
- At Dahlstrom Middle School, lighting has been assumed to be installed on the new walkway canopy cover to the new bus drive loop.
- At Wallace Middle School, the Interior DOAS unit is assumed to be removed and replaced at its current location. Due to the size of the unit and the restriction of the mezzanine stair accessing this location, Jackson has assumed to remove and replace 100'x10' of exterior wall for replacement of the unit.
- The coverage of Jackson Construction's builder's risk insurance policy applies to the new construction and portions of the existing buildings Jackson Construction is renovating. The portion of the existing buildings or structures that are not being renovated or added on to under the contract documents is covered solely by the owner's own policy.



Budget Documents:

- Documents developed by O’Connell Robertson:
SD NarrativeAugust 25, 2023

We have provided a Schematic Design Deliverable to assist you in moving forward with design development on this project. We request that you review and approve that report, including the project budget in the above amounts. If you have any questions, please do not hesitate to contact us.

Sincerely,

Jackson Construction Co. Inc.

A handwritten signature in black ink that reads 'Bryan Parma'. The signature is fluid and cursive, with the first and last names clearly legible.

Bryan Parma
Vice President of Pre-Construction

CC: Nathan Wensowitch – Hays CISD
Jarrod Sterzinger – O’Connell Robertson
Alma Evans – O’Connell Robertson

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: L.9

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the Release of Surface Easement on property located between Hays High School and Barton Middle School

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A

C. Goal or Need Addressed:

Maintain clean, safe facilities.

D. Summary:

Previous board action relating to this item

Future action anticipated -

Background information –

The owner of the land immediately contiguous to Hays High School has requested the non-exclusive access easement described in exhibit 1 in the sketch, located between Hays High School and Barton Middle School, be released by the District

He indicated that a previous school administrator told him on multiple occasions that when Plum Creek Development installed the sidewalks between Hays High School and Barton Middle School, the surface easement would no longer be needed. Those sidewalks are now installed.

The underground easement shall remain intact due to the presence of active utilities.

E. Scope of Options Reviewed: N/A

Contract Information:

Length of Contract:

Reasons for rejecting alternatives

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other:

G. Administrative Recommendation:

Staff recommends release of the easement, as presented

H. Fiscal Impact and Cost: Amount: N/A

Budget Bond 2023 Grant/Special Funds Other

Future/Ongoing -

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver, COO

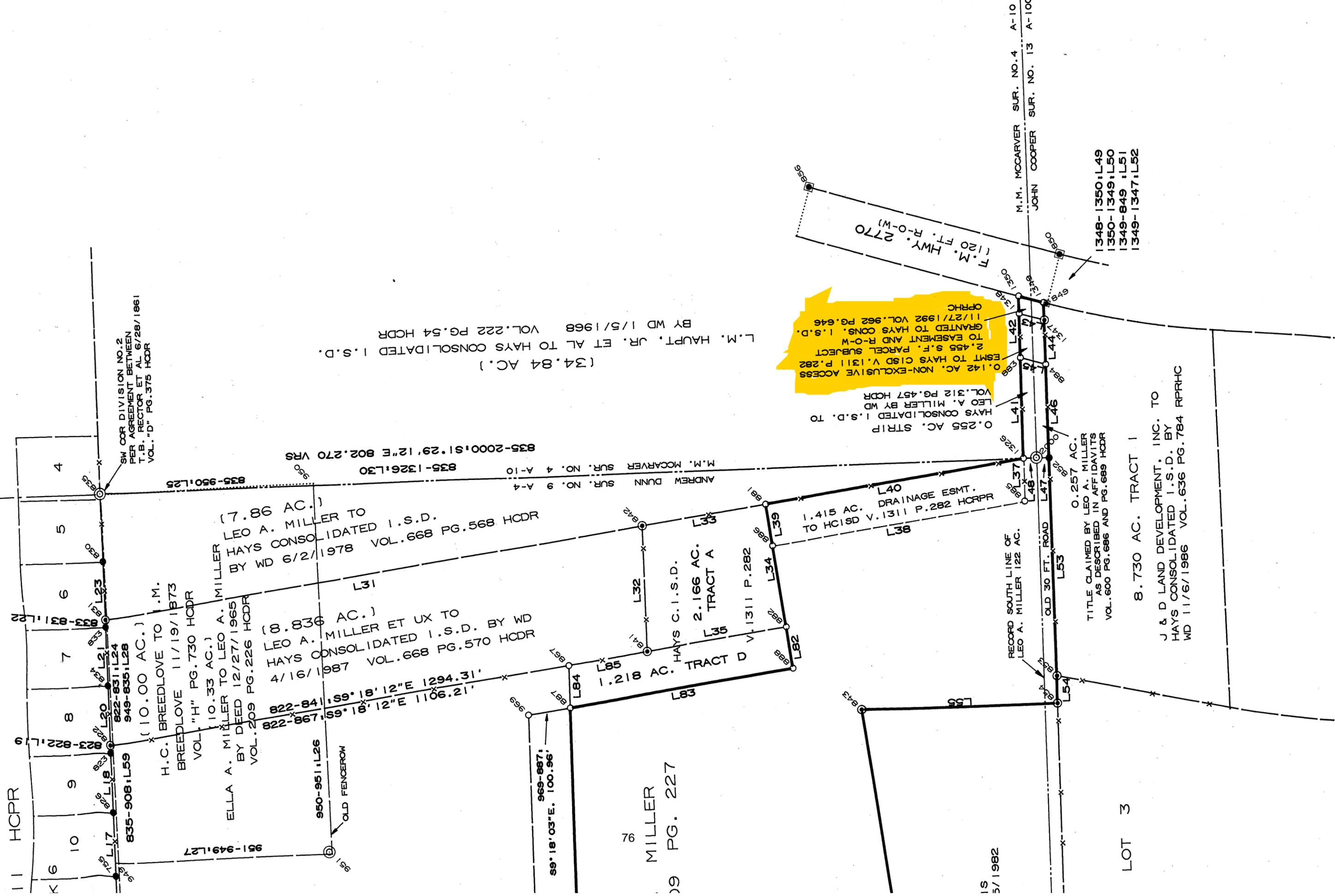
Evaluation method and time line:

Next report to the board:

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the release of surface easement on property located between Hays High School and Barton Middle School, as presented.

SECTION TWO



SW COR DIVISION NO. 2
PER AGREEMENT BETWEEN
T.B. RECTOR ET AL 6/28/1861
VOL. "D" PG. 375 HCDR

(7.86 AC.)
LEO A. MILLER TO
HAYS CONSOLIDATED I.S.D.
BY WD 6/2/1978 VOL. 668 PG. 568 HCDR

(8.836 AC.)
LEO A. MILLER ET UX TO
HAYS CONSOLIDATED I.S.D. BY WD
4/16/1987 VOL. 668 PG. 570 HCDR

H.C. BREEDLOVE TO L.M.
BREEDLOVE 11/19/1873
VOL. "H" PG. 730 HCDR

(10.00 AC.)
ELLA A. MILLER TO LEO A. MILLER
BY DEED 12/27/1965
VOL. 209 PG. 226 HCDR

(34.84 AC.)
L.M. HAUPT, JR. ET AL TO HAYS CONSOLIDATED I.S.D.
BY WD 1/5/1968 VOL. 222 PG. 54 HCDR

0.255 AC. STRIP
LEO A. MILLER BY WD
VOL. 312 PG. 457 HCDR
HAYS CONSOLIDATED I.S.D. TO
0.142 AC. NON-EXCLUSIVE ACCESS
ESMT TO HAYS CID V. 1311 P. 282
2.455 S.F. PARCEL SUBJECT
TO EASEMENT AND R-O-W
GRANTED TO HAYS CONS. I.S.D.
11/27/1992 VOL. 962 PG. 646
OPRHC

0.257 AC.
TITLE CLAIMED BY LEO A. MILLER
AS DESCRIBED IN AFFIDAVITS
VOL. 600 PG. 686 AND PG. 689 HCDR

8.730 AC. TRACT I
J & D LAND DEVELOPMENT, INC. TO
HAYS CONSOLIDATED I.S.D. BY
WD 11/6/1986 VOL. 636 PG. 784 RPRHC

F.M. HWY. 2770
(120 FT. R-O-W)

M.M. MCCARVER SUR. NO. 4 A-10
JOHN COOPER SUR. NO. 13 A-100

1348-1350:L49
1350-1349:L50
1349-849:L51
1349-1347:L52

92
MILLER
09 PG. 227

15
5/1982

LOT 3

THE STATE OF TEXAS
COUNTY OF HAYS

1311 282
KNOW ALL MEN BY THESE PRESENTS

GENERAL WARRANTY DEED

Date: May 9, 1997

Grantor: LEO A. MILLER and RUBY MILLER

Grantor's Mailing Address (including County):
1123 Hillcrest
New Braunfels, Comal County, Texas 78130

Grantee: HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT

Grantee's Mailing Address (including County):
215100 IH 35
Kyle, Hays County, Texas 78640

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration.

Property (including any improvements):

Tract A: Being 2.166 acres of land, more or less, out of the Andrew Dunn Survey No. 9, Abstract No. 4, Hays County, Texas, being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

Tract B-1: Being 42.282 acres of land, more or less, out of the Andrew Dunn Survey No. 9, Abstract No. 4, Hays County, Texas, being more particularly described by metes and bounds in Exhibit "B-1" attached hereto and made a part hereof.

Tract B-2: Being 6.842 acres of land, more or less, out of the Andrew Dunn Survey No. 9, Abstract No. 4, Hays County, Texas, being more particularly described by metes and bounds in Exhibit "B-2" attached hereto and made a part hereof.

Tract D: Being 1.218 acres of land, more or less, out of the Andrew Dunn Survey No. 9, Abstract No. 4, Hays County, Texas, being more particularly described by metes and bounds in Exhibit "D" attached hereto and made a part hereof.

There is also included in this conveyance a drainage easement over and across 1.415 acres or land, more or less, out of the Andrew Dunn Survey No. 9, Abstract No. 4, Hays County, Texas, being more particularly described by metes and bounds in Exhibit "C" attached hereto and made a part hereof, for the purpose of providing drainage from the property being hereby conveyed and any other property owned by Grantee in the vicinity

of said 1.415 acre easement tract.

There is also included in this conveyance a non-exclusive access easement over and across 0.142 acres of land, more or less, out of the Andrew Dunn Survey No. 9, Abstract No. 4, Hays County, Texas, being more particularly described by metes and bounds in Exhibit "I" attached hereto and made a part hereof, for the purpose of ingress and egress for all manner of vehicular and pedestrian traffic to and from any property owned by Grantee in the vicinity of the easement or that can be accessed through this 0.142 acre easement tract and any other easement rights Grantee may own or enjoy.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made and accepted SUBJECT TO the following:

~~1. A pipeline easement granted to Texas Pipe Line Company, recorded in Volume 138, Page 531 of the Deed Records of Hays County, Texas.~~ *WMM* *KRM*

2. Taxes for 1997 and subsequent years.

3. The conveyance of Tract B-2 herein is expressly subject to the express reservation by the Grantor herein of a non-exclusive right of way over Tract B-2 that will be binding upon Tract B-2 and inure to the benefit of Grantor's remaining land adjacent to Tract B-2 for the purpose of providing ingress to and egress from Grantor's remaining land that lies adjacent to Tract B-2, conditioned, however, that Grantee may construct a roadway within Tract B-2 to County specifications and dedicate the roadway without joinder of Grantor or any successive owners of any portion of Grantor's remaining land adjacent to Tract B-2.

4. The grant of non-exclusive easement over Tract I is expressly subject to Grantor reserving the right to improve the easement strip by constructing a roadway to meet County specifications and to dedicate the easement strip as a County roadway without the necessity of joinder of Grantee or Grantee's successors and assigns.

GRANTOR is conveying the property "As Is" and HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS, WARRANTIES OR COVENANTS OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESSED OR IMPLIED, WITH RESPECT TO THE PROPERTY, ITS PHYSICAL CONDITION, OR ANY OTHER MATTER OR THING RELATING TO OR AFFECTING THE PROPERTY, EXCEPT THE WARRANTY OF TITLE EXPRESSLY SET FORTH HEREIN. GRANTEE ACKNOWLEDGES THAT GRANTEE IS NOT RELYING UPON ANY REPRESENTATION, STATEMENT OR OTHER ASSERTION WITH RESPECT TO THE PROPERTY CONDITION, BUT IS RELYING SOLELY ON GRANTEE'S EXAMINATION OF THE PROPERTY.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty,

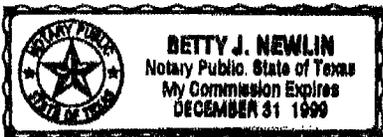
GRANTS, SELLS, and CONVEYS to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee, Grantee's successors and assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

Leo A. Miller
LEO A. MILLER
Ruby Miller
RUBY MILLER

THE STATE OF TEXAS
COUNTY OF HAYS

9 This instrument was acknowledged before me on the May day of May, 1997 by LEO A. MILLER.

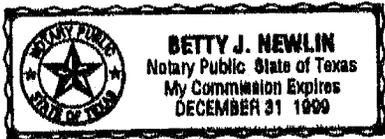


Betty J. Newlin
Notary Public, State of Texas
Notary's name (printed):

Notary's commission expires: 12-31-99

THE STATE OF TEXAS
COUNTY OF HAYS

9 This instrument was acknowledged before me on the May day of May, 1997, by RUBY MILLER.



Betty J. Newlin
Notary Public, State of Texas
Notary's name (printed):

Notary's commission expires: 12-31-99

After Recording Return To:

1311 285

2.166 ac.
Andrew Dunn Lge. A-4
Hays County, Texas

File No. 96-606
FB 291 & 292

**A DESCRIPTION OF A 2.166 ACRE TRACT OF LAND SITUATED IN THE
ANDREW DUNN SURVEY NO. 9, ABSTRACT 4, IN HAYS COUNTY, TEXAS;**

Said 2.166 acre tract being out of that certain 122 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 227 of the Hays County Deed Records;

And said 2.166 acre tract of land being more particularly described as follows from a survey, completed October 16, 1996, performed upon the ground by Kent Neal McMillan, Registered Professional Land Surveyor, 2104 Paramount Avenue, Austin, Texas:

Bearings of Lines in the following description refer to Grid North of the Texas Co-ordinate System (South Central Zone, NAD 27) as computed from solar observations:

Distances in the following description are Horizontal Surface Distances (Grid Distance = Surface Distance x 0.999896)

Co-ordinates noted in the following description are in US Survey Feet and refer to the Texas Co-ordinate System (South Central Zone, NAD 27) as surveyed from NGS Horizontal Control Point "CARPENTER":

In the following description, "Standard Rod and Cap" denotes a Punchmark on a 2 in. Aluminum Cap stamped "KENT MCMILLAN, SURVEYOR, RPLS 4341" (and numbered as noted) on a 5/8 in. X 16 in. Iron Rod and "Standard Spike and Washer" denotes a 3/8 in. Steel Spike with a 2 in. Aluminum Washer stamped as last noted:

COMMENCING FOR REFERENCE at a 1/2 in. Galvanized Iron Pipe (Y=802031.212, X=2351053.777) placed by the undersigned in 1986 (0.5 ft. North of an old 6 in. dia. Cedar Post and 0.6 ft. South of an old 8 in. dia. Cedar Post, by a scatter of medium size stones, at the former corner of wire fences) to mark the Southwest corner of that certain 600 ac. tract of land known as "Block or Division No. 2" of the M.M. McCarver League as agreed between T.B. Rector, F.L. Rector, F.G. Rector, Wm. W. Haupt, and I.H. Breedlove according to the Agreement dated June 28, 1861 recorded Volume "D" at Page 375 of the Hays County Deed Records (HCDR) same being the Southeast corner of that certain 118 acre tract conveyed by Nancy Rowden to W.W. Haupt by Warranty Deed dated January 6, 1862 recorded in Volume "D" at Page 414 HCDR, noting that from said 1/2 in. Galvanized Iron Pipe:

- a) a 27 in. Live Oak (original bearing tree) bears S85°54'W, 3.56 vrs. (= 9.90 ft.),
- b) a Standard Rod and Cap No. 908 (Y=801977.794, X=2349611.289) set among five medium size stones, the apparent remains of an old rock mound, (3.8 ft. South of a Wire Fence) to mark the Southwest corner of the former 118 acre W.W. Haupt tract described in Volume "D" at Page 414 HCDR and Southeast corner of that certain 28-1/2 acre tract conveyed by Mary Ellen Moore and Anna E. Kyle to William W. Haupt by Warranty Deed dated June 23, 1863 recorded in Volume "D" at Page 494 HCDR, bears S87°52'45"W, 519.706 vrs. (Said corner being proven by the original bearing trees to wit: an 18 in. Cedar Elm bears N28°04'E, 8.96 vrs. and a 5/8 in. Iron Rod set in the approximate center of the rotted stump of a Live Oak, once larger than 14 in. dia., bears S0°03'52"W, 34.79 vrs.)
- c) a very old 2-1/2 in. Cedar Stake found (5 in. Down) (Y=801960.296, X=2348797.860) and taken for the original stake marking the Northwest corner of that certain 122 ac. tract conveyed by Henry C. Breedlove et ux to C.F. Blum, Jr. as

WRITTEN DESCRIPTION for 2.166 ac. TRACT A

Page 1

described in Warranty Deed dated November 18, 1873 recorded in Volume "I" at Page 335 HCDR, the same 122 ac. tract later conveyed in 1965 by Ella A. Miller to Leo A. Miller as described above, bears S87°52'45"W, 519.706 vrs and S88°46'03"W, 292.933 vrs.;

- d) the position (Y=799803.667, X=2351111.592) of the Southeast corner of the former 122 ac. Leo Miller tract bears S1°29'12"E, 802.27 vrs., said corner being presently an Unmarked Point from which a Standard Rod and Cap No. 1326 set to mark the South corner of that certain 7.86 acre tract conveyed by Leo A. Miller to Hays Consolidated I.S.D. by Warranty Deed dated June 2, 1978 recorded in Volume 668 at Page 568 RPRHC bears N1°29'12"W, 30.43 ft.;

said 1/2 in. Galvanized Iron Pipe marking also the Northeast corner of that certain 10.33 ac. tract conveyed by L.M. Haupt et ux to F.W. Miller, Sr. as described in Warranty Deed dated July 2, 1943 recorded in Volume 127 at Page 251 HCDR (and later conveyed by Ella A. Miller to Leo A. Miller by Warranty Deed dated December 27, 1965 recorded in Volume 209 at Page 226 HCDR) and noting also that from said 1/2 in. Galvanized Iron Pipe:

- e) the position of the Southeast corner of said 10.33 ac. tract (Y=801523.195, X=2351073.162) bears S2°11'07"E, 508.44 ft.,
- f) the position of the Northwest corner of said 10.33 ac. tract (Y=802001.855, X=2350177.359); no remnant of former fence corner found) bears S88°04'53"W, 877.00 ft., and
- g) the position of the Southwest corner of said 10.33 ac. tract (Y=801487.055, X=2350193.255), a Point on an old fence row, bears S88°04'53"W, 877.00 ft. and S1°46'07"E, 515.10 ft.

THENCE along the original South line of that certain 118 ac. tract of land conveyed by Nancy Rowden to W.W. Haupt as described in Volume "D" at Page 414 HCDR, S87°52'45"W, 600.88 ft. to a Point at the intersection of said line with the West line of that certain 8.836 acre tract of land conveyed by Leo A. Miller and wife, Ruby L. Miller, to Hays Consolidated I.S.D. as described in Warranty Deed dated April 16, 1987 recorded in Volume 668 at Page 570 Real Property Records of Hays County (RPRHC);

THENCE N9°18'12"W, 2.82 ft. to a 1/2 in. Iron Rod (Y=802011.759, X=2350452.916) found marking the Northwest corner of said 8.836 acre Hays Consolidated I.S.D. tract;

THENCE S9°18'12"E, 1294.31 ft. to a 1/2 in. Iron Rod (Y=800734.610, X=2350662.136) found marking the Southwest corner of said 8.836 acre tract, said Rod marking also the Northwest corner and **POINT OF BEGINNING** of the 2.166 ac. here described;

-oOo-

- 1) **THENCE** N88°13'54"E, 299.97 ft. to a 1/2 in. Iron Rod (Y=800743.866, X=2350961.933) found marking the Southeast corner of said 8.836 acre tract on the West line of that certain 7.86 acre tract of land conveyed by Leo A. Miller to Hays Consolidated Independent School District by Warranty Deed dated June 2, 1978 recorded in Volume 668 at Page 568 of the Real Property Records of Hays County (RPRHC), and from which Iron Rod found:

a Standard Rod and Cap No. 1326 set to mark the South corner of said 7.86 acre Hays Consolidated I.S.D. tract bears S9°17'35"E, 921.98 ft. (said Rod and Cap being in the position of a 1/2 in. Iron Rod, taken for the original stake set by R.E. Stansberry, RPS in 1978 to mark the South corner of said 7.86 acre, found in place by the undersigned in 1991, but later removed by fence construction - the

1311 287

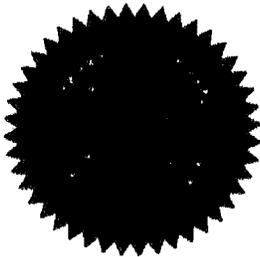
measurement of 912.08 ft. recited in Volume 668 at Page 570 RPRHC between these same corners being erroneous)

- 2) **TENACE S9°17'35"E, 298.64 ft.** to a Standard Rod and Cap No. 881 (Y=800449.180, X=2351010.153) set by the intersection of a Wire Pasture Fence to mark the Southeast corner of the 2.166 acre tract here described;
- 3) **TENACE S81°05'09"W, 297.34 ft.** to a Standard Rod and Cap No. 882 (Y=800403.111, X=2350716.438) set to mark the Southwest corner of the 2.166 acre tract here described;
- 4) **TENACE N9°18'10"W, 335.95 ft.** to the **POINT OF BEGINNING** of this description;

CONTAINING in all 2.166 acres of land within the above described metes as established by this survey.

I, Kent Neal McMillan, a Registered Professional Land Surveyor, hereby certify that the above is a true and correct description of the results of an actual survey, completed October 16, 1996, performed upon the ground under my direction.

Witness my hand and seal of registration November 4, 1996.



Kent Neal McMillan

Kent Neal McMillan
Registered Professional Land Surveyor No. 4341
2104 Paramount Avenue, Austin, TX 78704
Telephone (512) 445-5441

1311 288

42.282 ac.
Andrew Dunn Lge. A-4
Hays County, Texas

File No. 96-606
FB 291 & 292

A DESCRIPTION OF A 42.282 ACRE TRACT OF LAND SITUATED IN THE ANDREW DUNN SURVEY NO. 9, ABSTRACT 4, IN HAYS COUNTY, TEXAS, SAID 42.282 ACRES CONSISTING OF THE FOLLOWING:

- A. 3.656 acres of land out of that certain 10.33 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed dated December 27, 1965 recorded in Volume 209 at Page 226 of the Hays County Deed Records;
- B. 0.326 acres of land out of that certain 53.37 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 227 of the Hays County Deed Records;
- C. 0.085 acres of land in a certain narrow strip approximately 2.2 ft. in average width, situated between the North line of that certain 122 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 227 of the Hays County Deed Records and the South line of MOUNTAIN CITY OAKS SECTION TWO, a subdivision according to the Plat recorded in Book 2 at Pages 109-111 of the Hays County Plat Records, as that same line of said subdivision was found staked upon the ground; and
- D. the balance of said 42.282 acres of land being a part of that certain 122 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 227 of the Hays County Deed Records;

Said 42.282 acre tract of land being more particularly described as follows from a survey, completed February 7, 1997, performed upon the ground by Kent Neal McMillan, Registered Professional Land Surveyor, 2104 Paramount Avenue, Austin, Texas, and also shown upon Map No. 96-606A dated February 7, 1997, prepared to accompany this description:

Bearings of Lines in the following description refer to Grid North of the Texas Co-ordinate System (South Central Zone, NAD 27) as computed from solar observations:

Distances in the following description are horizontal surface distances (Grid Distance = Surface Distance x 0.999896)

Co-ordinates noted in the following description are in US Survey Feet and refer to the Texas Co-ordinate System (South Central Zone, NAD 27) as surveyed from NGS Horizontal Control Point "CARPENTER":

In the following description, "Standard Rod and Cap" denotes a Punchmark on a 2 in. Aluminum Cap stamped "KENT MCMILLAN, SURVEYOR, RPLS 4341" (and numbered as noted) on a 5/8 in. X 16 in. Iron Rod and "Standard Spike and Washer" denotes a 3/8 in. Steel Spike with a 2 in. Aluminum Washer stamped as last noted:

COMMENCING FOR REFERENCE at a 1/2 in. Galvanized Iron Pipe (Y=802031.212, X=2351053.777) placed by the undersigned in 1986 (0.5 ft. North of an old 6 in. dia. Cedar Post and 0.6 ft. South of an old 8 in. dia. Cedar Post, by a scatter of medium size stones, at the former corner of wire fences) to mark the Southwest corner of that certain 600 ac. tract of land known as "Block or Division No. 2" of the M.M. McCarver League as agreed between T.B. Rector, F.L. Rector, F.G. Rector, Wm. W. Haupt, and I.H. Breedlove according to the Agreement dated June 28, 1861 recorded Volume "D" at Page 375 of the Hays County Deed Records (HCDR), same being the

WRITTEN DESCRIPTION for 42.282 ac. TRACT B-1

Page 1

1311 289

Southeast corner of that certain 118 acre tract conveyed by Nancy Rowden to W.W. Haupt by Warranty Deed dated January 6, 1862 recorded in Volume "D" at Page 414 HCDR, noting that from said 1/2 in. Galvanized Iron Pipe:

- a) a 27 in. Live Oak (original bearing tree) bears S85°54'W, 3.56 vrs. (= 9.90 ft.);
- b) a Standard Rod and Cap No. 908 (Y=801977.794, X=2349611.289) set among five medium size stones, the apparent remains of an old rock mound, (3.8 ft. South of a Wire Fence) to mark the Southwest corner of the former 118 acre W.W. Haupt tract described in Volume "D" at Page 414 HCDR and Southeast corner of that certain 28-1/2 acre tract conveyed by Mary Ellen Moore and Anna E. Kyle to William W. Haupt by Warranty Deed dated June 23, 1863 recorded in Volume "D" at Page 494 HCDR bears S87°52'45"W, 519.706 vrs. (Said corner being proven by the original bearing trees to wit: an 18 in. Cedar Elm bears N28°04'E, 8.96 vrs. and a 5/8 in. Iron Rod set in the approximate center of the rotted stump of a Live Oak, once greater than 14 in. dia., bears S0°03'52"W, 34.79 vrs.);
- c) a very old 2-1/2 in. Cedar Stake found (5 in. Down) (Y=801960.296, X=2348797.860) and taken for the original stake marking the Northwest corner of that certain 122 ac. tract conveyed by Henry C. Breedlove et ux to C.F. Blum, Jr. as described in Warranty Deed dated November 18, 1874 recorded in Volume "I" at Page 335 HCDR, the same 122 ac. tract later conveyed in 1965 by Ella A. Miller to Leo A. Miller as described above, bears S87°52'45"W, 519.706 vrs and S88°46'03"W, 292.933 vrs.

said 1/2 in. Galvanized Iron Pipe marking also the Northeast corner of that certain 10.33 ac. tract conveyed by L.M. Haupt et ux to F.W. Miller, Sr. as described in Warranty Deed dated July 2, 1943 recorded in Volume 127 at Page 251 HCDR (and later conveyed by Ella A. Miller to Leo A. Miller as described above) and noting also that from said 1/2 in. Galvanized Iron Pipe:

- e) the position of the Southeast corner of said 10.33 ac. tract (Y=802031.212, X=2351053.777) bears S2°11'07"E, 508.44 ft.,
- f) the position of the Northwest corner of said 10.33 ac. tract (Y=802001.855, X=2350177.359; no remnant of former fence corner found) bears S88°04'53"W, 877.00 ft., and
- g) the position of the Southwest corner of said 10.33 ac. tract (Y=801487.055, X=2350193.255), a Point on an old fence row, bears S88°04'53"W, 877.00 ft. and S1°46'07"E, 515.10 ft.

THENCE along the original South line of that certain 118 ac. tract of land conveyed by Nancy Rowden to W.W. Haupt as described in Volume "D" at Page 414 HCDR, S87°52'45"W, 600.88 ft. to a Point at the intersection of said line with the West line of that certain 8.836 acre tract of land conveyed by Leo A. Miller and wife, Ruby L. Miller, to Hays Consolidated I.S.D. as described in Warranty Deed dated April 16, 1987 recorded in Volume 668 at Page 570 Real Property Records of Hays County (RPRHC);

THENCE N9°18'12"W, 2.82 ft. to a 1/2 in. Iron Rod (Y=802011.759, X=2350452.916) found marking the Northwest corner of said 8.836 acre Hays Consolidated I.S.D. tract and the POINT OF BEGINNING of this description, noting that from said Iron Rod :

- a) a 1/2 in. Iron Rod (Y=800734.610, X=2350662.136) found marking the Southwest corner of said 8.836 acre tract bears S9°18'12"E, 1294.31 ft. and
- b) a 1/2 in. Iron Rod (Y=802021.028, X=2350752.850) found marking the Northeast corner of said 8.836 acre tract bears N88°13'48"E, 300.11 ft.

WRITTEN DESCRIPTION for 42.282 ac. TRACT B-1

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- 1) **THENCE** along the West line of said 8.836 ac. Hays Consolidated I.S.D. tract, **S9°18'12"E**, at 517.46 ft. crossing the South line of the above mentioned 10.33 ac. Leo A. Miller tract, in all 1106.21 ft. to a Standard Rod and Cap No. 867 (Y=800920.216, X=2350631.730) set to mark the Southeast corner of the 42.282 ac. here described;
- 2) **THENCE S88°38'01"W**, 100.96 ft. to a Standard Rod and Cap No.887 (Y=800917.789, X=2350530.814) set to mark an ell corner on the South line of the 42.282 acre tract here described;
- 3) **THENCE N9°18'03"W**, 100.96 ft. to a Standard Rod and Cap No.969 (Y=801017.436, X=2350514.494) set to mark a re-entrant corner of the tract here described;
- 4) **THENCE S88°38'01"W**, 1961.15 ft. to a Standard Rod and Cap No.968 (Y=800970.677, X=2348554.103) set to mark the Southwest corner of the tract here described, and from which Rod and Cap set:
 - a Standard Rod and Cap No.866 (Y=800870.732, X=2348557.090) set (approximately 0.6 ft. East of a Wire Fence) bears S1°42'42"E, 100.00 ft.
- 5) **THENCE N1°42'42"W**, 467.25 ft. to a Point (Y=801437.673, X=2348540.147) for an ell corner of the tract here described, approximately marked by a 9 in. dia. Pole Post at the Corner of a Field Fence, and from which Point:
 - a Standard Rod and Cap No.901 set for reference bears S1°42'42"E, 17.41 ft. and
 - a Standard Rod and Cap No.898 set for reference bears N89°51'38"E, 22.70 ft.

noting that from said ell corner, a 19 in. Live Oak with old wire fence ingrown (at intersection of former fences running Southerly, Easterly, and Northwesterly) bears S87°50'W, 16.3 ft., said Live Oak being taken for the same tree described by Surveyor S.M. Sewell in 1943 as "a Live Oak 18 inches in diameter at the fence intersection" marking the re-entrant corner on the East line of the 53.37 acre tract later conveyed by Ella A. Miller to Leo A. Miller tract as described in Volume 209 at Page 227 HCDR;
- 6) **THENCE N89°51'38"E**, 268.78 ft. to a Point (Y=801438.327, X=2348808.902) for re-entrant corner of the tract here described, approximately marked by a 9 in. dia. Pole post at the Corner of Field Fence, and from which Point:
 - a Standard Rod and Cap No.899 set for reference bears S89°51'38"W, 16.30 ft. and
 - a Standard Rod and Cap No.900 set for reference bears N2°15'18"W, 16.34 ft.

noting that from said Point at re-entrant corner, a 12 in. dia. Live Oak with old wire ingrown bears S26°57'36"E, 48.5 ft., said Live Oak being taken for the same tree described by Surveyor S.M. Sewell in 1943 as a "Live Oak 10 inches in diameter at the fence corner" marking the ell corner on the East line of the 53.37 acre tract later conveyed to Leo A. Miller as mentioned above;
- 7) **THENCE N2°15'18"W**, at 522.21 ft. crossing the North line of the 53.37 acre Leo A. Miller tract as originally described by Surveyor S.M. Sewell in 1943, in all for a distance of 522.55 ft. to a Standard Rod and Cap No.865 (Y=801960.422, X=2348788.345; stamped "903") set on the South line of Lot 20 in Block 6 of MOUNTAIN CITY OAKS SECTION TWO, a Subdivision according to the Plat

recorded in Book 2 at Pages 109-111 of the Hays County Plat Records, said Rod and Cap marking the most Northerly Northwest ell corner of the 42.282 acre tract of land here described and from which Rod and Cap set:

- the very old 2-1/2 in. Cedar Stake found marking the original Northwest corner of the 122 ac. Leo A. Miller tract described in Volume 209 at Page 227 HCDR bears S2°15'18"E, 0.34 ft. and N88°43'53"E, 9.51 ft.,
- a Standard Rod and Cap No.875 (Y=801936.995, X=2347745.73) set in an old Rock Mound found marking the original Northwest corner of the Leo A. Miller 53.37 ac. tract bears S2°15'18"E, 0.34 ft. and S88°43'53"W, 1042.98 ft., (from Rod and Cap No.875 the rotted stump of a Live Oak, larger than 6 in. dia., bears S15°09'W, 14.86 ft., the remains of the original bearing tree marked by S.M. Sewell in 1943)
- a 1/2 in. Iron Rod found along a Wire Fence and taken for the original stake placed by Malcolm F. Goodwin, RPS, in 1979 to mark the South common corner of Lots 21 and 22 in Block 6 of MOUNTAIN CITY OAKS SECTION TWO bears S88°45'04"W, 318.07 ft.

THENCE along the South line of Block 6 of MOUNTAIN CITY OAKS SECTION TWO as found actually staked upon the ground and taken for the block line as actually surveyed by Malcolm F. Goodwin, RPS, in 1979 (all of the following 1/2 in. Iron Rods being of the same pattern and apparently having been set at the same time, following the line of a previously existing wire fence) the following courses numbered (8) through (19) inclusive, in sequence as follows:

- 8) N88°45'04"E, 20.01 ft. to a 1/2 in. Iron Rod found (Y=801960.858, X=2348808.344) marking the common corner of Lots 19 and 20, along a Wire Fence;
- 9) N88°45'51"E, 138.74 ft. to a 1/2 in. Iron Rod found (Y=801963.850, X=2348947.041) marking the common corner of Lots 18 and 19, along a Wire Fence;
- 10) N88°26'38"E, 149.35 ft. to a 1/2 in. Iron Rod found (Y=801967.906, X=2349096.323) marking the common corner of Lots 17 and 18, along a Wire Fence;
- 11) N88°30'08"E (passing the disturbed corner stake of Lots 16 and 17), in all 299.69 ft. to a 1/2 in. Iron Rod found (Y=801975.738, X=2349395.878) marking the common corner of Lots 15 and 16, along a Wire Fence;
- 12) N88°26'16"E, 149.42 ft. to a 1/2 in. Iron Rod found (Y=801979.811, X=2349545.224) marking the common corner of Lots 14 and 15, along a Wire Fence;
- 13) N88°25'20"E, 151.42 ft. to a 1/2 in. Iron Rod found (Y=801983.979, X=2349696.567) marking the common corner of Lots 13 and 14, along a Wire Fence;
- 14) N88°15'23"E, 148.02 ft. to a 1/2 in. Iron Rod found (Y=801988.482, X=2349844.502) marking the common corner of Lots 12 and 13, along a Wire Fence;
- 15) N87°48'03"E, 150.01 ft. to a 1/2 in. Iron Rod found (Y=801994.238, X=2349994.388) marking the common corner of Lots 11 and 12, along a Wire Fence;
- 16) N87°32'15"E, 150.58 ft. to a 1/2 in. Iron Rod found (Y=802000.707, X=2350144.813) marking the common corner of Lots 10 and 11, along a Wire Fence;
- 17) N87°58'48"E, 149.88 ft. to a 1/2 in. Iron Rod found (Y=802005.990, X=2350294.587) marking the common corner of Lots 9 and 10, along a Wire Fence;
- 18) N87°54'08"E, 150.67 ft. to a 1/2 in. Iron Rod found (Y=802011.505, X=2350445.142) marking the common corner of Lots 8 and 9, along a Wire Fence;

WRITTEN DESCRIPTION for 42.282 ac. TRACT B-1 Page 4

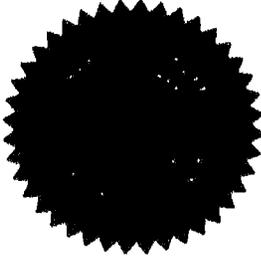
1311 292

19) N88°07'40"E, 7.78 ft. to the POINT OF BEGINNING of this description;

CONTAINING in all 42.282 acres of land within the above described metes as established by this survey.

I, Kent Neal McMillan, a Registered Professional Land Surveyor, hereby certify that the above is a true and correct description of the results of an actual survey, completed February 2, 1997, performed upon the ground under my direction.

Witness my hand and seal of registration February 7, 1997.



Kent Neal McMillan

Kent Neal McMillan
Registered Professional Land Surveyor No. 4341
2104 Paramount Avenue, Austin, TX 78704
Telephone (512) 445-5441

6.842 ac.
Andrew Dunn Lge. A-4
Hays County, Texas

1311 293

File No. 96-606
FB 291 & 292

**A DESCRIPTION OF A 6.842 ACRE STRIP OF LAND SITUATED IN THE
ANDREW DUNN SURVEY NO. 9, ABSTRACT 4, IN HAYS COUNTY, TEXAS;**

4.592 acres of said 6.842 acre strip being out of that certain 122 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 227 of the Hays County Deed Records;

2.250 acres of said 6.842 acre strip being out of that certain 53.37 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 227 of the Hays County Deed Records (and of these 2.250 acres, 0.036 acres being found to lie West of the West line of that certain 15.17 acre tract conveyed by Pete D. Smith to B.M. Craig as described in Warranty Deed dated May 28, 1878 recorded in Volume "L" at Page 344 Hays County Deed Records, and hence to be in conflict with that certain Western remainder of the Peter D. Smith tract later conveyed by Beverley Nance to Mary Louise Nance by Warranty Deed dated June 10, 1940 recorded in Volume 120 at Page 393 of the Hays County Deed Records);

And said 6.842 acre parcel of land being more particularly described as follows from a survey, completed February 7, 1997, performed upon the ground by Kent Neal McMillan, Registered Professional Land Surveyor, 2104 Paramount Avenue, Austin, Texas, and also shown upon Map No. 96-606A dated February 7, 1997, prepared to accompany this description:

Bearings of Lines in the following description refer to Grid North of the Texas Co-ordinate System (South Central Zone, NAD 27) as computed from solar observations:

Distances in the following description are **Horizontal Surface Distances** (Grid Distance = Surface Distance x 0.999896)

Co-ordinates noted in the following description are in US Survey Feet and refer to the Texas Co-ordinate System (South Central Zone, NAD 27) as surveyed from NGS Horizontal Control Point "CARPENTER":

In the following description, "Standard Rod and Cap" denotes a Punchmark on a 2 in. Aluminum Cap stamped "KENT MCMILLAN, SURVEYOR, RPLS 4341" (and numbered as noted) on a 5/8 in. X 16 in. Iron Rod and "Standard Spike and Washer" denotes a 3/8 in. Steel Spike with a 2 in. Aluminum Washer stamped as last noted:

COMMENCING FOR REFERENCE at a 1/2 in. Galvanized Iron Pipe (Y=802031.212, X=2351053.777) placed by the undersigned in 1986 (0.5 ft. North of an old 6 in. dia. Cedar Post and 0.6 ft. South of an old 8 in. dia. Cedar Post, by a scatter of medium size stones, at the former corner of wire fences) to mark the Southwest corner of that certain 600 ac. tract of land known as "Block or Division No. 2" of the M.M. McCarver League as agreed between T.B. Rector, F.L. Rector, F.G. Rector, Wm. W. Haupt, and I.H. Breedlove according to the Agreement dated June 28, 1861 recorded Volume "D" at Page 375 of the Hays County Deed Records (HCDR), same being the Southeast corner of that certain 118 acre tract conveyed by Nancy Rowden to W.W. Haupt by Warranty Deed dated January 6, 1862 recorded in Volume "D" at Page 414 HCDR, noting that from said 1/2 in. Galvanized Iron Pipe:

a) a 27 in. Live Oak (original bearing tree) bears S85°54'W, 3.56 vrs. (= 9.90 ft.),

WRITTEN DESCRIPTION for 6.842 ac. TRACT B-2

Page 1

- b) the position (Y=799803.667, X=2351111.592) of the Southeast corner of the former 122 acre tract originally conveyed by Henry C. Breedlove et ux to C.F. Blum, Jr. by Warranty Deed dated November 18, 1874 recorded in Volume "I" at Page 335 HCDR and later conveyed by Ella A. Miller to Leo A. Miller by Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 227 HCDR bears S1°29'12"E, 802.27 vrs., said corner being presently an Unmarked Point from which a Standard Rod and Cap No.1326 set to mark the South corner of that certain 7.86 acre tract conveyed by Leo A. Miller to Hays Consolidated I.S.D. by Warranty Deed dated June 2, 1978 recorded in Volume 668 at Page 568 RPRHC bears N1°29'12"W, 30.43 ft.

THENCE S87°52'45"W, 519.706 vrs. to a Standard Rod and Cap No. 908 (Y=801977.794, X=2349611.289) set among five medium size stones (3.8 ft. South of a Wire Fence), the apparent remains of an old rock mound, marking the Southwest corner of the former 118 acre W.W. Haupt tract described in Volume "D" at Page 414 HCDR and Southeast corner of that certain 28-1/2 acre tract conveyed by Mary Ellen Moore and Anna E. Kyle to William W. Haupt by Warranty Deed dated June 23, 1863 recorded in Volume "D" at Page 494 HCDR, (said corner being proven by the original bearing trees to wit: an 18 in. Cedar Elm bears N28°04'E, 8.96 vrs. and a 5/8 in. Iron Rod set in the approximate center of the rotted stump of a Live Oak, once larger than 14 in. dia., bears S0°03'52"W, 34.79 vrs.)

THENCE S88°46'03"W, 292.933 vrs. to a very old 2-1/2 in. Cedar Stake found (5 in. Down) (Y=801960.296, X=2348797.860) and taken for the original stake marking the Northwest corner of that certain 122 acre tract conveyed by Henry C. Breedlove et ux to C.F. Blum, Jr. as described in Volume "I" at Page 335 HCDR, and later conveyed by Ella A. Miller to Leo A. Miller by Warranty Deed recorded in Volume 209 at Page 227 HCDR

THENCE S88°20'42"W, 379.423 vrs. to the center (Y=801929.860, X=2347744.457) of a scatter of stones taken for the remains of the Stone Mound originally marking the Northwest corner of that certain 54 acre tract conveyed by J.M. Pound et ux to B.M. Craig by Warranty Deed dated September 19, 1872 recorded in Volume "H" at Page 220 HCDR, same corner being the North corner of the Southern triangle of that certain 15.17 acre tract of land conveyed by Pete D. Smith to B.M. Craig as described in Warranty Deed dated May 28, 1878 recorded in Volume "L" at Page 344 HCDR, noting that from said Point:

- a) the center of a 24 in. dia. Live Oak with old mark "S" on North face (original bearing tree) bears S55°46'W, 22.34 vrs.,
- b) a Standard Rod and Cap No.921 (Y=799727.524, X=2347348.973) set in a scatter of medium size stones taken for the remains of the Stone Mound originally marking the Southwest corner of that certain 15.17 acre tract conveyed by Pete D. Smith to B.M. Craig as described in Volume "L" at Page 344 HCDR bears S10°10'49"W, 805.607 vrs., (said corner being proven by the original bearing tree, to wit: a 14 in. dia. Live Oak with old mark "C" over "S" on West face bears N84°41'E, 11.07 vrs.), and
- c) a Standard Rod and Cap No.916 (Y=801271.795, X=2347764.284) set among a scatter of stones taken for the remains of the Stone Mound originally marking the Easterly ell corner on the South line of that certain 676 acre tract of land conveyed by William M. Gibson et ux to Wm. W. Haupt as described in Warranty Deed dated January 13, 1863 recorded in Volume "D" at Page 440 HCDR bears S1°43'33"E, 237.036 vrs., same being the Southeast corner of that certain 38 acre tract later conveyed by Wm. W.Haupt to C.C.C. Kavanaugh as described in Warranty Deed dated May 11, 1863 recorded in Volume "E" at Page 197 HCDR, and the Northeast corner of that certain 48 acre tract conveyed by Fergus Kyle, Annie E. Kyle and Mary Ellen Moore to Tabitha Kavanaugh by Warranty Deed dated December 26, 1870 recorded in Volume "G" at Page 42 HCDR, noting that from said Rod and Cap No.916:

- an 18 in. dia. Live Oak with faint old mark on Northeast face (original bearing tree) bears S17°33'W, 8.87 vrs.,
- a 5/8 in. Iron Rod set in the center of an old Stump Hole (taken for position of original Spanish Oak bearing tree) bears N0°42'W, 10.000 vrs.,
- the position of the Northeast corner of the former 38 acre Kavanaugh tract bears N2°06'30"W, 468.71 vrs., and
- a 1/2 in. Galvanized Iron Pipe (Y=802581.436, X=2348160.318) set by the undersigned in 1992 at the approximate center of the rotted stump of a 20 in. Live Oak (original bearing tree of Northeast corner 38 acre Kavanaugh tract) bears N2°06'30"W, 468.71 vrs. and N88°52'46"E, 159.86 vrs.

THENCE N10°10'49"E, 7.25 ft. to a Standard Rod and Cap No.875 (Y=801936.995, X=2347745.739) set in an old Rock Mound found (approximately 6 ft. West of a corner post of the Nance pasture fence) marking the original Northwest corner of that certain 53.37 acre tract conveyed by J.H. Lawler et al to F.W. Miller as described in Warranty Deed dated April 12, 1943 recorded in Volume 127 at Page 182 Hays County Deed Records (HCDR) and later conveyed to Leo A. Miller by Warranty Deed recorded in Volume 209 at Page 227 HCDR, noting that from said Rod and Cap:

- a) the rotted stump of a Live Oak, 6 in. dia. (original bearing tree) bears S15°09'W, 14.86 ft., and
- b) a 1/2 in. Galvanized Iron Pipe found at the base of a Cedar Post at corner of Wire Fences bears N88°38'15"E, 5.84 ft., said Pipe being the original stake marking the Southwest corner of Tract 1 of INDIAN CREEK RANCH, a Subdivision according to the plat recorded in Book 6 at Page 59 of the Hays County Plat Records (HCPR);

THENCE S11°36'48"W, 614.17 ft. to a Standard Rod and Cap No.784 (Y=801335.463, X=2347622.116) set at the rotted stump of a large Live Oak (approximately 2.4 ft. West of the present Wire Fence) to mark the Angle Point in the West line of the 53.37 acre Leo A. Miller tract as described in Volume 209 at Page 227 HCDR and from which Rod and Cap set:

- a) a Standard Rod and Cap No.802 (Y=800230.544, X=2347424.073) set (approximately 0.6 ft. East of the present Wire Fence) at the rotted stump of an Elm (once 14 in. dia. or larger) to mark the Angle Point in the West line of said 53.37 acre Leo A. Miller tract bears S10°09'42"W, 1122.64 ft.;
- b) the approximate center (Y=799794.011, X=2347325.761) of a 12 in. dia. Pole Post at Angle Point in Fence bears S10°09'42"W, 1122.64 ft. and S12°41'31"W, 447.51 ft., said Post (not old) being taken as perpetuating the location of the former Angle Point in Fence located by Surveyor S.M. Sewell in 1943 as described in the above mentioned deed to Leo A. Miller, and
- c) the center of a 30 in. dia. Live Oak (old Wire ingrown) at the present corner of Wire Fences bears S10°09'42"W, 1122.64 ft., S12°41'31"W, 447.51 ft. and S43°07'05"W, 92.48 ft., said Live Oak marking the Southwest corner of the 53.37 acre Leo A. Miller tract

THENCE S10°09'42"W, 394.96 ft. along the West line of the Leo A. Miller 53.37 acre tract, to a Standard Rod and Cap No.967 (Y=800946.736, X=2347552.441) set (approximately 5.0 ft. West of the present Wire Fence and 3.5 ft. West of the former line of an older fence as evidenced by remnants of Wire ingrown in nearby trees) said Rod and Cap marking the Northwest corner of the 6.842 acre strip of land here described and the **POINT OF BEGINNING** of this description;

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- 1) **THENCE N88°37'51"E,**

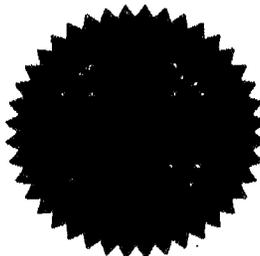
1311 296

- at 15.54 ft. crossing the West line of that certain 15.17 acre tract of land conveyed by Pete D. Smith to B.M. Craig by Warranty Deed recorded in Volume "L" at Page 344 HCDR,
 - at 969.80 ft. crossing the West line of that certain 122 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed recorded in Volume 209 at Page 227 HCDR,
- in all for 1002.05 ft. to a Standard Rod and Cap No.968 (Y=800970.677, X=2348554.103) set to mark the Southwest corner of a certain 42.282 acre tract also surveyed as a part of this project;
- 2) THENCE along the South line of said 42.282 acre tract, N88°38'01"E, 1961.15 ft. to a Standard Rod and Cap No.969 (Y=801017.436, X=2350514.494) set to mark a re-entrant corner of said 42.282 acre tract and the Northeast corner of the 6.842 acre strip of land here described;
- 3) THENCE S9°18'03"E, 100.96 ft. to a Standard Rod and Cap No.887 set to mark an ell corner on the South line of said 42.282 acre tract and the Southeast corner of the 6.842 acre strip of land here described;
- 4) THENCE S88°38'01"W,
- at 369.20 ft. passing a Standard Rod and Cap No. 892 set on line,
 - at 706.36 ft. passing a Standard Rod and Cap No. 893 set on line,
 - at 1813.11 ft. passing a Standard Rod and Cap No.896 set on line,
- in all for a total distance of 1974.49 ft. to a Standard Rod and Cap No.866 (Y=800870.732, X=2348557.090) set (approximately 0.5 ft. East of a Wire Fence) to mark an Angle Point on the South line of the strip of land here described;
- 5) THENCE S88°37'51"W,
- at 32.30 ft. crossing the West line of that certain 122 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed recorded in Volume 209 at Page 227 HCDR,
 - at 1007.54 ft. crossing the West line of the 15.17 acre tract of land conveyed by Pete D. Smith to B.M. Craig as described in Warranty Deed recorded in Volume "L" at Page 344 HCDR,
- in all for a total distance of 1023.05 ft. to a Standard Rod and Cap No.966 (Y=800846.289, X=2347534.438) set (approximately 5.0 ft. West of a Wire Fence and 3.5 ft West of the former line of an older Fence as evidenced by remnants of Wire in nearby trees) to mark the Southwest corner of the strip here described;
- 6) THENCE along the West line of the 53.37 acre Leo A. Miller tract as described in Warranty Deed recorded in Volume 209 at Page 227 of the Hays County Deed Records, N10°09'42"E, 102.06 ft.;

CONTAINING in all 6.842 acres of land within the above metes as established by this survey.

I, Kent Neal McMillan, a Registered Professional Land Surveyor, hereby certify that the above is a true and correct description of the results of an actual survey, completed February 2, 1997, performed upon the ground under my direction.

Witness my hand and seal of registration February 7, 1997.



Kent Neal McMillan

Kent Neal McMillan
Registered Professional Land Surveyor No. 4341
2104 Paramount Avenue, Austin, TX 78704
Telephone (512) 445-5441

WRITTEN DESCRIPTION for 6.842 ac. TRACT B-2

Page 4

1.218 ac.
Andrew Dunn Lge. A-4
Hays County, Texas

File No. 96-606
FB 291 & 292

**A DESCRIPTION OF A 1.218 ACRE TRACT OF LAND SITUATED IN THE
ANDREW DUNN LEAGUE, ABSTRACT 4, IN HAYS COUNTY, TEXAS,**

Said 1.218 acre tract being out of that certain 122 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 227 of the Hays County Deed Records;

And said 1.218 acre tract of land being more particularly described as follows from a survey, completed October 16, 1996, performed upon the ground by Kent Neal McMillan, Registered Professional Land Surveyor, 2104 Paramount Avenue, Austin, Texas:

Bearings of Lines in the following description refer to Grid North of the Texas Co-ordinate System (South Central Zone, NAD 27) as computed from solar observations:

Distances in the following description are Horizontal Surface Distances (Grid Distance = Surface Distance x 0.999896)

Co-ordinates noted in the following description are in US Survey Feet and refer to the Texas Co-ordinate System (South Central Zone, NAD 27) as surveyed from NGS Horizontal Control Point "CARPENTER":

In the following description, "Standard Rod and Cap" denotes a Punchmark on a 2 in. Aluminum Cap stamped "KENT MCMILLAN, SURVEYOR, RPLS 4341" (and numbered as noted) on a 5/8 in. X 16 in. Iron Rod and "Standard Spike and Washer" denotes a 3/8 in. Steel Spike with a 2 in. Aluminum Washer stamped as last noted:

COMMENCING FOR REFERENCE at a 1/2 in. Galvanized Iron Pipe (Y=802031.212, X=2351053.777) placed by the undersigned in 1986 (0.5 ft. North of an old 6 in. dia. Cedar Post and 0.6 ft. South of an old 8 in. dia. Cedar Post, by a scatter of medium size stones, at the former corner of wire fences) to mark the Southwest corner of that certain 600 ac. tract of land known as "Block or Division No. 2" of the M.M. McCarver League as agreed between T.B. Rector, F.L. Rector, F.G. Rector, Wm. W. Haupt, and I.H. Breedlove according to the Agreement dated June 28, 1861 recorded Volume "D" at Page 375 of the Hays County Deed Records (HCDR), same being the Southeast corner of that certain 118 acre tract conveyed by Nancy Rowden to W.W. Haupt by Warranty Deed dated January 6, 1862 recorded in Volume "D" at Page 414 HCDR, noting that from said 1/2 in. Galvanized Iron Pipe:

- a) a 27 in. Live Oak (original bearing tree) bears S85°54'W, 3.56 vrs. (= 9.90 ft.),
- b) a Standard Rod and Cap No. 908 (Y=801977.794, X=2349611.289) set among five medium size stones, the apparent remains of an old rock mound, (3.8 ft. South of a Wire Fence) to mark the Southwest corner of the former 118 acre W.W. Haupt tract described in Volume "D" at Page 414 HCDR and Southeast corner of that certain 28-1/2 acre tract conveyed by Mary Ellen Moore and Anna E. Kyle to William W. Haupt by Warranty Deed dated June 23, 1863 recorded in Volume "D" at Page 494 HCDR bears S87°52'45"W, 519.706 vrs. (Said corner being proven by the original bearing trees to wit: an 18 in. Cedar Elm bears N28°04'E, 8.96 vrs. and a 5/8 in. Iron Rod set in the approximate center of the rotted stump of a Live Oak, once larger than 14 in. dia., bears S0°03'52"W, 34.79 vrs.)
- c) a very old 2-1/2 in. Cedar Stake found (5 in. Down) (Y=801960.296, X=2348797.860) and taken for the original stake marking the Northwest corner of that certain 122 ac. tract conveyed by Henry C. Breedlove et ux to C.F. Blum, Jr. as

WRITTEN DESCRIPTION for 1.218 ac. TRACT D

Page 1

described in Warranty Deed dated November 18, 1874 recorded in Volume "T" at Page 335 HCDR, the same 122 ac. tract later conveyed in 1965 by Ella A. Miller to Leo A. Miller as described above, bears S87°52'45"W, 519.706 vrs and S88°46'03"W, 292.933 vrs.;

- d) the position (Y=799803.667, X=2351111.592) of the Southeast corner of the former 122 ac. Leo Miller tract bears S1°29'12"E, 802.27 vrs., said corner being presently an Unmarked Point from which a Standard Rod and Cap No.1326 set to mark the South corner of that certain 7.86 acre tract conveyed by Leo A. Miller to Hays Consolidated I.S.D. by Warranty Deed dated June 2, 1978 recorded in Volume 668 at Page 568 RPRHC bears N1°29'12"W, 30.43 ft.;

said 1/2 in. Galvanized Iron Pipe marking also the Northeast corner of that certain 10.33 ac. tract conveyed by L.M. Haupt et ux to F.W. Miller, Sr. as described in Warranty Deed dated July 2, 1943 recorded in Volume 127 at Page 251 HCDR (and later conveyed by Ella A. Miller to Leo A. Miller by Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 226 HCDR) and noting also that from said 1/2 in. Galvanized Iron Pipe:

- e) the position of the Southeast corner of said 10.33 ac. tract (Y=802031.212, X=2351053.777) bears S2°11'07"E, 508.44 ft.,
- f) the position of the Northwest corner of said 10.33 ac. tract (Y=802001.855, X=2350177.359; no remnant of former fence corner found) bears S88°04'53"W, 877.00 ft., and
- g) the position of the Southwest corner of said 10.33 ac. tract (Y=801487.055, X=2350193.255), a Point on an old fence row, bears S88°04'53"W, 877.00 ft. and S1°46'07"E, 515.10 ft.

THENCE along the original South line of that certain 118 acre tract of land conveyed by Nancy Rowden to W.W. Haupt as described in Volume "D" at Page 414 HCDR, S87°52'45"W, 600.88 ft. to a Point at the intersection of said line with the West line of that certain 8.836 acre tract of land conveyed by Leo A. Miller and wife, Ruby L. Miller, to Hays Consolidated I.S.D. as described in Warranty Deed dated April 16, 1987 recorded in Volume 668 at Page 570 Real Property Records of Hays County (RPRHC);

THENCE N9°18'12"W, 2.82 ft. to a 1/2 in. Iron Rod (Y=802011.759, X=2350452.916) found marking the Northwest corner of said 8.836 acre Hays Consolidated I.S.D. tract;

THENCE S9°18'12"E, 1294.31 ft. to a 1/2 in. Iron Rod (Y=800734.610, X=2350662.136) found marking the Southwest corner of said 8.836 acre tract and the POINT OF BEGINNING of the 1.218 acre tract here described;

-oOo-

- 1) THENCE S9°18'10"E, 335.95 ft. to a Standard Rod and Cap No.882 set to mark the Southeast corner of the 1.218 acre tract here described and the Southwest corner of a 2.166 acre tract also surveyed as a part of this project;
- 2) THENCE S81°05'09"W, 100.01 ft. to a Standard Rod and Cap No.888 (Y=800387.615, X=2350617.641) set to mark the Southwest corner of the 1.218 acre tract here described;
- 3) THENCE N9°18'03"W, 537.31 ft. to a Standard Rod and Cap No.887 set on the South line of a 46.798 acre tract also surveyed as a part of this project;
- 4) THENCE N88°38'01"E, 100.96 ft. to a Standard Rod and Cap No.867 set to mark the Southeast corner of said 46.798 acre tract and the Northeast corner of the 1.218

WRITTEN DESCRIPTION for 1.218 ac. TRACT D

Page 2

1311 299

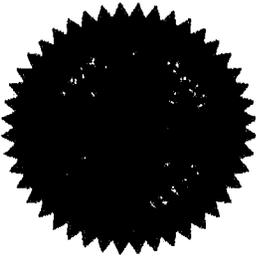
acre tract here described, both lying upon the West line of that certain 8.836 acre tract of land conveyed to Hays C.I.S.D. as described above;

- 5) THENCE S9°18'12"E, 188.10 ft. to the POINT OF BEGINNING of this description;

CONTAINING in all 1.218 acres of land within the above described notes as established by this survey.

I, Kent Neal McMillan, a Registered Professional Land Surveyor, hereby certify that the above is a true and correct description of the results of an actual survey, completed October 16, 1996, performed upon the ground under my direction.

Witness my hand and seal of registration November 4, 1996.



Kent Neal McMillan

Kent Neal McMillan
Registered Professional Land Surveyor No. 4341
2104 Paramount Avenue, Austin, TX 78704
Telephone (512) 445-5441

1.415 ac.
Andrew Dunn Lge. A-4
Hays County, Texas

1311 300

File No. 96-606
FB 291 & 292

**A DESCRIPTION OF A 1.415 ACRE TRACT OF LAND SITUATED IN THE
ANDREW DUNN LEAGUE, ABSTRACT 4, IN HAYS COUNTY, TEXAS,**

Said 1.415 acre tract being out of that certain 122 acre tract of land conveyed by Ella A. Miller to Leo A. Miller as described in Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 227 of the Hays County Deed Records;

And said 1.415 acre tract of land being more particularly described as follows from a survey, completed October 16, 1996, performed upon the ground by Kent Neal McMillan, Registered Professional Land Surveyor, 2104 Paramount Avenue, Austin, Texas:

Bearings of Lines in the following description refer to Grid North of the Texas Co-ordinate System (South Central Zone, NAD 27) as computed from solar observations:

Distances in the following description are Horizontal Surface Distances (Grid Distance = Surface Distance x 0.999896)

Co-ordinates noted in the following description are in US Survey Feet and refer to the Texas Co-ordinate System (South Central Zone, NAD 27) as surveyed from NGS Horizontal Control Point "CARPENTER":

In the following description, "Standard Rod and Cap" denotes a Punchmark on a 2 in. Aluminum Cap stamped "KENT MCMILLAN, SURVEYOR, RPLS 4341" (and numbered as noted) on a 5/8 in. X 16 in. Iron Rod and "Standard Spike and Washer" denotes a 3/8 in. Steel Spike with a 2 in. Aluminum Washer stamped as last noted:

COMMENCING FOR REFERENCE at a 1/2 in. Galvanized Iron Pipe (Y=802031.212, X=2351053.777) placed by the undersigned in 1986 (0.5 ft. North of an old 6 in. dia. Cedar Post and 0.6 ft. South of an old 8 in. dia. Cedar Post, by a scatter of medium size stones, at the former corner of wire fences) to mark the Southwest corner of that certain 600 ac. tract of land known as "Block or Division No. 2" of the M.M. McCarver League as agreed between T.B. Rector, F.L. Rector, F.G. Rector, Wm. W. Haupt, and I.H. Breedlove according to the Agreement dated June 28, 1861 recorded Volume "D" at Page 375 of the Hays County Deed Records (HCDR), same being the Southeast corner of that certain 118 acre tract conveyed by Nancy Rowden to W.W. Haupt by Warranty Deed dated January 6, 1862 recorded in Volume "D" at Page 414 HCDR, noting that from said 1/2 in. Galvanized Iron Pipe:

- a) a 27 in. Live Oak (original bearing tree) bears S85°54'W, 3.56 vrs. (= 9.90 ft.),
- b) a Standard Rod and Cap No. 908 (Y=801977.794, X=2349611.289) set among five medium size stones, the apparent remains of an old rock mound, (3.8 ft. South of a Wire Fence) to mark the Southwest corner of the former 118 acre W.W. Haupt tract described in Volume "D" at Page 414 HCDR and Southeast corner of that certain 28-1/2 acre tract conveyed by Mary Ellen Moore and Anna E. Kyle to William W. Haupt by Warranty Deed dated June 23, 1863 recorded in Volume "D" at Page 494 HCDR bears S87°52'45"W, 519.706 vrs. (Said corner being proven by the original bearing trees to wit: an 18 in. Cedar Elm bears N28°04'E, 8.96 vrs. and a 5/8 in. Iron Rod set in the approximate center of the rotted stump of a Live Oak, once larger than 14 in. dia., bears S0°03'52"W, 34.79 vrs.)
- c) a very old 2-1/2 in. Cedar Stake found (5 in. Down) (Y=801960.296, X=2348797.860) and taken for the original stake marking the Northwest corner of that certain 122 ac. tract conveyed by Henry C. Breedlove et ux to C.F. Blum, Jr. as

WRITTEN DESCRIPTION for 1.415 ac. TRACT C

Page 1

described in Warranty Deed dated November 18, 1874 recorded in Volume "I" at Page 335 HCDR, the same 122 ac. tract later conveyed in 1965 by Ella A. Miller to Leo A. Miller as described above, bears S87°52'45"W, 519.706 vrs and S88°46'03"W, 292.933 vrs.;

- d) the position (Y=799803.667, X=2351111.592) of the Southeast corner of the former 122 ac. Leo Miller tract bears S1°29'12"E, 802.27 vrs., said corner being presently an Unmarked Point from which a Standard Rod and Cap No.1326 set to mark the South corner of that certain 7.86 acre tract conveyed by Leo A. Miller to Hays Consolidated I.S.D. by Warranty Deed dated June 2, 1978 recorded in Volume 668 at Page 568 RPRHC bears N1°29'12"W, 30.43 ft.;

said 1/2 in. Galvanized Iron Pipe marking also the Northeast corner of that certain 10.33 acre tract conveyed by L.M. Haupt et ux to F.W. Miller, Sr. as described in Warranty Deed dated July 2, 1943 recorded in Volume 127 at Page 251 HCDR (and later conveyed by Ella A. Miller to Leo A. Miller by Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 226 HCDR) and noting also that from said 1/2 in. Galvanized Iron Pipe:

- e) the position of the Southeast corner of said 10.33 acre tract (Y=802031.212, X=2351053.777) bears S2°11'07"E, 508.44 ft.,
- f) the position of the Northwest corner of said 10.33 acre tract (Y=802001.855, X=2350177.359; no remnant of former fence corner found) bears S88°04'53"W, 877.00 ft., and
- g) the position of the Southwest corner of said 10.33 acre tract (Y=801487.055, X=2350193.255), a Point on an old fence row, bears S88°04'53"W, 877.00 ft. and S1°46'07"E, 515.10 ft.

THENCE along the original South line of that certain 118 acre tract of land conveyed by Nancy Rowden to W.W. Haupt as described in Volume "D" at Page 414 HCDR, S87°52'45"W, 600.88 ft. to a Point at the intersection of said line with the West line of that certain 8.836 acre tract of land conveyed by Leo A. Miller and wife, Ruby L. Miller, to Hays Consolidated I.S.D. as described in Warranty Deed dated April 16, 1987 recorded in Volume 668 at Page 570 Real Property Records of Hays County (RPRHC);

THENCE N9°18'12"W, 2.82 ft. to a 1/2 in. Iron Rod (Y=802011.759, X=2350452.916) found marking the Northwest corner of said 8.836 acre Hays Consolidated I.S.D. tract;

THENCE S9°18'12"E, 1294.31 ft. to a 1/2 in. Iron Rod (Y=800734.610, X=2350662.136) found marking the Southwest corner of said 8.836 acre tract;

THENCE N88°13'54"E, 299.97 ft. to a 1/2 in. Iron Rod (Y=800743.866, X=250961.933) found marking the Southeast corner of said 8.836 acre tract on the West line of that certain 7.86 acre tract of land conveyed by Leo A. Miller to Hays Consolidated Independent School District by Warranty Deed dated June 2, 1978 recorded in Volume 668 at Page 568 of the Real Property Records of Hays County (RPRHC), and from which Iron Rod found:

THENCE S9°17'35"E, 298.64 ft. to a Standard Rod and Cap No.881 (Y=800449.180, X=2351010.153) set on the West line of the 7.86 acre Hays C.I.S.D. tract, by the intersection of a Wire Pasture Fence, to mark the Northeast corner and **POINT OF BEGINNING** of the 1.415 acre tract here described;

-oOo-

- 1) **THENCE** along the West line of said 7.86 acre Hays C.I.S.D. tract, S9°17'35"E, 623.35 ft. to a Standard Rod and Cap No.1326 (Y=799834.079, X=2351110.802) set

WRITTEN DESCRIPTION for 1.415 ac. TRACT C

Page 2

1311 302

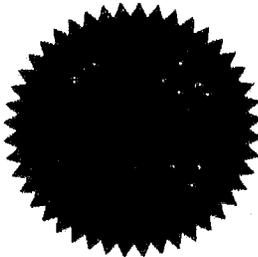
to mark the South corner of said 7.86 acre Hays Consolidated I.S.D. tract (said Rod and Cap being in the position of a 1/2 in. Iron Rod, taken for the original stake set by R.E. Stansberry, RPS in 1978 to mark the South corner of said 7.86 acre, found in place by the undersigned in 1991, but later removed by fence construction)

- 2) **THENCE S88°51'49"W, 101.02 ft.** to a Standard Rod and Cap No.885 (Y=799832.076, X=2351009.816) set to mark the Southwest corner of the 1.415 acre tract here described;
- 3) **THENCE N9°17'36"W, 609.68 ft.** to a Standard Rod and Cap No.886 set to mark the Northwest corner of the 1.415 acre tract here described on the South line of a 2.166 acre tract also surveyed as a part of this project;
- 4) **THENCE** along the South line of said 2.166 acre tract, **N81°05'09"E, 100.00 ft.** to the POINT OF BEGINNING;

CONTAINING in all 1.415 acres of land within the above described metes as established by this survey.

I, Kent Neal McMillan, a Registered Professional Land Surveyor, hereby certify that the above is a true and correct description of the results of an actual survey, completed October 16, 1996, performed upon the ground under my direction.

Witness my hand and seal of registration November 4, 1996.



Kent Neal McMillan

Kent Neal McMillan
Registered Professional Land Surveyor No. 4341
2104 Paramount Avenue, Austin, TX 78704
Telephone (512) 445-5441

1311 303

0.142 ac.
Andrew Dunn Lge. A-4
Hays County, Texas

File No. 96-606
FB 291 & 292

A DESCRIPTION OF A 0.142 ACRE TRACT OF LAND SITUATED IN PART WITHIN IN THE M. M. MCCARVER SURVEY NO. 4, ABSTRACT 10, AND IN PART WITHIN THE JOHN COOPER SURVEY NO. 13, ABSTRACT 100, BOTH IN HAYS COUNTY, TEXAS;

Approximately 0.07 acres of said 0.142 acre tract being a part of that certain 0.25 acre strip of land out of the M.M. McCarver Survey No. 4 conveyed by Hays Consolidated Independent School District to Leo A. Miller by Warranty Deed dated June 2, 1978 recorded in Volume 312 at Page 457 HCDR, and

The balance of said 0.142 acre tract being a part of that certain 0.25 acre strip of land said to be out of the M.M. McCarver Survey No. 4 (but thought by the undersigned surveyor to actually be out of the John Cooper Survey No. 13) to which Leo A. Miller has claimed title as stated in the Affidavits recorded in Volume 600 at Page 686 RPRHC and Volume 600 Page 689 RPRHC, said 0.25 acre strip being land within an old roadway formerly adjoining the South side of that certain 34.84 acre of land conveyed to Hays Consolidated I.S.D. by Warranty Deed dated January 5, 1968 recorded in Volume 222 at Page 54 HCDR (although not actually embraced within the metes and bounds of said 34.84 acres)

And said 0.142 acre tract of land being more particularly described as follows from a survey, completed October 16, 1996, performed upon the ground by Kent Neal McMillan, Registered Professional Land Surveyor, 2104 Paramount Avenue, Austin, Texas:

Bearings of Lines in the following description refer to Grid North of the Texas Co-ordinate System (South Central Zone, NAD 27) as computed from solar observations:

Distances in the following description are Horizontal Surface Distances (Grid Distance = Surface Distance x 0.999896)

Co-ordinates noted in the following description are in US Survey Feet and refer to the Texas Co-ordinate System (South Central Zone, NAD 27) as surveyed from NGS Horizontal Control Point "CARPENTER":

In the following description, "Standard Rod and Cap" denotes a Punchmark on a 2 in. Aluminum Cap stamped "KENT MCMILLAN, SURVEYOR, RPLS 4341" (and numbered as noted) on a 5/8 in. X 16 in. Iron Rod and "Standard Spike and Washer" denotes a 3/8 in. Steel Spike with a 2 in. Aluminum Washer stamped as last noted:

COMMENCING FOR REFERENCE at a 1/2 in. Galvanized Iron Pipe (Y=802031.212, X=2351053.777) placed by the undersigned in 1986 (0.5 ft. North of an old 6 in. dia. Cedar Post and 0.6 ft. South of an old 8 in. dia. Cedar Post, by a scatter of medium size stones, at the former corner of wire fences) to mark the Southwest corner of that certain 600 ac. tract of land known as "Block or Division No. 2" of the M.M. McCarver League as agreed between T.B. Rector, F.L. Rector, F.G. Rector, Wm. W. Haupt, and I.H. Breedlove according to the Agreement dated June 28, 1861 recorded Volume "D" at Page 375 of the Hays County Deed Records (HCDR), same being the Southeast corner of that certain 118 acre tract conveyed by Nancy Rowden to W.W. Haupt by Warranty Deed dated January 6, 1862 recorded in Volume "D" at Page 414 HCDR, noting that from said 1/2 in. Galvanized Iron Pipe:

a) a 27 in. Live Oak (original bearing tree) bears S85°54'W, 3.56 vrs. (= 9.90 ft.),

WRITTEN DESCRIPTION for 0.142 ac. TRACT I Page 1

- b) a Standard Rod and Cap No. 908 (Y=801977.794, X=2349611.289) set among five medium size stones, the apparent remains of an old rock mound, (3.8 ft. South of a Wire Fence) to mark the Southwest corner of the former 118 acre W.W. Haupt tract described in Volume "D" at Page 414 HCDR and Southeast corner of that certain 28-1/2 acre tract conveyed by Mary Ellen Moore and Anna E. Kyle to William W. Haupt by Warranty Deed dated June 23, 1863 recorded in Volume "D" at Page 494 HCDR bears S87°52'45"W, 519.706 vrs. (Said corner being proven by the original bearing trees to wit: an 18 in. Cedar Elm bears N28°04'E, 8.96 vrs. and a 5/8 in. Iron Rod set in the approximate center of the rotted stump of a Live Oak, once larger than 14 in. dia., bears S0°03'52"W, 34.79 vrs.)
- c) a very old 2-1/2 in. Cedar Stake found (5 in. Down) (Y=801960.296, X=2348797.860) and taken for the original stake marking the Northwest corner of that certain 122 ac. tract conveyed by Henry C. Breedlove et ux to C.F. Blum, Jr. as described in Warranty Deed dated November 18, 1874 recorded in Volume "I" at Page 335 HCDR, the same 122 ac. tract later conveyed in 1965 by Ella A. Miller to Leo A. Miller as described above, bears S87°52'45"W, 519.706 vrs and S88°46'03"W, 292.933 vrs.;

said 1/2 in. Galvanized Iron Pipe marking also the Northeast corner of that certain 10.33 ac. tract conveyed by L.M. Haupt et ux to F.W. Miller, Sr. as described in Warranty Deed dated July 2, 1943 recorded in Volume 127 at Page 251 HCDR (and later conveyed by Ella A. Miller to Leo A. Miller by Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 226 HCDR) and noting also that from said 1/2 in. Galvanized Iron Pipe:

- e) the position of the Southeast corner of said 10.33 ac. tract (Y=802031.212, X=2351053.777) bears S2°11'07"E, 508.44 ft.,
- f) the position of the Northwest corner of said 10.33 ac. tract (Y=802001.855, X=2350177.359; no remnant of former fence corner found) bears S88°04'53"W, 877.00 ft., and
- g) the position of the Southwest corner of said 10.33 ac. tract (Y=801487.055, X=2350193.255), a Point on an old fence row, bears S88°04'53"W, 877.00 ft. and S1°46'07"E, 515.10 ft.

THENCE S1°29'12"E, 2198.10 ft. to a Standard Rod and Cap No. 1326 (Y=799834.079, X=2351111.802) set to mark the South corner of that certain 7.86 acre tract conveyed by Leo A. Miller to Hays Consolidated I.S.D. as described in Warranty Deed dated June 2, 1978 recorded in Volume 668 at Page 568 RPRHC, same being also the Northwest corner of that certain 0.25 acre strip of land conveyed by Hays Consolidated I.S.D. to Leo A. Miller as described in Warranty Deed dated June 2, 1978 recorded in Volume 312 at Page 457 RPRHC (said Rod and Cap No. 1326 being in the position of a 1/2 in. Iron Rod, taken for the original stake set by R.E. Stansberry, RPS in 1978 to mark the South corner of said 7.86 acre tract, found in place by the undersigned in 1991, but later removed by fence construction), and from said Standard Rod and Cap No. 1326:

the position (Y=799803.667, X=2351111.592) of the Southwest corner of that certain 34.84 acre tract conveyed by L.M. Haupt, Jr. et al to Hays Consolidated I.S.D. by Warranty Deed dated January 5, 1968 recorded in Volume 222 at Page 54 HCDR bears S1°29'12"E, 30.42 ft., same position being also the Southeast corner of that certain 122 acre tract of land conveyed by Ella A. Miller to Leo A. Miller by Warranty Deed dated December 11, 1965 recorded in Volume 209 at Page 227 HCDR and being the recognized position of the Southwest corner of the M.M. McCarver Survey No. 4 and Southeast corner of the Andrew Dunn Survey No. 9;

THENCE N88°51'31"E, 341.14 ft. to a Standard Rod and Cap No.1348 (Y=799840.874, X=2351451.835) set (approximately 0.60 ft. South of Wire Fence) on the North line of the above mentioned 0.25 ac. strip conveyed to Leo A. Miller as described in Volume 312 at Page 457 RPRHC, said Rod and Cap replacing the Rod and Cap set by the undersigned in 1992 (and later destroyed by construction) to mark the Northwest corner of that certain 2,455 sq. ft. parcel subject to the Easement and Right-of-Way granted by Leo A. Miller and Dennis L. Miller to Hays Consolidated I.S.D. by Deed dated November 27, 1992 recorded in Volume 962 at Page 646 Official Public Records of Hays County (OPRHC) and said Rod and Cap marking the Northeast corner and POINT OF BEGINNING of the 0.142 acre parcel here described;

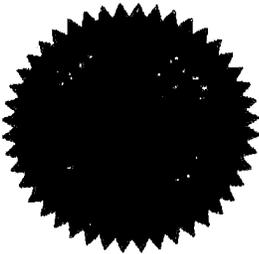
-oOo-

- 1) **THENCE S15°48'12"W, 61.54 ft. to a Standard Rod and Cap No.1347** found (approximately 0.60 ft. North of a Wire Fence) marking the Southwest corner of said 2,455 sq. ft. Easement and Right-of-Way parcel and the Southeast corner of the 0.142 acre parcel here described, on the North line of that certain 8.73 acre Tract I conveyed by J&D Development, Inc. to Hays Consolidated I.S.D. as described in Warranty Deed recorded in Volume 636 at Page 784 HCDR,
- 2) **THENCE** along the North line of said 8.73 acre Hays Consolidated I.S.D. tract, **S88°32'15"W, 104.75 ft. to a Standard Rod and Cap No.884** (Y=799778.994, X=2351330.374) set to mark the Southwest corner of the 0.142 acre parcel here described;
- 3) **THENCE N15°48'19"E, 62.15 ft. to a Standard Rod and Cap No.883** (Y=799838.791, X=2351347.301) set on the North line of that certain 0.25 acre Strip conveyed to Leo A. Miller as described in Volume 312 at Page 457 HCDR to mark the Northwest corner of the 0.142 acre parcel here described;
- 4) **THENCE** along the North line of said 0.25 acre Strip, **N88°51'31"E, 104.57 ft. to the POINT OF BEGINNING** of this description;

CONTAINING in all 0.142 acres of land within the above described metes as established by this survey.

I, Kent Neal McMillan, a Registered Professional Land Surveyor, hereby certify that the above is a true and correct description of the results of an actual survey, completed October 16, 1996, performed upon the ground under my direction.

Witness my hand and seal of registration November 4, 1996.



Kent Neal McMillan

Kent Neal McMillan
Registered Professional Land Surveyor No. 4341
2104 Paramount Avenue, Austin, TX 78704
Telephone (512) 445-5441

1311 306

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Margie T Villalpando

5-12-97 04:21 PM 9707968
KLEEN \$55.00
MARGIE T VILLALPANDO, County Clerk
HAYS COUNTY

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: L.10

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible adoption of a Resolution Nominating Directors for the Hays County Appraisal Board

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A

C. Goal or Need Addressed:

District representation on the Appraisal District Board of Directors

D. Summary:

Previous board action relating to this item: September 27, 2021 – At that time, Jayna Love and Meredith Schawe, were nominated directors of the Hays County Appraisal District.

Future action anticipated - Biennial

Background information – The district received notification that nominations for directors of the Hays County Appraisal District are to be submitted to the chief appraiser on or before October 15, 2023. Each taxing unit may nominate one candidate for each position to be filled. All seven positions are available for selection, therefore Hays CISD may nominate up to seven candidates.

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other

F. Administrative Recommendation:

The administration defers to the Board of Trustees for nominations.

G. Fiscal Impact and Cost: Amount: N/A

Budget 2023 Bond Grant/Special Funds Other

H. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision or action — Randy Rau, Chief Financial Officer

I. Suggested Motion:

I move that the Hays CISD Board of Trustees adopt the resolution to nominate _____ and _____ to fill a position on the Hays Central Appraisal Board, as discussed.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: M.1

Board Goal: Board/Staff/Community Relations

Subject: Update on Bond, Construction, and Renovation Projects in the District

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

Action needed

Information only

Receive input

B. Authority for This Action:

Local Policy – CV(LOCAL)

Law or Rule

N/A

C. Summary:

Previous board action relating to this item -

Future action anticipated – As needed

Background information - The board needs to monitor the progress of the bond projects and other construction projects to ensure the contract with the community is fulfilled.

D. Comments Received:

Cabinet

DLT

FBOC

Teacher Org. Reps.

Other

All agenda items are reviewed by Superintendent's Cabinet.

E. Suggested Motion

No action needed. This item is presented as information only.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: M.1a

Board Goal: Board/Staff/Community Relations

Subject: Review and Discuss 2023 Bond Bid Package 3 Schematic Design for Improvements at Hays High School, Barton Middle School, and the Hays CISD Performing Arts Center

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A

C. Goal or Need Addressed:

Maintain clean, safe facilities. The purpose of this agenda item is to familiarize you with Bid Package 3 and receive feedback.

D. Summary:

Previous board action relating to this item

In April 2023, the Board granted the Superintendent authority to assign minor 2023 Bond Projects to the district's architects, OCR or Huckabee.

Future action anticipated -

Background information –

The 2023 Bond contains provisions for the following improvements:

- Hays High School
 - HVAC
 - Roofing
 - Boiler
 - Additional Parking and Parking Repair
 - Walkway Cover
 - New Weight Room
- Barton Middle School
 - Roofing
 - Parking Repair
- Performing Arts Center
 - Roofing

Huckabee will present schematic design documents for the new weight room and other project elements.
Bartlett Cocke will provide a schematic design cost estimate.

E. Scope of Options Reviewed:

Contract Information:

Length of Contract:

Reasons for rejecting alternatives

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other:

G. Administrative Recommendation:

Staff recommends approval of the schematic design package, as presented

H. Fiscal Impact and Cost: Amount: See Below

Budget Bond 2023 Grant/Special Funds Other

	Original Budget	SD
Construction	\$14,295,525	\$18,848,044
Architect	\$1,000,687	\$1,319,363
FFE	\$1,000,687	\$1,000,687
Infr & Fees	\$536,082	\$536,082
Contingency	\$1,036,426	-\$3,834,770
Total	\$17,869,406	\$17,869,406

Future/Ongoing -

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver, COO
Nate Wensowitch, Dir. Planning & Const.

Evaluation method and time line:

Next report to the board:

Suggested Milestones	
Discussion of SD	September 2023
Consideration of SD	October 2023
Consideration of DD	January 2024
Consideration of CD	March 2024
Consideration of GMP	April 2024
Substantial Completion	June 2025

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the 2023 Bond Bid Package 3 Schematic Design for Improvements at Hays High School, Barton Middle School, and the Hays CISD Performing Arts Center, as designed by O'Connell Robertson and submitted by Bartlett Cocke Construction, in the amount of \$18,848,044, as presented.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: M.2

Board Goal: Board/Staff/Community Relations

Subject: Quarterly Investment Report for the 4rd Quarter of 2022-2023 Fiscal Year

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

Action Needed

Information Only

Receive Input

B. Authority for This Action

Local Policy - CDA

Law or Rule

N/A

C. Goal or Need Addressed:

Board Policy CDA(LEGAL) Not less than quarterly, the investment officer shall prepare and submit to the board a written report of investment transactions for all funds covered by the Public Funds Investment Act for the preceding reporting period.

D. Summary:

Previous board action relating to this item - Quarterly

Future action anticipated -

Background information – Quarterly Investment Report is attached

E. Administrative Recommendation:

There is no recommendation for this agenda item. This item is presented for information only.

Hays Consolidated Independent School District

4th Quarter Investment Report



**April 1, 2023 to
June 30, 2023**

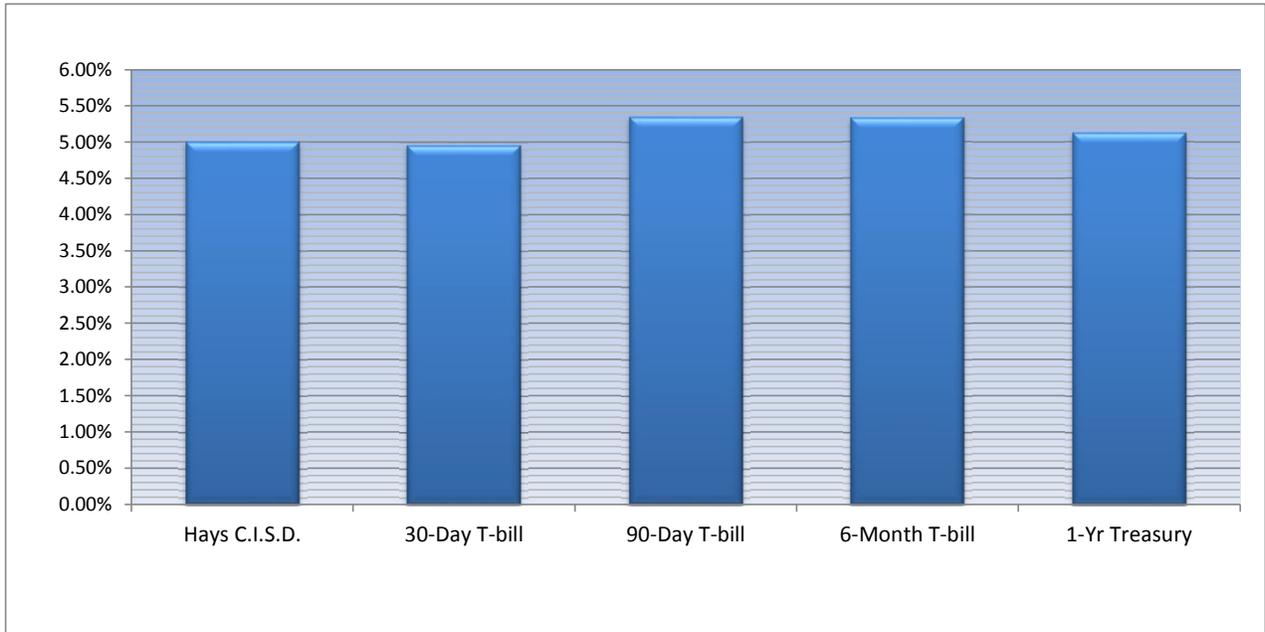
Quarterly Investment Report
HAYS CISD
4th Quarter June 30, 2023

Portfolio Summary As Of June 30, 2023

Ending Market Value	\$ 274,090,674.03
Ending Book Value	\$ 274,090,674.03
Current Period Earnings	\$ 3,979,600.19
Portfolio Rate of Return	5.00%
Weighted Average Maturity	33 Days

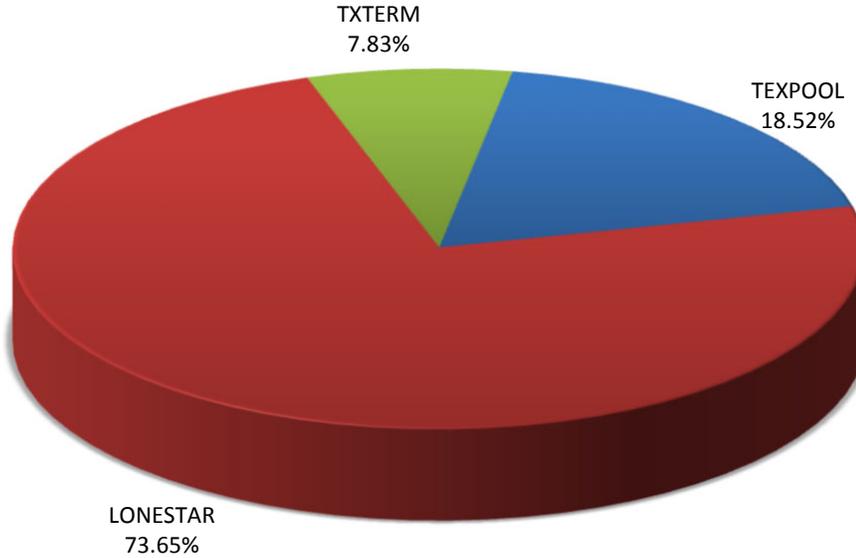
Benchmark Analysis for June 30, 2023

Hays C.I.S.D.	5.00%
30-Day T-bill	4.96%
90-Day T-bill	5.35%
6-Month T-bill	5.33%
1-Year Treasury	5.13%

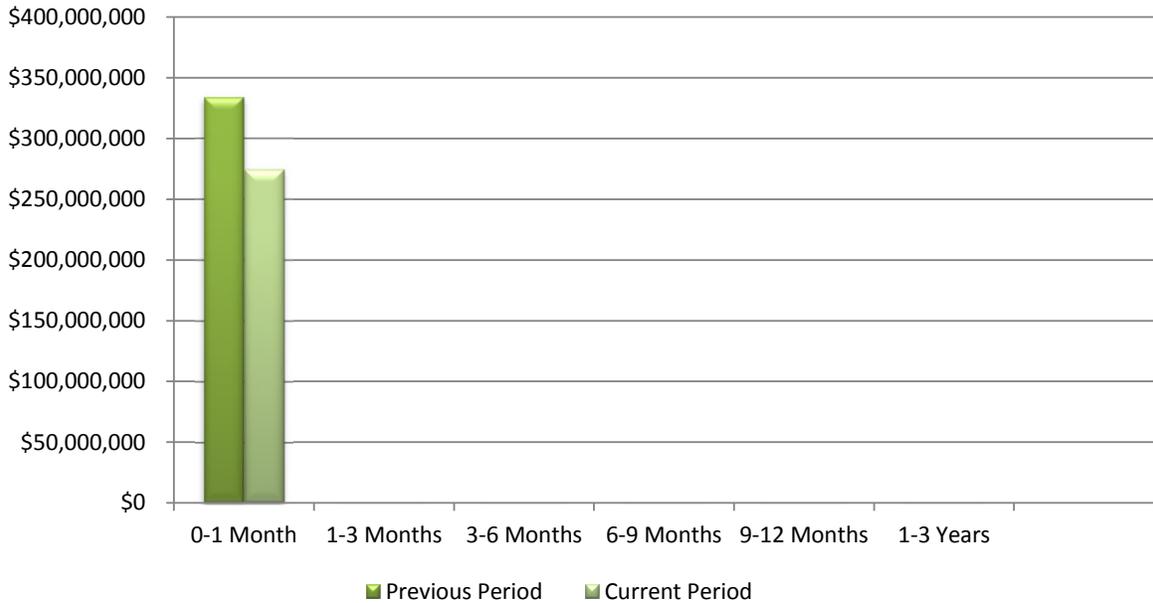


**Quarterly Investment Report
HAYS CISD
4th Quarter June 30, 2023**

Portfolio Composition at 06/30/2023



Maturity Aging - 03/31/2023 vs 06/30/2023



**Detail of Investment Holdings
HAYS CISD**

4th Quarter June 30, 2023

Portfolio Summary As Of June 30, 2023:

Description	CUSIP	Beginning Par Value	Ending Par Value	Book Value 3/31/2022	Book Value 6/30/2023	Market Value 3/31/2022	Market Value 6/30/2023	Period Earnings	Yield To Maturity	Maturity Date	Days to Maturity
199 - General Operating											
Lone Star LGIP	LONESTAR	5,963,393.68	9,384,938.22	5,963,393.68	9,384,938.22	5,963,393.68	9,384,938.22	128,149.92	0.080	N/A	1
Texas Range LGIP	TEXASTERM	16,590,896.49	16,798,676.92	16,590,896.49	16,798,676.92	16,590,896.49	16,798,676.92	207,780.43	0.020	N/A	1
TexPool LGIP	TEXPOOL02	67,309,412.59	21,536,498.08	67,309,412.59	21,536,498.08	67,309,412.59	21,536,498.08	619,094.88	0.020	N/A	1
		89,863,702.76	47,720,113.22	89,863,702.76	47,720,113.22	89,863,702.76	47,720,113.22	955,025.23			
240 - Child Nutrition											
Lone Star LGIP	LONESTAR	7,042,765.41	7,129,031.77	7,042,765.41	7,129,031.77	7,042,765.41	7,129,031.77	94,726.28	0.080	N/A	1
Texas Range LGIP	TEXASTERM	765.45	775.04	765.45	775.04	765.45	775.04	9.59	0.020	N/A	1
		7,043,530.86	7,129,806.81	7,043,530.86	7,129,806.81	7,043,530.86	7,129,806.81	94,735.87			
599-Debt Service											
Lone Star LGIP	LONESTAR	4,439,264.71	4,486,015.42	4,439,264.71	4,486,015.42	4,439,264.71	4,486,015.42	57,572.54	0.080	N/A	1
Texas Range LGIP	TEXASTERM	4,611,665.72	4,669,421.12	4,611,665.72	4,669,421.12	4,611,665.72	4,669,421.12	57,755.40	0.020	N/A	1
TexPool LGIP	TEXPOOL03	27,964,496.14	29,228,037.37	27,964,496.14	29,228,037.37	27,964,496.14	29,228,037.37	352,790.06	0.020	N/A	1
		37,015,426.57	38,383,473.91	37,015,426.57	38,383,473.91	37,015,426.57	38,383,473.91	468,118.00			
608- 2008 Construction											
Lone Star LGIP	LONESTAR	203,580.04	208,828.63	203,580.04	208,828.63	203,580.04	208,828.63	2,667.84	0.080	N/A	1
		203,580.04	208,828.63	203,580.04	208,828.63	203,580.04	208,828.63	2,667.84			
617-2017 Construction											
Texas Range LGIP	TEXASTERM	161.10	163.11	161.10	163.11	161.10	163.11	2.01	0.020	N/A	1
		161.10	163.11	161.10	163.11	161.10	163.11	2.01			
617-18- 2017 Construction											
Lone Star LGIP	LONESTAR	10,096,973.56	9,530,193.48	10,096,973.56	9,530,193.48	10,096,973.56	9,530,193.48	127,508.04	0.080	N/A	1
		10,096,973.56	9,530,193.48	10,096,973.56	9,530,193.48	10,096,973.56	9,530,193.48	127,508.04			
621- 2021 Construction											
Lone Star LGIP	LONESTAR	5,798,526.08	1,372,308.56	5,798,526.08	1,372,308.56	5,798,526.08	1,372,308.56	27,160.34	0.080	N/A	1
		5,798,526.08	1,372,308.56	5,798,526.08	1,372,308.56	5,798,526.08	1,372,308.56	27,160.34			
621 (A) - 2021 Construction											
Lone Star LGIP	LONESTAR	68,141,759.03	64,424,530.92	68,141,759.03	64,424,530.92	68,141,759.03	64,424,530.92	841,950.45	0.080	N/A	1
		68,141,759.03	64,424,530.92	68,141,759.03	64,424,530.92	68,141,759.03	64,424,530.92	841,950.45			
622- 2022 Construction											
Lone Star LGIP	LONESTAR	115,491,266.86	105,321,255.39	115,491,266.86	105,321,255.39	115,491,266.86	105,321,255.39	1,462,432.41	0.080	N/A	1
		115,491,266.86	105,321,255.39	115,491,266.86	105,321,255.39	115,491,266.86	105,321,255.39	1,462,432.41			
Summary By Fund:											
199- General Operating		89,863,702.76	47,720,113.22	89,863,702.76	47,720,113.22	89,863,702.76	47,720,113.22	955,025.23			
240- Food Service		7,043,530.86	7,129,806.81	7,043,530.86	7,129,806.81	7,043,530.86	7,129,806.81	94,735.87			
599- Debt Service		37,015,426.57	38,383,473.91	37,015,426.57	38,383,473.91	37,015,426.57	38,383,473.91	468,118.00			
608- 2008 Construction		203,580.04	208,828.63	203,580.04	208,828.63	203,580.04	208,828.63	2,667.84			
617-2017 Construction		161.10	163.11	161.10	163.11	161.10	163.11	2.01			
617-18- 2017 Construction		10,096,973.56	9,530,193.48	10,096,973.56	9,530,193.48	10,096,973.56	9,530,193.48	127,508.04			
621- 2021 Construction		5,798,526.08	1,372,308.56	5,798,526.08	1,372,308.56	5,798,526.08	1,372,308.56	27,160.34			
621 (A) - 2021 Construction		68,141,759.03	64,424,530.92	68,141,759.03	64,424,530.92	68,141,759.03	64,424,530.92	841,950.45			
622- 2022 Construction		115,491,266.86	105,321,255.39	115,491,266.86	105,321,255.39	115,491,266.86	105,321,255.39	1,462,432.41			
TOTAL PORTFOLIO		333,654,926.86	274,090,674.03	333,654,926.86	274,090,674.03	333,654,926.86	274,090,674.03	3,979,600.19			

**Quarterly Investment Report
HAYS CISD
4th Quarter June 30, 2023**

We, the approved Investment Officers of Hays CISD, hereby certify that the following Investment Report represents the investment position of the district as of **June 30, 2023** in compliance with the Board approved Investment Policy, the Public Funds Investment Act (*Texas Government Code 2256*), and, Generally Accepted Accounting Principles (GAAP).

Randall Rau
Chief Financial Officer



Rafael De Avila
Senior Accountant



**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: September 25, 2023

Agenda Item: M.3

Board Goal: Board/Staff/Community Relations

Subject: Financial Statements

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy Law or Rule N/A

C. Summary:

Previous board action relating to this item - Monthly
 Background information – A separate summary is attached with the financials.

D. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other

E. Administrative Recommendation:

There is no board action necessary. The monthly financial statements are presented as an information item.

F. Fiscal Impact and Cost: Amount: N/A – Information only

Budget Bond Grant/Special Funds Other

G. Suggested Motion:

No action needed. This item is presented as information only.

**2023-2024 Hays CISD Board of Trustees
Meeting Schedule**



July 24, 2023 @ Kunkel Room at Historic Buda Elementary Campus – 5:30 pm

August 21, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:00 pm
August 28, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:00 pm

September 18, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm
September 25, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

TUESDAY, October 17, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm
October 23, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

November 13, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm
TUESDAY, November 28, 2023 @ Kunkel Room at Historic Buda Elementary Campus – 5:30 pm

December 11, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

TUESDAY January 16, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm
January 22, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

TUESDAY, February 20, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm
February 26, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

March 18, 2024 @ Kunkel Room at Historic Buda Elementary Campus – 5:30 pm
March 25, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

April 15, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm
April 22, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

******May 13, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

******May 20, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

******June 17, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

******June 24, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

******July 22, 2024 @ Kunkel Room at Historic Buda Elementary Campus – 5:30 pm

*******Meeting location may be moved to the newly constructed Hays CISD Academic Support Center*