

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 May 13, 2024 beginning at 5:00 PM at Hays CISD Merideth Keller Board Room, 21003 IH 35, Kyle, TX 78640.

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. CANVASS ELECTION RESULTS
 - 1. Canvassing and Certification of the May 4, 2024 Trustee Election Results for Hays CISD Single-Member District 3 and Trustee, At-Large 6
- C. RECOGNITION
 - Recognition of Outgoing Board Member
- D. OATHS OF OFFICE
 - Swearing-in of Trustees elected on May 4, 2024
- E. CLOSED SESSION
 - 1. Deliberate regarding Board reorganization, and matters related to the duties and responsibilities of Board officers and Trustees pursuant to Tx. Gov't Code 551.074
 - 2. Deliberation regarding safety and security, including security personnel, systems, infrastructure, and/or devices, pursuant to Tx. Gov't Code Section 551.076
- F. RECONVENE IN OPEN SESSION - immediately following Closed Session
- G. REORGANIZE BOARD 7
 - Discuss and take possible action to Reorganize the Board of Trustees and Select Officers
- H. 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.
- I. MISSION STATEMENT
 - The mission of Hays CISD is to educate, value, and nurture students through innovative and personalized educational experiences while celebrating our diversity.
- J. 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
- K. SUPERINTENDENT REPORT 8
- L. PUBLIC FORUM 9
 - 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 Boardroom 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.

M.	CAMPUS RECOGNITION - Kyle Elementary School (Scheduled for May 20, 2024)	10
N.	STUDENT ACHIEVEMENT REPORT - Update of District Positive Behavior Intervention Support	11
O.	CONSENT AGENDA	12
	1. Minutes of Board of Trustees Meetings	13
	2. Procurements	22
	a. Consideration and possible approval of the Cost of the Administration of Advanced Placement Exams - College Board	23
	b. Consideration and possible approval of the purchase of Instructional Materials for Advanced Placement US History - Cengage Learning	25
	c. Consideration and possible approval of the purchase of Instructional Materials for Career & Technical Education Courses Forensic Science, Food Science, and Cosmetology - Cengage Learning	29
	d. Consideration and possible approval of the purchase of Instructional Materials for Career and Technical Education Courses Computer Science I and Computer Science II - CodeHS	33
	3. Hays CISD Budget Amendments	37
P.	ACTION ITEMS for consideration on May 20, 2024	
	1. Second Reading and Possible Adoption of proposed revisions to Local Policy FNCA - Dress Code	40
	2. Second Reading and possible adoption of Proposed Revisions to local policy FFAC - Medical Treatment	42
	3. Consideration and possible approval of Third-Party Medicaid Billing Services - Texas Association of School Boards	43
	4. Consideration and possible approval of Request to Apply for a Texas Education Agency State Waiver for Low Attendance	45
	5. Consideration and possible approval of the purchase of Instructional Materials for Advanced Placement Physics and Advanced Placement Psychology - MPS	46
	6. Consideration and possible approval of the purchase of Instructional Materials for Career and Technical Education Course Anatomy and Physiology - B. E. Publishing	52
	7. Consideration and possible adoption of a Resolution Declaring Hazardous Traffic Conditions	55
	8. Consideration and possible approval of the Assignment of Architect to Provide Design Services through Enhanced Schematic Design for Future Bond Improvements at Hays CISD Middle School Campuses	58
	9. Consideration and possible approval of 2021 Bond Stage Lighting Equipment and Electrical Infrastructure for Wallace Middle School - Olden Lighting	60
	10. Consideration and possible approval of a Utility Easement for the Pedernales Electric Cooperative at Hays High School	64
	11. Consideration and possible adoption of the Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Plum Creek Uptown District and Agreement to Terminate Certain Instruments and the Fourth Amendment of the Declaration of Covenants, Conditions, and Restrictions for Hays CISD Performing Arts Center	65
Q.	INFORMATION ITEMS	
	1. First Reading of proposed revisions to Local Policy FFAC - Medical Treatment	117
	2. Discussion of Districtwide Intruder Detection Audit Report Findings (scheduled for May 20, 2024)	121
	3. Update on District Safety & Security Initiatives ²	122

4. Update on District Bond, Construction, and Renovation Projects	123
5. Hays CISD Financial Statements	124
R. REQUESTS FOR INFORMATION FROM THE BOARD OF TRUSTEES	125
S. RECAP OF QUESTIONS	126
T. UPCOMING BOARD MEETINGS	127
** 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	
** <i>Meeting location may be moved to the newly constructed Hays CISD Academic Support Center</i>	
<i>Official Board of Trustees information may be obtained at www.hayscisd.net</i>	
U. ADJOURN	

This notice was posted in compliance with the Texas Open Meetings act on: Friday, May 10, 2024 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>

DATE ISSUED: 10/25/2013
UPDATE 98
BEC (LEGAL)-P

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

Date: May 13, 2024

Agenda Item: B.1

Board Goal: Community Relations

Subject: Canvassing and Certification of the May 4, 2024 Trustee Election Results for Hays CISD Single-Member District 3 and Trustee At-Large

Administrator Responsible/Position: Tim Savoy, Chief Communication Officer

A. Purpose of Agenda Item:

Action Needed

Information Only

Receive Input

B. Authority for This Action:

Local Policy

Law or Rule

NA

C. Goal or Need Addressed:

The canvassing authority, made up of Hays CISD Board Members, will canvass the election returns of the May 4, 2024 election.

D. Summary:

Election Code law calls for each local canvassing authority to convene to conduct the canvass of election returns. After the completion of the canvass, the presiding officer of the canvassing authority shall prepare a certificate of election for each candidate who is elected to an office for which the official result is determined by that authority's canvass.

E. Suggested Motion

I move that the Hays CISD Board of Trustees accept the prepared tabulation showing the total number of early voting and election day votes received in each precinct, the sum of the precinct totals, and the total number of voters who cast a ballot for each candidate. I further direct the secretary to note in the minutes of this meeting that the board has completed the canvassing of the May 4, 2024 trustee election results for Hays CISD Single-Member District 3 and Trustee At-Large, and to enter the tabulation directly into the local election register maintained by the district.

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

Date: May 13, 2024

Agenda Item: G

Board Goal: Community Relations

Subject: Discuss and take possible action to Reorganization of the Board of Trustees and Select Officers

Administrator Responsible/Position: Board Matter

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:

Discuss and take possible action to reorganize the Board and select officers

D. Summary:

- Previous board action relating to this item -
 Future action anticipated -
 Background information - Under Section 11.061(c) of the Texas Education Code (found at Hays CISD policy BDAA (Legal)), the Board of Trustees must reorganize "at the first meeting after each election and qualification of Board members." As used in that provision of the law, "reorganize" means to elect a president and secretary, as well as any "other officers and committees as the Board may deem necessary."

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

Date: May 13, 2024

Agenda Item: K

Board Goal: 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: May 13, 2024

Agenda Item: L

Board Goal: 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: May 20, 2024

Agenda Item: M

Board Goal: Student Achievement

Subject: Campus Recognition – Kyle Elementary School

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Dr. Michael Watson, Deputy Academic Officer
Shawn Maxwell, Kyle Elementary School 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 –Beginning January 2022, our district would like to recognize a campus each month for their academic achievement, student programs and their parental/community involvement.
- E. Comments Received: N/A**
 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: \$0.00**
 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 —Dr. Michael Watson, Deputy Academic Officer
Evaluation method and time line -
Next report to the board – Upon request.
- I. Suggested Motion:**
No motion required.

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

Date: May 13, 2024

Agenda Item: N

Board Goal: Student Achievement

Subject: Student Achievement Report – Postive Behavior Intervention Support (PBIS) Update

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Debbie Borwn, Director of Academic Support
LaShun Gaines, Coordinator of Early Childhood Intervention
Dr. Brian Dawson, Director of Student Services

- 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:**
Report on our district-wide PBIS efforts to support social, emotional, behavioral and academic outcomes for all students.
- D. Summary:**
 Previous board action relating to this item -
 Future action anticipated -
 Background information – Our district utilizes a multi-tiered framework to support our students with a continuum of evidence-based practices to support student needs. We create systems of support and use data to identify strengths, uncover needs, and monitor student progress. Data is also used to determine district and/or campus professional development.
- E. Comments Received:**
 Cabinet DLT FBOC Teacher Org. Reps. Other – C&I Directors
- F. Administrative Recommendation:**
 Expected results in terms of student benefit/achievement – Formally monitoring the district’s PBIS efforts will produce results that will yield greater student success.
- G. Fiscal Impact and Cost: Amount: N/A**
 Budget Bond 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 - Marivel Sedillo, DS/CAO
Evaluation method and time line – C&I and campus administrators are monitoring the district’s PBIS efforts to yield greater results.
Next report to the board –
- I. Suggested Motion:**
No motion needed. This item is presented as information only.

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

Date: May 20, 2024

Agenda Item: O

Board Goal: 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. 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: May 20 2024

Agenda Item: O.1

Board Goal: 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 March 18, 2024 agenda workshop meeting, April 2, 2024 special meeting, and April 15, 2024 special meeting are presented for approval

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other

F. Administrative Recommendation:

The Superintendent recommends the Board approve minutes, 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 March 18, 2024 agenda workshop meeting, April 2, 2024 special meeting, and April 15, 2024 special meeting, as presented.

Minutes of Regular Meeting March 18, 2024

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, March 18, 2024 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 Vice President Raul Vela called the meeting to order at 5:30 PM. All Board Members were present with the exception of Board President Will McManus.

CLOSED SESSION

The Board adjourned to Closed Session at 5:30 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 6:25 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

Trustee Vanessa Petrea read the Hays CISD Board of Trustees Mission Statement.

SOCIAL CONTRACT

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

SUPERINTENDENT REPORT

Superintendent Dr. Eric Wright highlighted recent student achievements, including that of Crystal Martinez, senior at Lehman High School, who recently achieved her 4th state championship in Powerlifting. The Lehman High School Girls Powerlifting Team placed 3rd at the state competition. Hays High School Winterguard placed first at a recent competition. Choirs from all three high schools, Hays, Johnson and Lehman, received superior ratings at recent concert and site reading competitions. Dr. Wright highlighted the recent achievements and awards of the Communications Department at the TSPRA conference. Dr. Wright showed a video of the softball and baseball turf project at Lehman High School. Dr. Wright spoke regarding Workforce Solutions and the Kyle Fire Department Academy partnership. Dr. Wright also provided a debrief of his recent travels to Washington, D.C. to serve on a panel regarding Fentanyl Awareness. Dr. Wright received feedback and responded to questions from Trustee Johnny Flores and Board Vice President Raul Vela.

PUBLIC FORUM

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

CAMPUS RECOGNITION

The campus recognition of Kyle Elementary is scheduled for March 25, 2024.

STUDENT ACHIEVEMENT REPORT

Marivel Sedillo, Deputy Superintendent / Chief Academic Officer, introduced Kevin Malandrucolo, Director of Assessment and Accountability, to present a report of Results-driven Accountability (RDA), an update of PreK achievement and CBA data. Ms. Sedillo and Mr. McDaniel responded to feedback and questions from Trustee Byron Severance, Board Secretary Courtney Runkle, Trustee Johnny Flores, Trustee Vanessa Petrea, Trustee Esperanza Orosco, and Board Vice President Raul Vela.

CONSENT AGENDA

There were no items requested to be pulled from the Consent agenda

Minutes of Board of Trustees Meetings

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

Budget Amendments

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

ACTION ITEMS

Conduct an Election for Place 4 of the Education Service Center, Region 13 Board

The Board discussed this agenda item in preparation for the March 25, 2024 Board meeting.

Consideration and possible adoption of a Resolution Nominating Dr. Eric Wright for the TASB Superintendent of the Year Award

Chief Communication Officer Tim Savoy introduced this agenda item, providing details of the requirements and process. Trustee Esperanza Orosco, Trustee Vanessa Petrea and Board Vice President Raul Vela spoke in support of this agenda item.

Consideration and possible approval of an Interlocal Agreement with the Lower Colorado River Authority
Board Vice President Raul Vela introduced this agenda item. Chief Safety & Security Officer Jeri Skrocki spoke to provide details regarding this agenda item. Ms. Skrocki responded to feedback and questions from Trustee Johnny Flores and Raul Vela.

Consideration and possible approval of the purchase of Barbering Equipment and Supplies for Hays High School CTE - Kaemark

Board Vice President Raul Vela introduced this agenda item to begin discussion. Chief Operations Officer Max Cleaver and Director of Career & Technical Education Suzi Mitchell were both present to respond to questions and feedback from Trustee Vanessa Petrea and Trustee Esperanza Orosco.

Consideration and possible approval of the assignment of an Architect to provide Design Services through 50% Construction Documents (CD) for 2021 Bond-Interest-Earnings-Funded additions and renovations at Barton Middle School, Chapa Middle School, Simon Middle School, and Wallace Middle School

Board Vice President Raul Vela introduced this agenda item to begin discussions. Chief Operations Officer Max Cleaver and Executive Director of Facilities, Construction, and Bond Programs Nathan Wensowitch were present and responded to feedback and questions from Trustee Byron Severance, Board Secretary Courtney Runkle, Trustee Vanessa Petrea, Trustee Johnny Flores, Trustee Esperanza Orosco. Superintendent Dr. Eric Wright also responded to provide details.

The Board paused for a break at 8:14 PM, returning to the dais at 8:25 PM

Consideration and possible approval of Guaranteed Maximum Price 3 for 2023 Bond Bid Package 2 for Improvements at Johnson High School

Chief Operations Officer Max Cleaver and Jason Andrus of Huckabee Architects responded to questions and feedback in conversation with Trustee Vanessa Petrea. Connor Wade of Core Construction was also present to provide information.

Consideration and possible approval of Guaranteed Maximum Price 1 and Construction Documents for 2023 Bond Bid Package 4 for Improvements at Lehman High School

Board Vice President Raul Vela introduced this agenda item. A team from Bartlett Cocke was present to respond to questions, as was Jason Andrus of Huckabee Architects. Max Cleaver, Chief Operations Officer, provided details regarding this agenda item. Mr. Cleaver responded to feedback and questions from Trustee Byron Severance, Trustee Johnny Flores, as well as Board Vice President Raul Vela.

Consideration and possible approval of Guaranteed Maximum Price 2 and the Design to Date for 2023 Bond Bid Package 7 for Improvements at Tobias Elementary School and Impact Center

Board Vice President Raul Vela introduced this agenda item. Max Cleaver, Chief Operations Officer, introduced a team from O'Connell Robertson Architects as well as Bartlett Cocke Contractors. There were no questions from the Board of Trustees regarding this agenda item.

Consideration and possible approval of the Design to Date for 2023 Bond Bid Package 10 for Adaptive Playgrounds

Board Vice President Raul Vela introduced this agenda item. Max Cleaver, Chief Operations Officer, introduced Douglas Dawson of O'Connell Robertson Architects who presented slides and details to the Board of Trustees. Mr. Dawson and Mr. Cleaver responded to feedback and questions from Board Secretary Courtney Runkle, Trustee Byron Severance, Trustee Esperanza Orosco, Trustee Vanessa Petrea, and Board Vice President Raul Vela.

Consideration and possible approval of the Assignment of Construction Manager At-Risk for 2023 Bond Bid Package 12, Comprehensive High School #4

Board Vice President Raul Vela introduced this agenda item. Max Cleaver, Chief Operations Officer, provided detail, and responded to feedback and questions from Trustee Vanessa Petrea.

Consideration and possible approval of the Assignment of Architect for 2023 Bond Bid Package 12, Comprehensive High School #4 and Architects for Future Bond Work, as needed

Board Vice President Raul Vela introduced this agenda item. Max Cleaver, Chief Operations Officer, provided detail regarding this agenda item. Mr. Cleaver responded to questions from Board Secretary Courtney Runkle, Trustee Esperanza Orosco, Trustee Vanessa Petrea, and Trustee Johnny Flores.

Consideration and possible approval of the Elevator Modernization at Hays High School, Building C for Career and Technical Education – Thyssen Krupp Elevator

Board Vice President Raul Vela introduced this agenda item. Max Cleaver, Chief Operations Officer, provided detail, and responded to feedback and questions from Trustee Vanessa Petrea and Trustee Byron Severance.

Consideration and possible approval of the Bond-Interest-Earnings funded Repair and Improvement of the Floor at the Johnson High School Weight Room – BSN Sports

Board Vice President Raul Vela introduced this agenda item. Max Cleaver, Chief Operations Officer, provided detail and responded to feedback and questions from Trustee Johnny Flores, Trustee Vanessa Petrea, Trustee Esperanza Orosco, Board Secretary Courtney Runkle, Trustee Byron Severance and Board Vice President Raul Vela.

Consideration and possible approval of Easements for the City of Buda, Onion Creek Trail

Board Vice President Raul Vela introduced this agenda item. Max Cleaver, Chief Operations Officer, provided detail and a slide presentation. Mr. Cleaver responded to feedback and questions from Trustee Vanessa Petrea.

INFORMATION ITEM

First Reading of Proposed Amendment to the Hays CISD District of Innovation Plan – Amendment 8

Board Vice President Raul Vela introduced this agenda item to begin discussions. Christina Courson, Chief Human Resources Officer, responded to feedback and questions from Trustee Johnny Flores and Trustee Esperanza Orosco.

Update on District Safety and Security Initiatives

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

Review and discussion of the Design Process for 2023 Bond Bid Package 12 for Improvements at Fuentes Elementary, Hemphill Elementary, Kyle Elementary, and Tom Green Elementary

Board Vice President Raul Vela introduced this agenda item to begin discussions. Doug Dawson of O'Connell Robertson Architects, along with Chief Operations Officer Max Cleaver, presented slides to the Board of Trustees. Trustees replied that they will submit questions regarding this agenda item via email.

Update on Bond, Construction, and Renovation Projects

Board Vice President Raul Vela introduced the agenda item to begin discussions. Trustee Johnny Flores commented regarding the Lehman High School Baseball and Softball fields. Board Secretary Courtney Runkle requested information regarding fencing at McCormick Middle School as well as an update regarding districtwide campus Marquees.

Hays CISD Financial Statements

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

REQUESTS FOR INFORMATION FROM THE BOARD OF TRUSTEES

Trustee Johnny Flores requested information regarding county-funded positions for Mental Health.

RECAP OF QUESTIONS

Board Secretary Courtney Runkle did not read the list of captured questions.

ADJOURN

Board Vice President Raul Vela announced that the next regular meeting is scheduled for Monday, March 25, 2024 at 5:30 PM. No further business was conducted, and the meeting was adjourned at 10:09 PM.

Minutes of Special Meeting

April 2, 2024

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 Special Meeting of the Board of Trustees of Hays CISD was held on Tuesday, April 2, 2024 beginning at 8:00 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 8:05 AM. All Board Members were present with the exception of Board Vice President Raul Vela and Trustee Johnny Flores.

CLOSED SESSION

The Board adjourned to Closed Session at 8:05 AM 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. Christina Courson, Chief Human Resources Officer, was present for this portion of the closed session meeting.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 8:34 AM.

SUPERINTENDENT REPORT

Dr. Eric Wright, Superintendent, expressed gratitude from the family of Ulises Rodriguez-Montoya. Dr. Wright also provided information regarding ongoing crisis counseling for the community affected by the Tom Green Elementary bus accident.

PUBLIC FORUM

There was no one present from the public wishing to address 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 for contractual employment of the Principal of Pflugger Elementary School, the Director of Transportation, and the Director of Career and Technical Education

Board President Will McManus read the motion that the Hays CISD Board of Trustees approve the Superintendent's recommendation to contractually employ the Principal of Pflugger Elementary School, the Director of Transportation, and the Director of Career and Technical Education, as discussed. Board Secretary Courtney Runkle moved and Trustee Esperanza Orosco seconded the motion. Trustee Orosco expressed her thankfulness to Suzi Mitchell and the success of the District's CTE program under her leadership. There was no further discussion, and the motion passed with a vote of 5-0. Dr. Eric Wright introduced the new Principal of Pflugger Elementary as Danielle Sandoval. He introduced the new Director of Transportation as Cassandra Behr. Dr. Wright then introduced the new Director of Career and Technical Education as Rick Bough.

Consideration and possible adoption of a resolution regarding Superintendent of the Year Nomination
Board President Will McManus read proposed resolution aloud in its entirety. He then read the suggested motion that the Hays CISD Board of Trustees adopt the resolution nominating Dr. Eric Wright to receive the TASB Superintendent of the Year Award, as presented. Trustee Esperanza Orosco moved and Board Secretary Courtney Runkle seconded the motion. There was no further discussion, and the motion passed with a vote of 5-0.

REQUESTS FOR INFORMATION FROM THE BOARD OF TRUSTEES

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

RECAP OF QUESTIONS

Board Secretary Courtney Runkle did not read the list of captured questions.

ADJOURN

Board President Will McManus announced that the next regular meeting is scheduled for Monday, April 15, 2024 at 5:30 PM. No further business was conducted, and the meeting was adjourned at 8:43 AM.

Minutes of Special Meeting – Bus Fleet Seatbelt Plan April 15, 2024

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 Special Meeting of the Board of Trustees of Hays CISD was held on Monday, April 15, 2024 beginning at 4:30 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 4:31 PM. All Board Members were present.

CLOSED SESSION

The Board adjourned to Closed Session at 4:31 PM to deliberate regarding safety and security, including safety personnel, systems, infrastructure, and/or devices, pursuant to Tx. Gov't Code Section 551.076. Jeri Skrocki, Chief Safety & Security Officer, was present for this portion of the closed session meeting. The Board also consulted with legal counsel related to subject matters permitted by law, pursuant to Tx. Gov't Code Section 551.129. Michelle Alcalá, legal counsel of Leon Alcalá, was present for this portion of the closed session meeting.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 5:59 PM.

PUBLIC FORUM

There were five guests present requesting to address the Board of Trustees. The first speaker was Megan Owen, who spoke on the topic of bus fleet seatbelt plan. The second speaker was Dan Owen, who also addressed the Board on the topic of bus fleet seatbelt plan. The third guest, Alexandra Guest, who was unable to stay until the end of the closed session meeting, requested to address the Board regarding a clear required seatbelt policy for field trips. The fourth guest, Kaitlyn Holden, addressed the Board regarding the subject of the transportation plan.

NOTE: There were technical difficulties with audio and livestreaming services brought to the Board's attention during the Public Forum portion of the meeting. After a lengthy delay, with the blessing of the Board's legal counsel, an alternative recording plan was established, and the meeting continued at 6:44 PM.

The fifth and final guest for the Public Forum portion of the meeting, Niquelle Blakeley, addressed the Board concerning Bus Plan.

ACTION ITEMS

Discussion and possible action regarding the Hays CISD Bus Fleet Seatbelt Plan

Board President Will McManus introduced the agenda item to begin discussions. Tim Savoy, Chief Communication Officer, presented the plan, reviewing each section to provide detail. Max Cleaver, Chief Operations Officer, and Cassandra Behr, Director of Transportation, were also present to provide support and additional details, if needed. Mr. McManus read the suggested motion that the Hays CISD Board of Trustees authorize the Administration to move forward with next steps to implement the Plan, as presented, and to return to the Board at a future meeting for funding approval. Trustee Esperanza Orosco moved and Board Secretary Courtney Runkle seconded the motion.

Board President Will McManus read the following letter received from the Bastrop ISD Chief of Police, Scot Bunch, regarding the bus accident which occurred on Friday, March 22, 2024: Dear Dr. Wright, I am writing to express my deep appreciation for and awe of your teachers and staff in the aftermath of

the tragic bus accident on Friday, March 22nd. Their actions without regard for themselves are beyond commendable. Quite simply, they were amazing. When I arrived, amid the chaos that engulfed the scene, I first noticed that the Hays CISD teachers and staff who had been on the bus. All were visibly injured, some seriously battered, bloodied, and bruised; yet, they were present and visible to the children. It was obvious from watching them that taking care of the children was their only priority. They were not just students to them – they were their children, too. They were the calm during the storm. They were comforting, caring, compassionate, reassuring, and loving to each child. At no time did any of them ask for anything for themselves, only for the children. Despite the necessity at times of being pulled by first responders to help with various issues, they immediately returned to the children. As a father and grandfather, if I could not be with my babies in such circumstances, I would want these teachers and staff to be with them because I know they would care for them just as I would. Furthermore, your Chief Safety and Security Officer, Jeri Skrocki, should also be commended for her actions. She immediately had a command presence for Hays CISD and was clear from the start that she had a singular focus of making sure the parents knew the location and condition of their children. Her poise, professionalism, and leadership in the middle of this tragic event was evident. As a first responder, I often get thanked for my service and thanked for assisting in tragic events, but the heroes of the day were your teachers and staff. They not only were doing their jobs, but they were also doing what came naturally to them to love and comfort the children until they could be reunited with their parents. Words cannot express how sorry I am that this day came to your district, and I pray it will never come again. On behalf of all of us at Bastrop ISD and the Bastrop ISD Police Department, we will keep your families and staff in our thoughts and prayers. If we can be of any assistance, please do not hesitate to ask. With a prayerful heart, Scot Bunch, Chief of Police. Dr. Eric Wright spoke to thank the team for their thoughtful support, and thanked each trustee for their personal support during the tragedy. Their individual heroics behind the scene did not go unnoticed. Actions proved louder than words. There was no further discussion, and the motion passed with a vote of 7-0.

ADJOURN

There was no further business conducted, and the meeting adjourned at 7:08 PM.

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

Date: May 20, 2024

Agenda Item: O.2

Board Goal: 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. Advanced Placement Exams – College Board
 - b. Instructional Materials for AP US History – Cengage Learning
 - c. Instructional Materials for CTE Forensic Science, Food Science & Cosmetology – Cengage Learning
 - d. Instructional Materials for CTE Computer Science I and Computer Science II - CodeHS

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: May 20, 2024

Agenda Item: O.2a

Board Goal: Student Achievement

Procurement: Consideration and possible approval of the Cost of the Administration of Advanced Placement Exams – College Board

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic 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 pay for AP examinations that are being administered to Hays CISD high school students in May of 2024 through College Board.

D. Summary:

Previous board action relating to this item – Board approved College Board April 2023

Future action anticipated -

Background information - Hays High School is expected to administer 823 examinations, Lehman High School is expected to administer 360 examinations, and Johnson High School is expected to administer 1,186 examinations. The cost to Hays CISD for each College Board AP exam is \$89 before any fee reductions are applied.

There will be a reduction in cost for students who qualify under the free and reduced lunch program. This reduction will be applied before the billing of The College Board and Hays CISD after all testing is completed. The final billing, received in June reflects the number of examinations that were administered as well as any additional fees. The final bill will reflect the expected fee reductions.

While Hays CISD pays College Board for the AP exams, the cost is also offset by students paying a portion of the cost. Student payments are currently deposited as they are received by the campuses.

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other: Curriculum & Instruction

F. Administrative Recommendation:

The administration recommends approval of procuring AP examinations that will be administered to Hays CISD high school students through College Board.

G. Fiscal Impact and Cost: Total Amount: \$189,421

Budget – General Operating Fund Bond Grant/Special Funds Other

- \$64,163 – Hays High School
- \$33,328 – Lehman High School
- \$91,930 – Johnson High School

Prior Year Spending - \$157,292

Future/Ongoing – This is a one-time cost

H. Monitoring and Reporting Time Line:
Person responsible for evaluating this decision or action — Marivel Sedillo and Joy Philpott
Evaluation method and time line -
Next report to the board -

I. Suggested Motion:
I move that the Hays CISD Board of Trustees approve the cost of the administration of advanced placement exams through College Board for an amount not to exceed \$189,421, as presented.

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

Date: May 20, 2024

Agenda Item: O.2b

Board Goal: Student Achievement

Subject: Consideration and possible approval of the purchase of Instructional Materials for Advanced Placement US History – Cengage Learning

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Joy Philpott, Director of Advanced Academics

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 purchase is for updated AP online student/teacher access and print textbooks for the 24-25 SY. This purchase provides 1-to-1 student/teacher access to the online platform through Cengage as well as class-sets of hardback textbooks for the classrooms. This purchase provides 6 years of online access.

D. Summary:

Previous board action relating to this item None
 Future action anticipated – Small purchases may be necessary for enrollment growth.
 Background information – Our current AP History Textbook was published in 2012 and is now 12 years old. We want to provide an updated text for this class with one of the largest AP enrollments (currently 329 students district-wide). The current resource is so outdated that we are no longer able to purchase additional copies to replace/add texts.

E. Scope of Options Reviewed:

Sample material for multiple publishers was distributed to the teachers and staff involved in US History AP instruction. That group came to a consensus and provided the recommendation to C&I administration.
RFP # 22-092302AS Expires 10/05/2028

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other C&I and Campuses

G. Administrative Recommendation:

The administration recommends approval of the US History AP student and teacher resource purchase.
 Advantages/benefits of this proposal – Provide updated resource to meet needs of growing student population
 Expected results in terms of student benefit/achievement – Updated materials should support student achievement on AP US History exams
 Possible problems or disadvantages of this proposal –
 Affect of this action on other parts of the system –
 Consequences of not approving recommendation – Teachers will continue finding ways to supplement out of date text.

- H. Fiscal Impact and Cost: Total Amount: \$75,636.00**
 Budget Bond Grant/Special Funds Other _Instructional Materials Allotment_
Prior Year Spending – \$43,970.48
Future/Ongoing – Small purchases possible for enrollment growth.
- I. Monitoring and Reporting Time Line:**
Person responsible for evaluating this decision or action – Marivel Sedillo, Deputy Superintendent & Joy Philpott, Director of Advanced Academics.
Evaluation method and time line –
Next report to the board –
- J. Suggested Motion:**
I move that the Hays CISD Board of Trustees approve the purchase of Instructional Materials for Advanced Placement US History from Cengage Learning for an amount not to exceed \$75,636, as presented.



To place your order: select [Submit Customer Purchase Order Here](#)

Confidential Price Quote (6569880)

[Submit Customer Purchase Order Here](#)

4/25/2024

Pricing on this Proposal Guaranteed: **10/5/2024**

Presented To: Travis Smith (512) 268-2141, travis.smith@hayscisd.net

Prepared By: Heather Rosplock, (281) 467-0948, heather.rosplock@cengage.com

SHIP TO: Hays Consolidated Isd	BILL TO: Hays Consolidated Isd	Cengage Learning
Travis Smith	Travis Smith	ATTN: Order Fulfillment
21003 Interstate 35	21003 Interstate 35	10650 Toebben Drive
Frontage Rd	Frontage Rd	Independence, KY 41051
Kyle, TX 78640	Kyle, TX 78640	(800) 354-9706
USA	USA	http://NGL.Cengage.com/CustomerSupport

[View Quote in CAD](#)

Quoted Products: 9-12 Social Studies - 6 YR AP American Pageant

Qty	Update Qty	Product	Price	Quoted Price	Total
40	<input type="text"/>	K12 Print + Digital Bundle: The American Pageant, AP® Edition, 18th Student Edition + MindTap 6-year access Kennedy/Kennedy 18th Edition [K12, 2025] 9798214092584 / 8214092582 <i>Print plus 6 year student digital - teacher access included</i>	\$210.25	\$210.25	\$8,410.00
340	<input type="text"/>	The American Pageant, AP® Edition, 18th K12 MindTap (6-year access) Kennedy 18th Edition [K12, 2025] 9798214071251 / 8214071259 <i>6 years student digital</i>	\$177.50	\$177.50	\$60,350.00

Sub-Total: \$68,760.00
 + Estimated Shipping and/or Process Fee: \$6,876.00

TOTAL: \$75,636.00

[Submit Customer Purchase Order Here](#)

Thank you for your²⁷ interest in Cengage Learning products.

All information embodied in this document is strictly confidential and may not be duplicated or disclosed to third parties outside recipient's organization without prior written consent of Cengage Learning.

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

Date: May 20, 2024

Agenda Item: O.2c

Board Goal: Student Achievement

Subject: Consideration and possible approval of the purchase of Instructional Materials for Career and Technical Education Courses, Forensic Science, Food Science, and Cosmetology – Cengage Learning

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Suzi Mitchell, Director of Career & Technical Education

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 instructional materials for student success.

D. Summary:

Previous board action relating to this item None

Future action anticipated – Future purchases as needed for growth

Background information – In April of 2022 TEA and the SBOE issued a Proclamation for new CTE materials. This purchase covers Forensic Science and Food Science, This purchase also covers a renewal of Cosmetology materials coming out of CTE funds.

E. Scope of Options Reviewed:

Texas Education Agency and the State Board of Education issued Proclamation 2024, a call for new CTE resources to address the change in TEKS. TEA goes through a lengthy review process and presents viable materials to the SBOE for their approval. The district formed committees near the start of the 23/24 school year to review the options put forward by the state. The committee evaluated materials that addressed our district's needs. Committee members saw presentations from publishers at the Region 13 offices and reviewed samples provided digitally and physically by the publishers. Final decisions were made by the committee after reviewing options provided by the state.

The Cosmetology portion of this is due to growth and expansion of that program in the district. There is a new version of this resource being purchased for all the campuses.

Reasons for rejecting alternatives: After a months-long review process by district staff and committee members, these resources were identified as the best fit for the district from the options available.

Bid/Contract Info: RFP #22-092302AS / Expires 10/05/2028

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other: Teachers, C&I,
Software Committee

G. Administrative Recommendation:

The administration recommends approval of CTE resources for Forensic Science, Food Science, and Cosmetology.

Advantages/benefits of this proposal – Approving new textbooks for our CTE courses is crucial to ensure that the materials and information provided to our students is current and aligned with the latest research and findings. Since our last textbook adoption in 2017, there have been significant developments in case laws, research, innovations, and programs. By approving these new materials, we can better promote learner engagement and cater to the evolving needs of our student population.

Expected results in terms of student benefit/achievement – Updated resources will allow our CTE Teachers and students to have accurate and current information. These new resources are better aligned to industry-based certifications and the revised list from TEA. These resources also reflect current industry needs and trends to help prepare our students for future careers.

Possible problems or disadvantages of this proposal –

Effect of this action on other parts of the system – Since our industry-based certifications also help school accountability, if we do not purchase these updated materials our students will have a potential disadvantage in preparation for industry-based certifications. These updated resources are also more engaging for students and we will need to be able to keep students in our CTE programs of study and be mindful of new requirements from TEA.

Consequences of not approving recommendation – If we continue to use outdated resources, our teachers may struggle to provide students with accurate and current information, hindering their learning experience and preparation for industry-based certifications.

H. Fiscal Impact and Cost: Total Amount: \$90,090.28

IMA Funded - \$63,655.88

CTE Local Funded - \$26,434.40

Budget Bond Grant/Special Funds **Other: Instructional Materials Allotment & CTE Local Funding**

Prior Year Spending – \$43,970.48

Future/Ongoing – Small purchases possible for enrollment growth.

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Marivel Sedillo, Derek McDaniel and Suzi Mitchell

Evaluation method and time line –

Next report to the board –

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the purchase of instructional materials for career and technical education courses Forensic Science, Food Science, and Cosmetology from Cengage Learning for an amount not to exceed \$90,090.28, as presented.



Confidential Price Quote (6408596)

3/5/2024

Pricing on this Proposal Guaranteed: **9/30/2024**

Prepared By: Heather Rosplock, (281) 467-0948, heather.rospllock@cengage.com

SHIP TO: Hays Consolidated Isd Travis Smith 21003 Interstate 35 Frontage Rd Kyle, TX 78640 USA	BILL TO: Hays Consolidated Isd Raegan Witt- MALANDRUCCOLO 21003 Interstate 35 Frontage Rd Kyle, TX 78640 USA	Cengage Learning ATTN: Order Fulfillment 10650 Toebben Drive Independence, KY 41051 (800) 354-9706 http://NGL.Cengage.com/CustomerSupport
---	--	---

[View Quote in CAD](#)

Quoted Products: Proc 2024 CTE

Qty	Update Qty	Product	Price	Quoted Price	Total
600	<input type="checkbox"/>	IAC K12 MT FORENSIC SCI FUNDAM ENTALS/ INVESTIGATIONS 3E 4YR Bertino/Bertino 3rd Edition [K12, 2021] 9780357864722 / 0357864727 <i>4 year digital only - Online teacher included</i>		\$86.75	\$52,050.00
75	<input type="checkbox"/>	Introduction to Food Science and Food Systems, 2nd K12 MindTap (4-year access) Parker/Pace 2nd Edition [K12, 2017] 9798214389905 / 8214389909 <i>4 Year digital only - Online Teacher included</i>		\$121.75	\$9,131.25
1	<input type="checkbox"/>	K-12 Product Training National Geographic Learning 1st Edition [K12, 2016] 9781337466196 / 1337466190		\$0.00	FREE

Additional Comment or Special Instructions:

Sub-Total: \$61,181.25
Processing Fee: \$2,474.63

TOTAL: \$63,655.88
Total Savings: \$3,150.00

[Request Updated Quote](#)

Thank you for your interest in Cengage Learning products.

All information embodied in this document is strictly confidential and may not be duplicated or disclosed to third parties outside recipient's organization without prior written consent of Cengage Learning.

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

Date: May 20, 2024

Agenda Item: O.2d

Board Goal: Student Achievement

Subject: Consideration and possible approval of the purchase of Instructional Materials for Career and Technical Education Course, Computer Science I and Computer Science II – CodeHS

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Suzi Mitchell, Director of Career & Technical Education

- 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 instructional materials for student success.
- D. Summary:
 Previous board action relating to this item None
 Future action anticipated – Future purchases as needed for growth
 Background information – In April of 2022 TEA and the SBOE issued a Proclamation for new CTE materials. This purchase covers Computer Science I and II.
- E. Scope of Options Reviewed:
Texas Education Agency and the State Board of Education issued Proclamation 2024, a call for new CTE resources to address the change in TEKS. TEA goes through a lengthy review process and presents viable materials to the SBOE for their approval. The district formed committees near the start of the 23/24 school year to review the options put forward by the state. The committee evaluated materials that addressed our district's needs. Committee members saw presentations from publishers at the Region 13 offices and reviewed samples provided digitally and physically by the publishers. Final decisions were made by the committee after reviewing options provided by the state.
Reasons for rejecting alternatives: After a months-long review process by district staff and committee members, these resources were identified as the best fit for the district from the options available.
- F. Comments Received:
 Cabinet DLT FBOC Teacher Org. Reps. Other: Teachers, C&I, Software Committee
- G. Administrative Recommendation:
The administration recommends approval of CTE resources Computer Science I and II from CodeHS.
 Advantages/benefits of this proposal – Approving new textbooks for our CTE courses is crucial to ensure that the materials and information provided to our students is current and aligned with the latest research and findings. Since our last textbook adoption in 2017, there have been significant developments in case laws, research, innovations, and programs. By approving these new materials, we can better promote learner engagement and cater to the evolving needs of our student population

- Expected results in terms of student benefit/achievement** – Updated resources will allow our CTE Teachers and students to have accurate and current information. These new resources are better aligned to industry-based certifications and the revised list from TEA. These resources also reflect current industry needs and trends to help prepare our students for future careers.
- Possible problems or disadvantages of this proposal** –
- Effect of this action on other parts of the system** – Since our industry-based certifications also help school accountability, if we do not purchase these updated materials our students will have a potential disadvantage in preparation for industry-based certifications. These updated resources are also more engaging for students and we will need to be able to keep students in our CTE programs of study and be mindful of new requirements from TEA.
- Consequences of not approving recommendation** – If we continue to use outdated resources, our teachers may struggle to provide students with accurate and current information, hindering their learning experience and preparation for industry-based certifications.

H. Fiscal Impact and Cost: Total Amount: \$57,220
 Budget Bond Grant/Special Funds **Other: Instructional Materials Allotment**
Prior Year Spending – \$93,505
Future/Ongoing – Small purchases possible for enrollment growth.

I. Monitoring and Reporting Time Line:
Person responsible for evaluating this decision or action – Marivel Sedillo, Derek McDaniel and Suzi Mitchell
Evaluation method and time line –
Next report to the board –

J. Suggested Motion:
 I move that the Hays CISD Board of Trustees approve the purchase of instructional materials for career and technical education courses Computer Science I and Computer Science II from CodeHS for an amount not to exceed \$57,220, as presented.

CodeHS & Hays CISD Proclamation 2024 Computer Science Quote

March 4, 2024

Summary

This quote outlines pricing for CodeHS’s state adopted computer science courses:

Course	Number of Students	Number of Teachers	Number of Schools
TX Fundamentals of Computer Science	325	6	4
TX Computer Science 1	0	0	0
TX Computer Science 2	0	0	0
TX Foundations of Cybersecurity	0	0	0
Total	325	6	4

Learn more about the courses and features of the CodeHS platform at:

<https://codehs.com/TXadoption>

Licenses/Services Overview

District Pro Teacher License: This license includes access to all Pro and district features for a single teacher, as well as all gradebook, progress tracking, lessons, lesson plans, customization, and district administrator features. Learn about everything offered in CodeHS Pro:

<https://codehs.com/pro/>

District Pro Student License: This license includes access to all Pro and district features for a single student, as well as all gradebook, progress tracking, lessons.

School Setup Fee: Fee to set up a school within the CodeHS system. Waived.

Teacher Professional Development Membership: Includes one year of online access to online PD courses, micro-credentials, exclusive live and recorded teacher workshops. Learn more about the CodeHS Professional development membership: <https://codehs.com/pd/membership>

Additional Professional Development options including on-site and virtual sessions are available for an additional cost. Contact CodeHS for more information.

CodeHS Package Options

Four Year Option

PD Membership included for free for just the 2024-2025 school year.

Items	Start Date	End Date	Quantity	Sales Price	Total Price
Pro Teacher License HS (District)	7/1/2024	6/30/2028	6	\$0	\$0
Pro Student License	7/1/2024	6/30/2028	325	\$176	\$57,220
Teacher Professional Development Membership	7/1/2024	6/30/2025	6	\$0	\$0
School Setup Fee	7/1/2024	6/30/2028	4	\$0	\$0
Total Price (2024-2028 School Years)					\$57,220

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

Date: May 20, 2024

Agenda Item: O.3

Board Goal: Finance

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 9 – May 20, 2024

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	\$ 54,042
12 - Instructional Resources and Media Services	\$ 0
13 - Instructional Staff Development	\$ (5,839)
21 - Instructional Administration	\$ (49,171)
23 - Campus Administration	\$ 820
31 - Guidance and Counseling Services	\$ 4,995
32 - Social Work Services	\$ 0
33 - Health Services	\$ 0
34 - Transportation	\$ 0
36 - Co curricular / Extracurricular	\$ (4,847)
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 amounts requested as follows:

Reallocate local and state revenues due to passage of \$100,000 homestead exemption. As a result, local tax dollars decreased and the state’s share increased due to the increased exemption.

The district had a property value audit performed on the 2022 state values which are used in funding for the 2022-2023 school year. As a result, the district will receive additional state revenue in the current fiscal year. This additional revenue, along with the audit fee incurred is part of the allocation below. The remaining budget from the added state revenue is being allocated to the salary budget.

General Operating Fund Re-Appropriations Summary			
Description	Official Budget	Increase/ (Decrease)	Amended Budget
<u>Revenues:</u>			
199-00-5711-00-000-00-0-0	\$ 140,642,000	\$ (29,796,525)	\$ 110,845,475
199-00-5811-00-000-00-0-0	\$ 8,044,740	\$ 298,801	\$ 8,343,541
199-00-5812-00-000-00-0-0	\$ 48,121,808	\$ 30,701,029	\$ 78,822,837
199-00-5812-PY-000-00-0-0	\$ 0	\$ 3,000,000	\$ 3,000,000
Total	\$ 196,808,548	\$ 4,203,305	\$ 201,011,853
<u>Expenditures:</u>			
199-11-6119-00-999-11-2-0	\$ (380,858)	\$ 3,523,305	\$ 3,142,447
199-99-6213-00-703-99-9-0	1,095,071	\$ 380,000	\$ 1,475,071
199-41-6211-00-726-99-9-0	61,598	\$ 300,000	\$ 361,598
Total	\$ 775,811	\$ 4,203,305	\$ 4,979,116
Total Net Appropriations (Revenues minus Expenditures)		\$ 0	

ACTION REQUIRED

Board Approval

SUPPORT INFORMATION

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

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

Date: May 20, 2024

Agenda Item: P.1

Board Goal: Student Achievement

Subject: Second Reading and Possible Adoption of proposed revisions to Local Policy FNCA – Dress Code

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Dr. Brian Dawson, Director of Student Services

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy – FNCA Law or Rule N/A

C. Goal or Need Addressed:

The purpose of this agenda item is to review and discuss the recommended revisions to policy FNCA (LOCAL).

D. Summary:

Previous board action relating to this item – First Reading of the proposed revisions was held on April 22, 2024.

Future action anticipated –

Background information – The Board of Trustees adopts policy.

The purpose of the district’s student dress code is to support equitable educational access and is written in a manner that does not reinforce stereotypes and prioritizes building positive relationships between educators and students. To ensure effective and equitable enforcement of this dress code, campus administrators shall enforce the dress code consistently and in a manner that does not (i) reinforce or increase marginalization of any group, (ii) result in body shaming based on body size or type, or (iii) discriminate against students due to race, color, religion, sex, national origin, religion, or disability.

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other: Ad Hoc Dress Code Committee

F. Administrative Recommendation:

Administration recommends adoption of the proposed policy revisions.

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 Timeline:

Person responsible for evaluating this decision or action — Marivel Sedillo

Evaluation method and timeline -

Next report to the board – Upon request

I. Suggested Motion:

I move that the Hays CISD Board of Trustees adopt the proposed revisions to policy FNCA (Local), as presented.

Purpose

~~The District's dress code is established to teach grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority.~~ The District's student dress code supports equitable educational access and is written in a manner that does not reinforce stereotypes and prioritizes building positive relationships between educators and students. To ensure effective and equitable enforcement of this dress code, campus administrators shall enforce the dress code consistently and in a manner that does not (i) reinforce or increase marginalization of any group, (ii) result in body shaming based on body size or type, or (iii) discriminate against students due to race, color, religion, sex, national origin, or disability.

General Guidelines

Students shall be dressed and groomed in a manner that is clean and neat and that will not be a health or safety hazard to themselves or others. ~~The District prohibits any clothing or grooming that in the principal's judgment may reasonably be expected to cause disruption of or interference with normal school operations.~~

The District prohibits pictures, emblems, or writings on clothing that:

1. Are lewd, offensive, vulgar, or obscene.
2. Advertise or depict tobacco products, alcoholic beverages, drugs, or any other substance prohibited under FNCF(LEGAL).
3. Depicts or promotes gang affiliation.

The student and parent may determine the student's personal dress and grooming standards, provided that they comply with the general guidelines set out above and with the student dress code outlined in the student handbook.

Dress code enforcement shall be the responsibility of the administrators on campus ~~in cooperation with school staff.~~

Extracurricular Activities

The principal, in cooperation with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate dress and grooming standards established for such an activity may be removed or excluded from the activity for a period determined by the principal or sponsor and may be subject to other disciplinary action, as specified in the Student Code of Conduct. [See FO series]

Exceptions

Exceptions to these dress requirements are to be made as necessary to allow students to observe religious customs or beliefs and as necessary to accommodate medical or health needs.

Campus Options

Campuses may not impose more prescriptive or standard dress code requirements. The intent is to provide a prescriptive dress code that is consistent across all campuses throughout the district. The only exception to this would be students attending DAEP/Impact.

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

Date: May 20, 2024

Agenda Item: P.2

Board Goal: Student Achievement

Subject: Second Reading and possible adoption of Proposed Revision to Policy FFAC (LOCAL) – Medical Treatment

Administrator Responsible/Position: Christina Courson

A. Purpose of Agenda Item:

- Action needed Information only Receive input

B. Authority for This Action:

- Local Policy: FFAC Law or Rule N/A

C. Goal or Need Addressed:

Aligned with the district’s goal for student achievement, this item proposes amendments to FFAC (LOCAL) that clarify how the district supports student health while at school.

D. Summary:

- Previous board action relating to this item – Board had a First Reading of proposed revision so May 13, 2024.
 Future action anticipated – Adoption of revised policy anticipated in May 2024
 Background information – FFAC (local) policy update from November 28, 2023 does not allow the school district to purchase nonprescription medication to administer to students nor student athletes according to the standing orders from the medical advisor. These nonprescription medications are meant to be given on an emergency and first aid basis to students whose parents have given consent on registration for first aid and medical treatment. Hays CISD Nurses and Athletic Trainers are allowed to give certain nonprescription medications according to standing orders signed by the Hays CISD Medical Advisor and athletic trainer physician.

E. Comments Received:

- Cabinet DLT FBOC Teacher Org. Reps. Other: Legal Counsel and TASB

F. Administrative Recommendation:

No recommendation requested at this time. This item will be brought to the Board for approval on May 20, 2024.

G. Fiscal Impact and Cost: Amount:\$1700

- Budget Bond Grant/Special Funds Other
Prior Year Spending -
Future/Ongoing -

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Marivel Sedillo, Chief Academic Officer

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the proposed revisions to policy FFAC (LOCAL), as presented.

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

Date: May 20, 2024

Agenda Item: P.3

Board Goal: Student Achievement

Subject: Consideration and possible approval of Third-Party Medicaid Billing Services – Texas Association of School Boards

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Michelle Velasquez, Executive Director of Special Education
Stephanie Norris, Director of Federal Programs.

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 the agenda item is to approve the interlocal agreement with TASB to provide third-party Medicaid billing services for SHARS and MAC billing requirements.

D. Summary:

Previous board action relating to this item

Future action anticipated –

Background information – At the end of 2022-2023, the district chose a billing services provider from RFP #25-012302VL. During 2023-2024, the district has been dissatisfied with the level of customer support and the business practices of this billing services provider. The district Finance and Special Education teams with the support of the CFO and CAO, reviewed options from the previous year’s RFP for this service. The teams, along with the input of the CFP and CAO, determined that TASB would be the provider who could provide the highest quality service for the most affordable price to the district.

TASB provides a platform for the documentation of services for students who receive special education services. This documentation is used to provide evidence that services were provided for audits, mediation, and billing of Medicaid services. TASB supports schools and districts with training, support in the event of audit, and support with interim SHARS billings and the completion of the annual SHARS Cost Report.

TASB will submit interim billings on behalf of Hays CISD for school-based Medicaid services based on the documentation provided by teachers when a student is Medicaid eligible, the parent has provided consent for services to be billed (at no cost to the parent), and the student has billable medical services documented in the IEP.

E. Scope of Options Reviewed:

Proposal / Contract Info: Reviewed Prior RFP #25-012302VL responses from Third Party Medicaid Billing Services submissions from 2022-2023 RFP.

Length of Contract: This is a one-year contract with four (4) options to renew through 6/30/2028.

Reasons for rejecting alternatives: TASB is able to provide a conservative approach to billing with one of the lowest rates in the market.

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other: SPED & Finance

G. Administrative Recommendation:

The administration recommends approval of the purchase of third- party Medicaid billing services from TASB.

H. Fiscal Impact and Cost: Total Amount: \$150,000 estimate –

Budget – General Operating Fund **Bond** **Grant/Special Funds** **Other**

Actual cost will be based on 5% of total interim billings & annual cost report settlement as well as other rates and ratios that are determined annually

Prior Year Spending –

2022-2023: \$207,202.42

2023-2024: TBD

Future/Ongoing – This service will be a recurring cost (annually).

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Stephanie Norris and Michelle Velasquez

Evaluation method and time line – 1 year

Next report to the board – June 2025

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve third- party Medicaid billing services from Texas Association of School Boards (TASB), as presented.

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

Date: May 20, 2024

Agenda Item: P.4

Board Goal: Student Achievement

Subject: Consideration and possible approval of Request to Qpply for TEA State Waiver – Low Attendance

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Dr. Michael Watson, Deputy Academic 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:

On January 23rd, Elm Grove Elementary School experienced a disruption in water supply due to a city water main break. As a result, water was unavailable when the school day commenced. Services were restored at 10:20 AM. This disruption in water serveices caused the average daily attendance at Elm Grove Elementary School to fall more than 10 percent below the last school year’s average attendance.

D. Summary:

Previous board action relating to this item -

Future action anticipated -

Background information – Districts or campuses can request a waiver to excuse any instructional days from ADA calculations that have at least 10 percent below the last school year’s average attendance due to inclement weather, health, safety-related, or other issues.

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other

F. Administrative Recommendation:

Advantages/benefits of this proposal - Approving this waiver will exempt Elm Grove Elementary School from including January 23, which had an attendance percentage of 61.31%, in their attendance rate calculation for the 2023-24 academic year..

G. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Marivel Sedillo

Evaluation method and time line –

Next report to the board –

H. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the request to apply for the TEA State Waiver for low attendance on January 23, as presented.

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

Date: May 20, 2024

Agenda Item: P.5

Board Goal: Student Achievement

Subject: Consideration and possible approval of the purchase of Instructional Materials for Advanced Placement Physics and Advanced Placement Psychology – Bedford Freeman and Worth Publishers, dba MPS

Administrator Responsible/Position: Marivel Sedillo – Deputy Superintendent / Chief Academic Officer
Joy Philpott – Director of Advanced Academics

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 purchase is for updated AP online student/teacher access and print textbooks for the 24-25 SY. This purchase provides 1-to-1 student/teacher access to the online platform through BFW as well as class-sets of hardback textbooks for the classrooms. This purchase provides 6 years of online access.

D. Summary:

Previous board action relating to this item None

Future action anticipated: Small purchases may be necessary for enrollment growth.

Background information: Curriculum for both AP Psychology and AP Physics was updated significantly this year. Current texts were published in 2010 (Psychology) and 2013 (Physics) and in no way reflect these updates to curriculum. These courses have enrollments of 139 (AP Psychology) and 155 (AP Physics).

E. Scope of Options Reviewed:

Sample material for multiple publishers was distributed to the teachers and staff involved in Psychology and Physics AP instruction. That group came to a consensus and provided the recommendation to C&I administration.

Buyboard Contract # 653-21

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other C&I and Campuses

G. Administrative Recommendation:

The administration recommends approval of the Psychology AP and Physics AP student and teacher resource purchase.

Advantages/benefits of this proposal – Provide resource that aligns with course content

Expected results in terms of student benefit/achievement – Materials aligned with course content should help improve student performance on AP exams in these subject areas.

Consequences of not approving recommendation – Teachers will continue finding ways to supplement out of date text.

H. Fiscal Impact and Cost: Total Amount: \$77,875.25

Budget Bond Grant Other: Instructional Materials Allotment

Prior Year Spending – \$0 (FY 2023)

Future/Ongoing – Small purchases possible for enrollment growth.

- I. Monitoring and Reporting Time Line:**
Person responsible for evaluating this decision or action – Marivel Sedillo, Deputy Superintendent & Joy Philpott, Director of Advanced Academics.
Evaluation method and time line –
Next report to the board –

- J. Suggested Motion:**
I move that the Hays CISD Board of Trustees approve the purchase of Instructional Materials for AP Physics and AP Psychology from Bedford Freeman and Worth Publishers, dba MPS, for an amount not to exceed \$77,875.25, as presented.

This price quote is good for 60 days. BFW High School Publishers is committed to delivering the best value for the program you have adopted. Pricing herein may reflect package discounts. Removing or editing components may cancel any package discounting applied to component items. Prices subject to change, including annual increases in November. Shipping fees are estimated; actual shipping fees may vary.

Purchase Orders: Please attach a copy of this price quote to your purchase order and submit your purchase order to:

MPS 16365 James Madison Highway Gordonsville, VA 22942
 Email: highschool@mps virginia.com / Phone: (540) 672-7744

Quote Number	00105279	Prepared By	Paul Marturano
Created Date	4/2/2024	Phone	2156309980
		Email	paul.marturano.contractor@macmillan.com

Contact Name	Travis Smith	Ship To	Hays Cons Ind School District
Bill To	Hays Cons Ind School District		21003 N I H 35
	21003 N I H 35		Kyle, Texas 78640
	Kyle, Texas 78640		United States
	United States		

Itemized Products									
ISBN	EAN	Product	Edition	Author	Line Item Description	Sales Price	Quantity	Total Price	
1319486215	9781319486211	College Physics for the AP® Physics 1 & 2 Courses	3	Gay Stewart; Roger Freedman; Todd Ruskell; Philip R. Kesten		USD 148.98	150.00	USD 22,347.00	
1319555608	9781319555603	Achieve for College Physics for the AP® Physics 1 & 2 Courses (Six-Use Online; Add-On)	3	Gay Stewart; Roger Freedman; Todd Ruskell; Philip R. Kesten	#packageprice	USD 39.00	150.00	USD 5,850.00	
1319553621	9781319553623	Achieve for College Physics for the AP® Physics 1 & 2 Courses (Six-Use Online)	3	Gay Stewart; Roger Freedman; Todd Ruskell; Philip R. Kesten		USD 160.98	90.00	USD 14,488.20	

Itemized Product Total: USD 42,685.20

Free Product: Please include in your PO:

ISBN	EAN	Free Product	Edition	Author	Net Price	Quantity	Your Price
1319485545	9781319485542	Teacher's Edition with Online Teacher Resources for College Physics for the AP® Physics 1 & 2 Courses	3	Gay Stewart; Roger Freedman; Todd Ruskell; Philip R. Kesten	USD 495.98	4	\$0.00
1319486894	9781319486891	ExamView Assessment Suite for College Physics for the AP® Physics 1 & 2 Courses	3	Gay Stewart; Roger Freedman; Todd Ruskell; Philip R. Kesten	USD 495.98	4	\$0.00

Total Available for Purchase USD 0.00

Shipping Information

48

Schools are typically tax exempt however if your school is **NOT** tax exempt, please note that your local tax rate will apply to this quote.

Shipping Location Continental US and Puerto Rico

Shipping Fees:	USD 2,134.26
Special Shipping Fees:	USD 0.00
Total Shipping Fees:	USD 2,134.26

Grand Totals

Itemized Products + Shipping Fees: USD 44,819.46

Instructor Resources

Digital Adopters: Instructor resources will be available within your product; no action needed

Print Only Adopters: Instructor resources can be unlocked by visiting www.bfwpub.com/AdopterTRM

Digital Subscription Terms

Digital subscription terms: With respect to each product, the number of licenses allocated to you will be determined by multiplying the quantity purchased by the number of uses (where use = year). [Example: 100 units of a 6-use product = 600 licenses.]

Access to each title will expire on the first to occur of (1) all purchased units which would be available over the course of the number of uses have been utilized, or (2) the number of uses has transpired utilizing the following calculation: utilizing August 1 as the start of a new year, (i) If the invoice date falls between January 1 and September 30, the end date of the subscription term shall be calculated as the invoice year plus the number of uses indicated [Example: 100 units of a 6-use product is invoiced on April 15, 2023. The end date based on uses purchased = July 31, 2029]; and (ii) If the invoice date falls between October 1 and December 31, the end date of the subscription term shall be calculated as invoice year plus the number of uses indicated + 1]. [Example: 100 units of a 6-use product is invoiced on November 15, 2023. The end date based on uses purchased = July 31, 2030.]

For complete subscription terms, see bfwpub.com/subscription-terms. Your issuance of a purchase order based on this quote or your payment for the courseware subscription signifies your affirmative understanding and acceptance of these terms.

The Accelerator Option: If chosen at the time of initial purchase, the accelerator option permits the one-time option to upgrade to a new courseware edition at any time within your active courseware subscription term. It is your responsibility to inform your sales representative when you are ready to proceed with the upgrade. The Accelerator Option does not apply to e-books and applies exclusively to digital courseware and not print products.

Miscellaneous Information

Sole Source Statement: Competition in providing the above named products is precluded by the existence of a copyright. There are no like products available for purchase that serve the same purpose because of exclusive distribution/marketing rights. These products should be purchased directly from BFW (MPS) or its approved depositories. Purchases from any other source would not ensure the item's authenticity/warranty. Unapproved 3rd party vendors cannot provide packages, digital materials or teaching materials. BFW (MPS) cannot provide these items to a school if the student edition has been purchased through a third party. We are the sole source for these items and packages.

Note for Canadian Users: Please note that invoices are issued in CAD, but if payment is to be made via credit card, it will be processed through our US Bank and an exchange rate fee will be applied.

NOTE: If you plan to place an order and will require a signed data agreement, please send to your rep as soon as possible. Agreement reviews take an average of 1-3 weeks to review.

This price quote is good for 60 days. BFW High School Publishers is committed to delivering the best value for the program you have adopted. Pricing herein may reflect package discounts. Removing or editing components may cancel any package discounting applied to component items. Prices subject to change, including annual increases in November. Shipping fees are estimated; actual shipping fees may vary.

Purchase Orders: Please attach a copy of this price quote to your purchase order and submit your purchase order to:

MPS 16365 James Madison Highway Gordonsville, VA 22942
 Email: highschool@mpsvirginia.com / Phone: (540) 672-7744

Quote Number	00105278	Prepared By	Paul Marturano
Created Date	4/2/2024	Phone	2156309980
		Email	paul.marturano.contractor@macmillan.com

Contact Name	Travis Smith	Phone	(512)268-1136
Bill To	Hays Cons Ind School District 21003 N I H 35 Kyle, Texas 78640 United States	Ship To	Hays Cons Ind School District 21003 N I H 35 Kyle, Texas 78640 United States

Itemized Products									
ISBN	EAN	Product	Edition	Author	Line Item Description	Sales Price	Quantity	Total Price	
1319281168	9781319281168	Myers' Psychology for the AP® Course	4	David G. Myers;C. Nathan DeWall;Elizabeth Yost Hammer		USD 159.98	115.00	USD 18,397.70	
1319551645	9781319551643	Achieve for Myers' Psychology for the AP® Course (Six-Use Online; Add-On)	4	David G. Myers; C. Nathan DeWall; Elizabeth Yost Hammer	#packageprice	USD 39.00	115.00	USD 4,485.00	
1319551610	9781319551612	Achieve for Myers' Psychology for the AP® Course (Six-Use Online)	4	David G. Myers; C. Nathan DeWall; Elizabeth Yost Hammer		USD 171.98	50.00	USD 8,599.00	

Itemized Product Total: USD 31,481.70

Free Product: Please include in your PO:

ISBN	EAN	Free Product	Edition	Author	Net Price	Quantity	Your Price
1319475477	9781319475475	Teacher's Edition with Online Teacher Resources for Myers' Psychology for the AP® Course	4	David G. Myers;C. Nathan DeWall;Elizabeth Yost Hammer	USD 495.98	3	\$0.00
1319475957	9781319475956	Test Bank for Myers' Psychology for the AP® Course	4	David G. Myers; C. Nathan DeWall; Elizabeth Yost Hammer	USD 495.98	3	\$0.00

Total Available for Purchase USD 0.00

Shipping Information

Schools are typically tax exempt however if your school is **NOT** tax exempt, please note that your local tax rate will apply to this quote.

Shipping Location Continental US and Puerto Rico

Shipping Fees:	USD 1,574.09
Special Shipping Fees:	USD 0.00
Total Shipping Fees:	USD 1,574.09

Grand Totals

Itemized Products + Shipping Fees: USD 33,055.79

Instructor Resources

Digital Adopters: Instructor resources will be available within your product; no action needed

Print Only Adopters: Instructor resources can be unlocked by visiting www.bfwpub.com/AdopterTRM

Digital Subscription Terms

Digital subscription terms: With respect to each product, the number of licenses allocated to you will be determined by multiplying the quantity purchased by the number of uses (where use = year). [Example: 100 units of a 6-use product = 600 licenses.]

Access to each title will expire on the first to occur of (1) all purchased units which would be available over the course of the number of uses have been utilized, or (2) the number of uses has transpired utilizing the following calculation: utilizing August 1 as the start of a new year, (i) If the invoice date falls between January 1 and September 30, the end date of the subscription term shall be calculated as the invoice year plus the number of uses indicated [Example: 100 units of a 6-use product is invoiced on April 15, 2023. The end date based on uses purchased = July 31, 2029]; and (ii) If the invoice date falls between October 1 and December 31, the end date of the subscription term shall be calculated as invoice year plus the number of uses indicated + 1]. [Example: 100 units of a 6-use product is invoiced on November 15, 2023. The end date based on uses purchased = July 31, 2030.]

For complete subscription terms, see bfwpub.com/subscription-terms. Your issuance of a purchase order based on this quote or your payment for the courseware subscription signifies your affirmative understanding and acceptance of these terms.

The Accelerator Option: If chosen at the time of initial purchase, the accelerator option permits the one-time option to upgrade to a new courseware edition at any time within your active courseware subscription term. It is your responsibility to inform your sales representative when you are ready to proceed with the upgrade. The Accelerator Option does not apply to e-books and applies exclusively to digital courseware and not print products.

Miscellaneous Information

Sole Source Statement: Competition in providing the above named products is precluded by the existence of a copyright. There are no like products available for purchase that serve the same purpose because of exclusive distribution/marketing rights. These products should be purchased directly from BFW (MPS) or its approved depositories. Purchases from any other source would not ensure the item's authenticity/warranty. Unapproved 3rd party vendors cannot provide packages, digital materials or teaching materials. BFW (MPS) cannot provide these items to a school if the student edition has been purchased through a third party. We are the sole source for these items and packages.

Note for Canadian Users: Please note that invoices are issued in CAD, but if payment is to be made via credit card, it will be processed through our US Bank and an exchange rate fee will be applied.

NOTE: If you plan to place an order and will require a signed data agreement, please send to your rep as soon as possible. Agreement reviews take an average of 1-3 weeks to review.

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

Date: May 20, 2024

Agenda Item: P.6

Board Goal: Student Achievement

Subject: Consideration and possible approval of the purchase of Instructional Materials for Career and Technical Education Course, Anatomy and Physiology – B. E. Publishing

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Suzi Mitchell, Director of Career & Technical Education

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 instructional materials for student success.

D. Summary:

Previous board action relating to this item None

Future action anticipated – Future purchases as needed for growth

Background information – In April of 2022 TEA and the SBOE issued a Proclamation for new CTE materials. This purchase is for Anatomy and Physiology.

E. Scope of Options Reviewed:

Texas Education Agency and the State Board of Education issued Proclamation 2024, a call for new CTE resources to address the change in TEKS. TEA goes through a lengthy review process and presents viable materials to the SBOE for their approval. The district formed committees near the start of the 23/24 school year to review the options put forward by the state. The committee evaluated materials that addressed our district's needs. Committee members saw presentations from publishers at the Region 13 offices and reviewed samples provided digitally and physically by the publishers. Final decisions were made by the committee after reviewing options provided by the state.

Bid/Contract Info: TIPS Contract #210301 Academic Curriculum and Instructional/Educational Goods, Materials and Services

Reasons for rejecting alternatives: After a months-long review process by district staff and committee members, these resources were identified as the best fit for the district from the options available.

F. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other: Teachers, C&I, Software Committee

G. Administrative Recommendation:

The administration recommends approval of CTE resources for Anatomy and Physiology from BE Publishing.

Advantages/benefits of this proposal – Approving new textbooks for our CTE courses is crucial to ensure that the materials and information provided to our students is current and aligned with the latest research and findings. Since our last textbook adoption in 2017, there have been significant developments in case laws, research, innovations, and programs. By approving these new materials, we can better promote learner engagement and cater to the evolving needs of our student population.

- Expected results in terms of student benefit/achievement** – Updated resources will allow our CTE Teachers and students to have accurate and current information. These new resources are better aligned to industry-based certifications and the revised list from TEA. These resources also reflect current industry needs and trends to help prepare our students for future careers.
- Possible problems or disadvantages of this proposal** –
- Effect of this action on other parts of the system** – Since our industry-based certifications also help school accountability, if we do not purchase these updated materials our students will have a potential disadvantage in preparation for industry-based certifications. These updated resources are also more engaging for students and we will need to be able to keep students in our CTE programs of study and be mindful of new requirements from TEA.
- Consequences of not approving recommendation** – If we continue to use outdated resources, our teachers may struggle to provide students with accurate and current information, hindering their learning experience and preparation for industry-based certifications.

H. Fiscal Impact and Cost: Total Amount: \$85,122.30
 Budget Bond Grant/Special Funds **Other: Instructional Materials Allotment**
Prior Year Spending – \$0
Future/Ongoing – Small purchases possible for enrollment growth.

I. Monitoring and Reporting Time Line:
Person responsible for evaluating this decision or action – Marivel Sedillo, Derek McDaniel and Suzi Mitchell
Evaluation method and time line –
Next report to the board –

J. Suggested Motion:
 I move that the Hays CISD Board of Trustees approve the purchase of instructional materials for career and technical education course anatomy and physiology from B. E. Publishing for an amount not to exceed \$85,122.30, as presented.



B.E. PUBLISHING

P.O. Box 8558 • Warwick, RI 02888
401.829.2485 • Fax: 401.781.7608
michael@bepublishing.com
bepublishing.com | eReadiness.com

Official Proc 2024 Price Quote

QUOTE NUMBER:
HAYS-352024

QUOTE PREPARED FOR:

Name Travis Smith
School or District Hays CISD
Street Address 5750 Dacy Lane
City, State Zip Buda, TX 78610
Email travis.smith@hayscisd.net
Phone 512.268.8524

DATE:
March 5, 2024

PREPARED BY: Michael Gecawich
Email Michael@bepublishing.com
Phone 401.829.2485

Item #	Description	ISBN	Quantity	Price	Total Price
P24-UAP-PTW	Understanding Anatomy & Physiology (Texas Edition) - Print Textbook and Print Workbook (1-Year Consumable)	9781719650144-P	140	\$120.95	\$16,933.00
P24-UAP-D-4Y	Understanding Anatomy & Physiology (Texas Edition) - Digital eTextbook and Digital eWorkbook Subscription for 4Years. One license required per student. Qty. represents the total eTextbook and eWorkbook licenses to be used throughout the 4-year term.	9781719650144-D4Y	1,280	\$51.95	\$66,496.00
P24-UAP-IR	320 licenses X 4 Yrs = 1,280 Total Licenses Understanding Anatomy & Physiology (Texas Edition)- Free Unlimited Online Instructor Resources 8-Years	9781719650144-IR	-	\$0.00	\$0.00
	Shipping & Handling (for print materials only)		1		\$1,693.30
				TOTAL	\$85,122.30

Tax ID #: 05-0513141

W-9 Link: https://www.bepublishing.com/view/files/W-9_BEP.pdf

Terms: Price quote is valid for 8 years in accordance with our contract with TEA and the SBOE of Texas.
Hays CISD will enter a Digital Rights License agreement with B.E. Publishing for the purchased term.

PRICE INCLUDES THE FOLLOWING:

- Professional Development Training (onsite and/or virtual) to be negotiated at time of purchase. (Note: Virtual and onsite training to be negotiated/scheduled upon commencement of purchase)
- Free instructor resources for 8 years for unlimited number of teachers.

Please visit bepublishing.com/Proc2024 for product information and other details for Proclamation 2024.

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

Date: May 20, 2024

Agenda Item: P.7

Board Goal: Community Relations

Subject: Consideration and possible adoption of a Resolution Declaring Hazardous Traffic Conditions

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:

Student Safety

D. Summary:

Previous board action relating to this item -

Future action anticipated -

Background information: The Texas Education Agency (TEA) allows districts to obtain supplemental state funding for transporting regular, otherwise ineligible students who live within two miles of their school but who would be subject to hazardous traffic conditions if they walked to school.

The TEA handbook on School Transportation Allotments requires the Board to adopt language providing the definition of hazardous traffic conditions applicable to the district and to identify the specific hazardous areas for which such funding is requested.

TEC section 42.155(d) states, "a hazardous condition exists where no walkway is provided and students must walk along or cross a freeway or expressway, an underpass, an overpass or a bridge, an uncontrolled major traffic artery, an industrial or commercial area, or another comparable condition."

Approximately 2,645 students are currently impacted by hazardous traffic conditions.

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other:

F. Administrative Recommendation:

Adopt the resolution regarding hazardous traffic conditions and specific hazardous areas.

G. Fiscal Impact and Cost: Amount: None

Budget Bond Grant/Special Funds Other

Prior Year Spending – not applicable

Future/Ongoing – not applicable

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Cassandra Behr, Transportation Director

Evaluation method and time line -

Next report to the board -

I. Suggested Motion:

I move that the Hays CISD Board of Trustees adopt the resolution regarding hazardous traffic conditions and the current list of specific hazardous areas, as presented.

**RESOLUTION OF THE HAYS CISD BOARD OF TRUSTEES
REGARDING HAZARDOUS TRAFFIC CONDITIONS**

WHEREAS, Education Code 42.155(d) allows the Board of Trustees of Hays Consolidated Independent School District to obtain supplemental state funding for transporting regular, otherwise ineligible students who live within two miles of their school but who would be subject to hazardous traffic conditions if they walked to school;

WHEREAS, the TEA handbook on School Transportation Allotments requires the Board to adopt language providing the definition of hazardous traffic conditions applicable to the District and identifying the specific hazardous areas for which such funding is requested;

WHEREAS, the Board acknowledges the Education Code 42.155(d) provisions stating that a hazardous condition exists where no walkway is provided and students must walk along or cross a freeway or expressway, an underpass, an overpass or a bridge, an uncontrolled major traffic artery, an industrial or commercial area, or another comparable condition;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of Hays Consolidated Independent School District has defined hazardous traffic conditions in the same manner as stated in Education Code 42.155(d) and has identified the attached specific hazardous areas in which such conditions exist.

Adopted this 20th Day of May, 2024, by the Board of Trustees.

President: _____

Secretary: _____

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: May 20, 2024

Agenda Item: P.8

Board Goal: Community Relations

Subject: Consideration and possible approval of the Assignment of Architect to Provide Design Services through Enhanced Schematic Design for Future Bond Improvements at Hays CISD Middle School Campuses

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, cost-effective facilities.

D. Summary:

Previous board action relating to this item: In January 2018, the Board Approved O’Connell Robertson (OCR) for architectural services, and in December 2019, Huckabee Architects and A&E Design Group were approved for the same. On April 25, 2023 the Board assigned major 2023 Bond projects to Huckabee and OCR and granted the Superintendent authority to assign minor projects.

Future action anticipated:

Background information: Staff recommends utilizing 2021 Bond interest earnings to advance the design for classroom additions and improvements at CMS, SMS, WMS to bring the student capacity to approximately 1,200 students and to be near shovel ready for a Fall 2027 opening, pending a successful May 2025 Bond Election. Additionally, select Academic, Fine Arts and Athletics improvements need to be considered at Barton MS, Dahlstrom MS, and Wallace MS for inclusion in current and future bond plans.

Staff recommends the advancement of these designs at our current middle schools through enhanced schematic design and will recommend inclusion of design fees for middle schools #7 and #8 on the proposed 2025 Bond Plan as well as construction costs for middle school #7. Enhanced SD includes the usual SD design elements plus 100% civil design in order to proceed with the site development process.

Staff recommends OCR for this design work. Based on a fee of 6.5% and total estimated construction costs of \$70,000,000, staff anticipates a total fee of approximately \$4.5 million and an initial fee of approximately \$2.4 million to bring the designs to 50% CD. This work would be completed by September/October 2024 in order to inform the cost estimates for the proposed 2025 Bond.

The current projection for the total number of geocoded students by attendance zone for the 2027-28 school year is 7,153 students. Six middle schools with a capacity of approximately 1,200 students is 7,200 students.

Campus	Capacity	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34
Barton	1167	888	982	1066	1149	1213	1288	1350	1425	1437	1459
Chapa	1057	791	830	947	977	1018	1046	1062	1114	1133	1179
Dahlstrom	1243	781	735	716	728	757	831	902	1005	1048	1115
McCormick	1236	1192	1360	1567	1744	1892	2072	2299	2540	2689	2892
Simon	1074	933	1031	1220	1413	1526	1679	1862	2062	2180	2328
Wallace	1042	871	963	1065	1142	1196	1292	1391	1503	1548	1626
Total	6819	5456	5901	6581	7153	7602	8208	8866	9649	10035	10599

With the exception of McCormick MS and Simon MS, a middle school capacity of approximately 1,200 students will be sufficient to support the student projections. At MMS and SMS, we plan to use a cap and overflow strategy.

Staff shared this information with the Board and FBOC in an informational item on February 5, 2024, and reviewed with the FBOC again at the lunch time zoom on March 1, 2024.

Staff originally recommended this agenda to move forward on March 25, 2024. The agenda was delayed pending additional information about the cap and overflow process.

Since that time, OCR has continued to refine the middle school program which culminated with an in-person and virtual meeting at the PAC on May 2, 2024 with campus, academic, fine arts, athletic, and FBOC leaders to prioritize middle school needs.

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other:

F. Administrative Recommendation:

Consideration and approval of architectural assignments.

G. Fiscal Impact and Cost: Amount: TBD, fee based on cost of construction, estimated at \$2.4 million.

Budget Bond 2022 and 2023 Grant/Special Funds Other: 2021 Bond Interest Earnings

Prior Year Spending – not applicable

Future/Ongoing – not applicable

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 assignment of O'Connell Robertson Architects to provide design services through enhanced schematic design for Additions and Renovations at six middle schools in an amount not to exceed \$2,400,000, and authorize the Superintendent to negotiate fees and execute a satisfactory contract, as presented.

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

Date: May 20, 2024

Agenda Item: P.9

Board Goal: Community Relations

Procurement: Consideration and possible approval of 2021 Bond purchase of Stage Lighting Equipment and Electrical Infrastructure for Wallace Middle School – Olden Lighting

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, Clean Facilities
- D. Summary:**
 Previous board action relating to this item
 Future action anticipated
 Background information: In the 2021 Bond Improvement Project, the cafeteria will be renovated this summer along with the new fine arts classrooms that were recently added to Wallace Middle School. This turn-key purchase will provide new stage lighting equipment and electrical infrastructure for performances and assemblies for \$111,870.28 plus a 5% contingency for a do not exceed \$117,500.
- E. Scope of Options Reviewed:**
Bid/Contract Info: CTPA Adoption contract from Killeen ISD #25-072302WC Fine Arts Materials, Equipment & Services
- F. Comments Received:**
 Cabinet DLT FBOC Teacher Org. Reps. Other: Fine Arts
- G. Administrative Recommendation:**
The administration recommends that the Board approve the request as presented.
- H. Fiscal Impact and Cost: Total Amount: \$117,500**
 Budget – General Operating Fund Bond 2021 Grant/Special Funds Other
Prior Year Spending – \$340.00
Future/Ongoing – This procurement will be a one-time purchase.
- I. Monitoring and Reporting Time Line:**
Person responsible for evaluating this decision or action – Max Cleaver, Nate Wensowitch, and Patty Moreno
Evaluation method and timeline -
Next report to the board -
- J. Suggested Motion:**
I move that the Hays CISD Board of Trustees approve the 2021 Bond purchase of stage lighting equipment and electrical infrastructure for Wallace Middle School from Olden Lighting for an amount not to exceed \$117,500, as presented.



Olden Lighting
 9503 Brown Ln
 #2-101
 Austin, TX 78754
 Phone: (512) 416-8080
 www.olderlighting.com

Sales Quote

Number: SQ15701



SQ15701

HAYS CISD - Wallace MS Update

Client HAYS CONSOLIDATED ISD BUSINESS OFFICE 21003 IH 35 KYLE, TX 78640 Phone: 5122682147 Fax: 5122682147	Primary Contact HAYS CONSOLIDATED ISD BUSINESS OFFICE 21003 IH 35 KYLE, TX 78640 Phone: 5122682147 Fax: 5122682147	Ship To CISD-WALLACE MIDDLE SCHOOL 1500 W Center St Kyle, TX 78640
--	---	---

Sales Person Andrew Persson	Quote Status Tentative	Customer PO	Terms Upon Receipt
---------------------------------------	----------------------------------	--------------------	------------------------------

Quote Start Date 4/2/2024	Valid Until 7/2/2024	Shipping Method BEST ECONOMICAL METHOD	Discount	Sales Tax Tax Exempt
-------------------------------------	--------------------------------	---	-----------------	--------------------------------

Resource Type	Qty.	Description	Price	Price Each	Price Ext.
Stage Lighting Fixtures and Control					
Sales Item	1	ELEMENT 2 6K	Retail	9,630.00	9,630.00
Sales Item	2	MONITOR -TOUCH SCREEN	Retail	300.00	600.00
Sales Item	2	IEC power cable	Retail	0.00	0.00
Sales Item	2	USB A to B	Retail	0.00	0.00
Note		The Lighting Fixture package was designed to accommodate University Interscholastic League requirements for stage lighting for 9 zones.			
Job Supply	9	COLORSOURCE LED PAR DEEP BLUE	Retail	905.00	8,145.00
Job Supply	9	COLORSOURCE PAR LED D40 DIFFUSER MED OVAL IN FRAME, BLK			
Job Supply	9	COLORSOURCE PAR LED D40 DIFFUSER WIDE ROUND IN FRAME, BLK			
Job Supply	12	7423A1011 ColorSource Spot V	Retail	1,595.70	19,148.40
Job Supply	9	SOURCE4 26* EDLT LENS	Retail	326.25	2,936.25
Job Supply	3	SOURCE4 36* EDLT LENS	Retail	326.25	978.75
Sales Item	21	MEGA CLAMP - MAB	Retail	18.97	398.37
Sales Item	21	SAFETY CABLES-BLACK	Retail	3.75	78.75
Job Supply	6	POWERCON - EXTENSION 12GA -10'	Retail	37.50	225.00
Job Supply	8	TrueOne JUMPER -05'	Retail	78.37	626.96
Job Supply	1	TrueOne JUMPER -10'	Retail	79.00	79.00
Job Supply	3	POWERCON - (BLUE) TO EDISON CABLE -10'	Retail	84.50	253.50
Backorder					
Job Supply	11	DMX 5PIN - ECONOMY CABLE - 10'	Retail	26.00	286.00
Backorder					
Job Supply	10	DMX 5PIN - ECONOMY CABLE - 5'	Retail	21.70	217.00
Backorder					
Misc	1	Lift Rental	Retail	450.00	450.00
Labor	16	Crew Lead	Hourly Rate	90.00	1,440.00
Labor	32	General Labor	Hourly Rate	75.00	2,400.00
Labor	4	Training	Hourly Rate	90.00	360.00
Labor	1	Project Manager	Each	2,134.00	2,134.00

Resource Type	Qty.	Description	Price	Price Each	Price Ext.
Misc	1	Shipping	Retail	875.00	875.00
Stage Lighting Fixtures and Control Total:					\$51,261.98

Stage Lighting Rigging

Resource Type	Qty.	Description	Price	Price Each	Price Ext.
<p>Note: This section covers the replacement of the existing rigging hardware for the curtain track with modern, safe rigging hardware and the installation of three 40' lighting battens over-stage and one 40' lighting battens over the cafeteria floor. These will serve as the four locations for the stage lighting fixtures mentioned above.</p> <p>Note: Pipe will be reused from existing over-stage positions</p>					
Sales Item	2	21' 1-1/2" SCH40 PIPE	Retail	125.00	250.00
Sales Item	4	MEGA-QUICK PIPE SPLICE 1-1/2" SCH40 BLACK	Retail	22.50	90.00
Sales Item	40	All-Thread Rigging Point	Retail	44.75	1,790.00
Misc	1	Lift Rental	Retail	450.00	450.00
Labor	40	Crew Lead	Hourly Rate	90.00	3,600.00
Labor	40	Rigging Labor	Hourly Rate	150.00	6,000.00
Labor	40	General Labor	Hourly Rate	75.00	3,000.00
Labor	1	Project Manager	Each	625.00	625.00
Misc	1	Shipping	Retail	550.00	550.00
Stage Lighting Rigging Total:					\$16,355.00

Power and Distribution

Resource Type	Qty.	Description	Price	Price Each	Price Ext.
<p>Note: Budgeted cost to provide a turnkey solution and include the Electrician is estimated below. Please note that a site survey will be required to provide a more accurate timeline and price.</p>					
Job Supply	5	ETC 1064A1023 - Single gang backbox	Retail	63.00	315.00
Job Supply	4	ETC 1064A1024 - 2 Gang Backbox	Retail	63.00	252.00
Job Supply	4	1100A3044 Voltage barrier for use with 2.5" deep back boxes	Retail	5.00	20.00
Backorder					
Job Supply	4	ETC 2100A1302 - U-Bolt Kit for ECPB Plug-in station	Retail	25.20	100.80
Job Supply	1	Distribution 1094A1121 ECPB DMX1IN	Retail	151.00	151.00
Job Supply	2	Distribution 1094A1129 ECPB DMXOUT	Retail	151.00	302.00
Job Supply	4	Distribution 1094A1134 ECPB DMXOUT / AC	Retail	235.00	940.00
Job Supply	2	SCENESTATION 3 Black	Retail	943.00	1,886.00
Job Supply	2	Scenestation security cover	Retail	25.00	50.00
Job Supply	1	SceneStation USB Stick	Retail	330.00	330.00
Job Supply	1	4267K1331 RSN-OPTO-BOX	Retail	1,372.00	1,372.00
Job Supply	1	24v DIN rail power supply	Retail	30.00	30.00
Job Supply	1	7179A1027 Power Control UFMP4, 4 20A Relays	Retail	970.00	970.00
Misc	1	Electrical Contractor	Retail	29,000.00	29,000.00
Power and Distribution Total:					\$35,718.80

Lighting Desk

Job Supply	1	46 in. Adjustable Height Rolling Worktable	Retail	362.00	362.00
Job Supply	1	CyberPower Intelligent LCD UPS System	Retail	283.50	283.50
Job Supply	1	Vesa Underdesk Mounting Bracket	Retail	47.50	47.50
Job Supply	1	Dual Monitor Desk Mount	Retail	52.75	52.75
Job Supply	1	25' Edison Extension cable 12GA	Retail	70.25	70.25
Sales Item	1	DMX 5PIN - PRO CABLE - 25'	Retail	108.00	108.00
Job Supply	1	Cable Hook	Retail	13.50	13.50
Labor	1	General Labor	Each	450.00	450.00
Lighting Desk Total:					\$1,387.50

Resource Type	Qty.	Description	Price	Price Each	Price Ext.
Curtains - Leg Replacement					
Job Supply	4	Replacement Leg	Retail	748.00	2,992.00
Misc	2	Replacement Upstage Blackout	Retail	1,590.00	3,180.00
Labor	1	General Labor	Each	975.00	975.00
Curtains - Leg Replacement Total:					\$7,147.00

Notes:
 No sheetrock, concrete, or plaster work.
 Decking will need to be provided to any school a lift is needed in.
 Dumpsters must be provided for any old equipment being removed.
 No removal of previously installed electrical fixtures

Subtotal:	\$111,870.28
Sales Tax:	\$0.00
Shipping:	\$0.00
Total:	\$111,870.28
Applied Payment:	\$0.00
Balance Due:	\$111,870.28

X _____
 Authorized Signature Date

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

Date: May 20, 2024

Agenda Item: P.10

Board Goal: Community Relations

Subject: Consideration and possible approval of a Utility Easement for the Pedernales Electrical Cooperative at Hays 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 and safe facilities.
- D. Summary:**
 Previous board action relating to this item:
 Future action anticipated:
 Background information: Pedernales Electric Cooperative (PEC) is requesting an electrical utility easement, as shown on the attached diagram, in order to improve electrical service related to upcoming 2023 Bond projects.
- E. Comments Received:**
 Cabinet DLT FBOC Teacher Org. Reps. Other:
- F. Administrative Recommendation:**
Grant an easement to PEC
- G. Fiscal Impact and Cost: Amount: N/A, no cost anticipated**
 Budget 2021 Bond Grant/Special Funds Other
Prior Year Spending – not applicable
Future/Ongoing – not applicable
- 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 grant an electrical utility easement to PEC at Hays High School, as presented.

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

Date: May 20, 2024

Agenda Item: P.11

Board Goal: Community Relations

Subject: Consideration and possible adoption of the Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Plum Creek Uptown District and Agreement to Terminate Certain Instruments and the Fourth Amendment of the Declaration of Covenants, Conditions, and Restrictions for 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:

Provide timely, cost-effective school facilities.

D. Summary:

Previous board action relating to this item: The Board dedicated the Cromwell Drive R.O.W. to the City of Kyle on May 24, 2021 (east side of PAC). On June 26, 2023 the board approved an Amendment to the Agreement Regarding Development with the Plum Creek Development Partners,

Future action anticipated -

Background information – The City of Kyle is seeking to develop additional tracts currently encumbered by the Uptown CCRs (defined below). As a result, the Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Plum Creek Uptown District and Agreement to Terminate Certain Instruments (the “**Second Amendment**”) needs to be considered and executed.

Plum Creek Development Partners (“**PCDP**”) is seeking from HCISD and the other owners of property encumbered by the Declaration of Covenants, Conditions and Restrictions for Plum Creek Uptown District (as amended, “**Uptown CCRs**”, *copies of which are attached*), to have the attached Second Amendment signed and recorded as soon as possible. As you can see, several landowners, including the City of Kyle, have already signed the document. The Second Amendment will:

- Remove certain property from the Uptown subdivision, including the 1.546 acres and the .122 acres (“**HCISD Properties**”) owned by HCISD that were inadvertently added to the Uptown CCRs when those properties were conveyed from PCDP to HCISD as part of the land swap that took place in 2019 (see *copies of the deeds and the land swap exhibit attached*); and,
- Terminate the Supplemental Declaration of Covenants, Conditions and Restrictions for Plum Creek Uptown District, recorded in Book 5233, Page 108 of the Official Public Records of Hays County, Texas, as amended (“**Supplemental Declaration**”), to clean up the title of the remaining lots owned by KOP, A+, and PCDP that will be encumbered by the Uptown CCRs.

Once the HCISD Properties are withdrawn from the Uptown CCRs, the HCISD Properties would then be annexed under the Declaration of Covenants, Conditions and Restrictions for the Hays Consolidated Independent School District Performing Arts Center (as amended, “**HCISD CCRs**”)(*copies of which are attached*) via the attached Fourth Amendment to the HCISD Declaration so that all property owned by HCISD (the 10 acre parcel, 1.546 acre parcel, and the .122 acre parcel) will be encumbered by the HCISD CCRs. This title cleanup will make things cleaner for HCISD going forward.

E. **Comments Received:**
 Cabinet DLT FBOC Teacher Org. Reps. Other

F. **Administrative Recommendation:**
Consideration and possible approval of the amendment to the development agreement.

G. **Fiscal Impact and Cost: Amount: None anticipated**
 Budget Bond Grant/Special Funds Other
Prior Year Spending -
Future/Ongoing -

H. **Monitoring and Reporting Time Line:**
Person responsible for evaluating this decision or action: Max Cleaver
Evaluation method and time line -
Next report to the board -

I. **Suggested Motion:**
I move that the Hays CISD Board of Trustees approve the Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Plum Creek Uptown District and Agreement to Terminate Certain Instruments and the Fourth Amendment of the Declaration of Covenants, Conditions, and Restrictions for Hays Consolidated Independent School District Performing Arts Center, and authorize the Board President and Superintendent to execute documents necessary and convenient for the transaction, as presented.

**SECOND AMENDMENT OF
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR PLUM CREEK UPTOWN DISTRICT AND
AGREEMENT TO TERMINATE CERTAIN INSTRUMENTS**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HAYS §

THIS SECOND AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR PLUM CREEK UPTOWN DISTRICT AND AGREEMENT TO TERMINATE CERTAIN INSTRUMENTS (this “**Second Amendment**”), is made as of the date hereinafter set forth to be effective as _____, 2024 (the “**Effective Date**”), by Plum Creek Development Partners, Ltd., a Texas limited partnership (the “**PCDP**”) and Mountain Plum, Ltd., a Texas limited partnership (the “**Mountain Plum**”, and collectively with PCDP, the “**Declarant**”), and is approved and consented to by KOP Plum Creek L.P., a Texas limited partnership, and Rico Runner Plum Creek, L.P., a Texas limited partnership (collectively, “**KOP Plum Creek**”), A+ Federal Credit Union, a federal credit union (the “**Credit Union**”), the Board of Trustees of Hays Consolidated Independent School District, an independent school district and political subdivision of the State of Texas (the “**HCISD**”), Uptown at Plum Creek Phase 1A LLC, an Oklahoma limited liability company (the “**UPC1A**”), Uptown at Plum Creek Phase 1B LLC, an Oklahoma limited liability company (the “**UPC1B**”), and The City of Kyle, a Texas home rule city, and its affiliates (the “**City**”). Declarant, KOP Plum Creek, Credit Union, HCISD, UPC1A, and UPC1B, and the City are sometimes referred to herein each, as a “**Current Owner**”, and collectively as the “**Current Owners**”.

WITNESSETH:

WHEREAS, that certain Declaration of Covenants, Conditions and Restrictions for Plum Creek Uptown District was recorded in Book 3339, Page 197 of the Official Public Records of Hays County, Texas (the “**Initial Declaration**”), as amended by that First Amendment to Declaration of Covenants, Conditions and Restrictions for Plum Creek Uptown District, recorded in Book 5233, Page 123 in the Official Public Records of Hays County, Texas (the “**First Amendment**”), and supplemented by that certain Supplemental Declaration of Covenants, Conditions and Restrictions for Plum Creek Uptown District, recorded in Book 5233, Page 108 of the Official Public Records of Hays County, Texas (the “**Initial Supplemental Declaration**”), as amended by that certain First Amendment of the Declaration of Covenants, Conditions and Restrictions for Plum Creek Uptown District, recorded in Document 20059598, Official Public Records of Hays County, Texas (the “**First Amendment to Supplemental Declaration**”), as amended by the Amendment of the Declaration of Covenants, Conditions, and Restrictions for the Plum Creek Uptown District, recorded in Document 21032651 of the Official Public Records of Hays County, Texas (the “**Second Amendment to Supplemental Declaration**”), as amended by the Third Amendment of the Declaration of Covenants, Conditions, and Restrictions for the Plum Creek Uptown District, recorded in Document 23043118 of the Official Public Records of Hays County, Texas (the “**Third Amendment to Supplemental Declaration**”)(collectively, the Initial Declaration, the First Amendment, the Initial Supplemental Declaration, the First Amendment to Supplemental Declaration, the Second Amendment to Supplemental Declaration, and the Third Amendment to

Supplemental Declaration, as amended from time to time shall be known as the “**Original Declaration**”); and,

WHEREAS, Declarant is currently the owner of that certain property in the County of Hays, State of Texas, being more particularly described in **Exhibit A** attached hereto and made a part hereof for all purposes (the “**Declarant Property**”), which Declarant Property is subjected to the Original Declaration; and,

WHEREAS, KOP Plum Creek is currently the condominium declarant under the *Declaration of Condominium Regime for KOP Plum Creek Office Condominiums*, recorded in Volume 3339, Page 302 of the Official Public Records of Hays County, Texas, as amended (the “**KOP Declaration**”), and the owner of Units 1 through 4, KOP PLUM CREEK OFFICE CONDOMINIUMS, a Condominium Project in Hays County, Texas; together with the limited common elements and an undivided interest in and to the general common elements, as defined in the KOP Declaration (the “**KOP Property**”), which property is subjected to the KOP Declaration and the Original Declaration; and,

WHEREAS, the Credit Union is currently the owner of Lot 2, Block A, of Plum Creek, Phase II, Section 1A, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Cabinet 14, Pages 225-226, Plat Records of Hays County, Texas (the “**Credit Union Property**”), which property is subjected to the Original Declaration; and,

WHEREAS, HCISD is currently the owner of certain property in the County of Hays, State of Texas, being more particularly described in **Exhibit B** attached hereto and made a part hereof for all purposes (the “**HCISD Property**”), which property is subjected to the Original Declaration; and,

WHEREAS, UPC1A is currently the owner of that certain property more particularly described on **Exhibit C**, attached hereto and made a part hereof for all purposes (the “**UPC1A Property**”), which property is subjected to the Original Declaration; and,

WHEREAS, UPC1B is currently the owner of that certain property more particularly described on **Exhibit D**, attached hereto and made a part hereof for all purposes (the “**UPC1B Property**”), which property is subjected to the Original Declaration; and,

WHEREAS, the City is currently the owner of that certain property more particularly described on **Exhibit E**, attached hereto and made a part hereof for all purposes (the “**City Property**”), which property is subjected to the Original Declaration; and,

WHEREAS, the Declarant Property, the KOP Property, the Credit Union Property, the HCISD Property, the UPC1A Property, the UPC1B Property, and the City Property constitute all of the real property subjected to the Original Declaration; and,

WHEREAS, the Current Owners are all of the owners of the Declarant Property, the KOP Property, the Credit Union Property, the HCISD Property, the UPC1A Property, the UPC1B Property, and the City Property, and the Current Owners desire to (1) terminate the Initial Supplemental Declaration, the First Amendment to Supplemental Declaration, the Second Amendment to Supplemental Declaration, and the Third Amendment to Supplemental Declaration so that such instruments no longer encumber the Declarant Property, the KOP

Property, the Credit Union Property, the HCISD Property, the UPC1A Property, the UPC1B Property, and the City Property, and (2) further amend the Original Declaration as set forth hereinbelow; and,

NOW THEREFORE, the Current Owners hereby agree to terminate and vacate the Initial Supplemental Declaration, the First Amendment to Supplemental Declaration, the Second Amendment to Supplemental Declaration, and the Third Amendment to Supplemental Declaration, and to further amend the Original Declaration as follows:

1. Definition of Property. The definition of the term “Property” under Original Declaration is hereby deleted in its entirety and replaced with the following:

“**Property**” means and refers to the real property (including improvements) described under *Section 1.02 (c)*, and any additions thereto made from time to time, if any.

2. Termination of Supplemental Declaration; Withdrawal of certain real property (including improvements) from the Original Declaration. *Section 1.02* of the Original Declaration is hereby deleted in its entirety and replaced with the following:

Section 1.02. Termination of Supplemental Declaration; Withdrawal of real property (including improvements) from the Original Declaration.

(a) Termination of Supplemental Declaration. The Current Owners hereby agree that upon the recording of this Second Amendment in the Official Public Records of Hays County, Texas, the Initial Supplemental Declaration, the First Amendment to Supplemental Declaration, the Second Amendment to Supplemental Declaration, and the Third Amendment to Supplemental Declaration are terminated and vacated and the provisions, agreements, covenants, restrictions, charges, and liens contained in such instruments no longer encumber the Declarant Property, the KOP Property, the Credit Union Property, the HCISD Property, the UPC1A Property, the UPC1B Property, and the City Property.

(b) Withdrawal of Certain Property. The Current Owners hereby agree that upon the recording of this Second Amendment in the Official Public Records of Hays County, Texas, that with the exception of the Property (as defined below), all other land or property (including improvements) originally encumbered by the Original Declaration are hereby withdrawn from the Original Declaration and shall no longer be encumbered by the provisions, agreements, covenants, restrictions, charges, and liens contained in such instruments.

(c) Remaining Property Encumbered by the Declaration. The Current Owners hereby agree that upon the recording of this Second Amendment in the Official Public Records of Hays County, Texas, the term “**Property**” shall be defined as the following real property (and any improvements thereon):

- a. Lot 1, Block A, of PLUM CREEK, PHASE II, SECTION 1A, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Cabinet 14, Pages 225-226, Plat Records of Hays County, Texas, owned by the Declarant (the “PCDP Property”);
- b. the KOP Property; and,
- c. the Credit Union Property.

The PCDP Property, the KOP Property, and the Credit Union Property, and any right, title or interest therein, shall be owned, held, used, leased, sold and/or conveyed by the Owner thereof, or any subsequent owner of all or any part of the Property, subject to the Initial Declaration, the First Amendment, and this Second Amendment (collectively, the Initial Declaration, the First Amendment, and this Second Amendment, as such may be amended from time to time, shall be known as the “**Declaration**”) and the covenants, restrictions, charges, and liens set forth herein, which such covenants, restrictions, charges, and liens shall bind the Property, or any portion thereof, in the hands of the Current Owner thereof, and such Current Owner’s heirs, devisees, personal representatives, successors or assigns.

3. Amendment. Section 6.08 of the Declaration is hereby added as follows:

Section 6.08 Amendment. The Declaration may be modified, amended, or canceled only by written instrument executed by all parties in interest at the time of such amendment and recorded in the Official Public Records of Hays County, Texas.

4. Defined Terms. All defined terms delineated with initial capital letters in this Second Amendment that are not defined herein shall have the meaning ascribed to them in the Declaration. Other terms have the meanings commonly ascribed to them.

5. Captions. The captions of sections in this Second Amendment are for convenient reference only and are not to be construed in any way as part of this Second Amendment or the Declaration.

6. Recitals. The recitals above are incorporated herein and specifically made a part of this Second Amendment.

7. Construction and Interpretation. The provisions of this Second Amendment will be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion hereof will not affect the validity or enforceability of any other provision. Whenever the context so requires, all words herein in the male gender will be deemed to include the female or neuter gender, all singular words will include the plural, and all plural words will include the

singular. The captions are used only as a matter of convenience and are not to be considered a part of this Second Amendment or to be used in determining the intent of the Parties.

8. Governing Law. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of this Second Amendment.

9. Counterparts. This Second Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute one instrument.

10. Survival of Provisions. This Second Amendment shall bind and inure to the benefit of the parties hereto and their respective successors and assigns.

[Signatures on following pages]

EXECUTED as of the ____ day of _____, 2024.

DECLARANT:

PLUM CREEK DEVELOPMENT PARTNERS, LTD.,
a Texas limited partnership

By: PCDP General Partner, LLC,
a Texas limited liability company,
its General Partner

By: 
Richard B. Negley, Manager

By: 
Thomas J. Smith, Manager

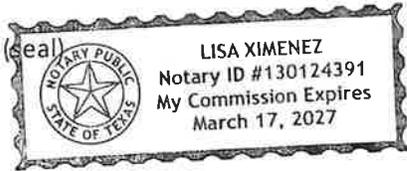
By: MountainCityLand, LLC,
a Texas limited liability
company, its Manager

By: 
Name: Laura Negley Gill
Title: Manager

[ACKNOWLEDGEMENTS ON FOLLOWING PAGE]

THE STATE OF TEXAS §
§
COUNTY OF BEXAR §

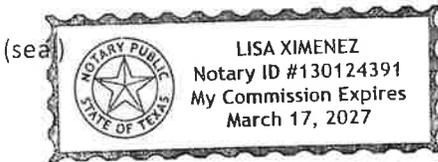
This instrument was acknowledged before me on this 28 day of March, 2024, by Richard B. Negley, Manager of PCDP General Partner, LLC, a Texas limited liability company, General Partner of Plum Creek Development Partners, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.



Lisa Ximenez
Notary Public, State of Texas

THE STATE OF TEXAS §
§
COUNTY OF BEXAR §

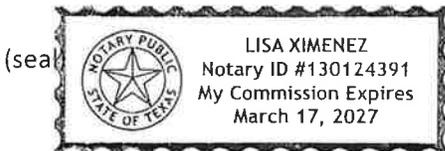
This instrument was acknowledged before me on this 28 day of March, 2024, by Thomas J. Smith, Manager of PCDP General Partner, LLC, a Texas limited liability company, General Partner of Plum Creek Development Partners, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.



Lisa Ximenez
Notary Public, State of Texas

THE STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me on this 28 day of March, 2024, by Laura Negley Gill, Manager of MountainCityLand, LLC, a Texas limited liability company, Manager of PCDP General Partner, LLC, a Texas limited liability company, General Partner of Plum Creek Development Partners, Ltd., a Texas limited partnership, on behalf of said limited liability companies and limited partnership.



Lisa Ximenez
Notary Public, State of Texas

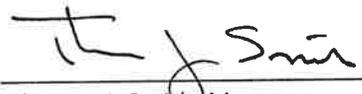
EXECUTED as of the ____ day of _____, 2024.

DECLARANT:

MOUNTAIN PLUM, LTD.,
a Texas limited partnership

By: MP General, L.L.C.,
a Texas limited liability company,
its General Partner

By: 
Richard B. Negley, Manager

By: 
Thomas J. Smith, Manager

By: MountainCityLand, LLC,
a Texas limited liability company,
its Manager

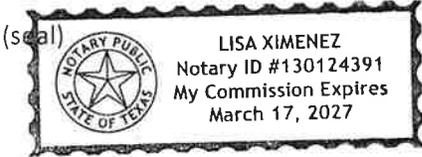
By: 
Name: Laura Negley Gill
Title: Manager

[ACKNOWLEDGEMENTS ON FOLLOWING PAGE]

THE STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me on this 28 day of March 2024, by Richard B. Negley, Manager of MP General, L.L.C., a Texas limited liability company, General Partner of Mountain Plum, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

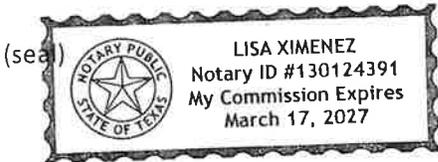
Lisa Ximenez
Notary Public, State of Texas



THE STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me on this 28 day of March 2024, by Thomas J. Smith, Manager of MP General, L.L.C., a Texas limited liability company, General Partner of Mountain Plum, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

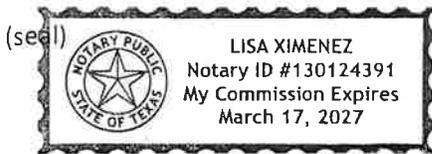
Lisa Ximenez
Notary Public, State of Texas



THE STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me on this 28 day of March 2024, by Laura Negley Gill, Manager of MountainCityLand, LLC, a Texas limited liability company, Manager of MP General, L.L.C., a Texas limited liability company, General Partner of Mountain Plum, Ltd., a Texas limited partnership, on behalf of said limited liability companies and limited partnership.

Lisa Ximenez
Notary Public, State of Texas



EXECUTED as of the ____ day of _____, 2024.

KOP PLUM CREEK:

KOP PLUM CREEK LP,
a Texas limited partnership

By: _____
Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF §

Before me, the undersigned authority, on this day personally appeared _____ of KOP Plum Creek LP, a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that [s]he executed the same in the capacity and for the purposes and consideration therein expressed.

Given under my hand and seal of office this ____ day of _____, 2024.

Notary Public, State of Texas

EXECUTED as of the ____ day of _____, 2024.

KOP PLUM CREEK:

RICO RUNNER PLUM CREEK, L.P.,
a Texas limited partnership

By: _____
Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF §

Before me, the undersigned authority, on this day personally appeared _____ of Rico Runner Plum Creek, L.P., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that [s]he executed the same in the capacity and for the purposes and consideration therein expressed.

Given under my hand and seal of office this ____ day of _____, 2024.

Notary Public, State of Texas

EXECUTED as of the ____ day of _____, 2024.

CREDIT UNION:

A+ FEDERAL CREDIT UNION,
a federal credit union

By: _____
Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF §

Before me, the undersigned authority, on this day personally appeared _____ of A+ Federal Credit Union, a federal credit union, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that [s]he executed the same in the capacity and for the purposes and consideration therein expressed.

Given under my hand and seal of office this ____ day of _____, 2024.

Notary Public, State of Texas

EXECUTED as of the ____ day of _____, 2024.

HCISD:

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, an independent school district and political subdivision of the State of Texas

By: _____
Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF §

Before me, the undersigned authority, on this day personally appeared _____ of Hays Consolidated Independent School District, an independent school district and political subdivision of the State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that [s]he executed the same in the capacity and for the purposes and consideration therein expressed.

Given under my hand and seal of office this ____ day of _____, 2024.

Notary Public, State of Texas

EXECUTED as of the 15 day of April, 2024.

UPC1A:

UPTOWN AT PLUM CREEK PHASE 1A LLC,
an Oklahoma limited liability company

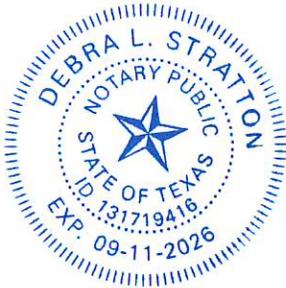
By: _____
Name: Terry Mitchell
Title: Manager

STATE OF TEXAS §
 §
COUNTY OF §

Before me, the undersigned authority, on this day personally appeared Terry Mitchell of Uptown at Plum Creek Phase 1A LLC, an Oklahoma limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that [s]he executed the same in the capacity and for the purposes and consideration therein expressed.

Given under my hand and seal of office this 15th day of April, 2024.

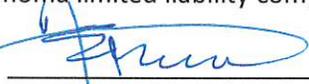
Debra L. Stratton
Notary Public, State of Texas



EXECUTED as of the 15 day of April, 2024.

UPC1B:

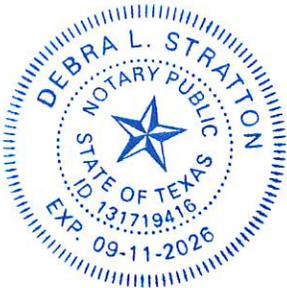
UPTOWN AT PLUM CREEK PHASE 1B LLC,
an Oklahoma limited liability company

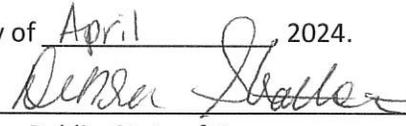
By: 
Name: Terry Mitchell
Title: manager

STATE OF TEXAS §
 §
COUNTY OF §

Before me, the undersigned authority, on this day personally appeared Terry Mitchell of Uptown at Plum Creek Phase 1B LLC, an Oklahoma limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that [s]he executed the same in the capacity and for the purposes and consideration therein expressed.

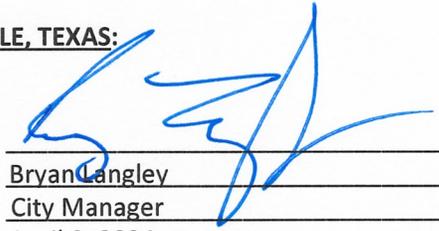
Given under my hand and seal of office this 15th day of April, 2024.




Notary Public, State of Texas

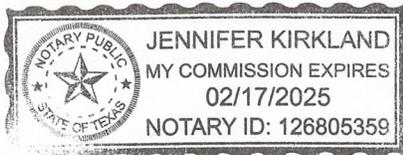
EXECUTED as of the 2nd day of April, 2024.

THE CITY OF KYLE, TEXAS:

By: 
Name: Bryan Langley
Title: City Manager
Date: April 2, 2024
Address: 100 West Center Street
Kyle, Texas 78641

STATE OF TEXAS §
 §
COUNTY OF Hays §

This instrument was acknowledged before me on the 3rd day of April, 2024, by Bryan Langley, City Manager of the City of Kyle, a home-rule municipality, on behalf of said City.




Notary Public in and for the
State of Texas

EXHIBIT A
Declarant Property

Approximate 64.397 acres and approximate 11.375 acres described under **Exhibit A-1** attached and incorporated herewith, including but not limited to all of Lot 1, Block A (0.972 acre), Plum Creek Phase II, Section 1A, Cab. 14, Pgs. 225-226, in the Official Public Records of Hays County, Texas, per deed Document No. 23013982, in the Official Public Records of Hays County, Texas, SAVE AND EXCEPT the following tracks:

1. Lot 1, Block A of the Final Plat of Plum Creek Uptown Central Park, a subdivision located in Hays County, Texas, according to the map or plat recorded as Document No. 21018804 in the Official Public Records of Hays County, Texas, owned by the City;
2. Lot 1, Block A of the Plum Creek Brick & Mortar Commercial Block A, a subdivision located in Hays County, Texas, according to the map or plat recorded as Document No. 23038439 in the Official Public Records of Hays County, Texas;
3. All of Lot 2, Block A (1.346 acre), Plum Creek Phase II, Section 1A, Cab. 14, Pgs. 225-226, in the Official Public Records of Hays County, Texas, per Deed Vol. 3555, Pg. 267, in the Official Public Records of Hays County, Texas, owned by Credit Union;
4. Units 1 through 4, KOP PLUM CREEK OFFICE CONDOMINIUMS, a Condominium Project in Hays County, Texas; together with the limited common elements and an undivided interest in and to the general common elements, as defined in the KOP Declaration, which was originally platted as Lot 1, Block B, Plum Creek Phase II, Section 1A, Cab. 14, Pgs. 225-226, in the Official Public Records of Hays County, Texas, owned by KOP; and,
5. All of (0.122 AC.) Tract 2, Document No. 19026206, in the Official Public Records of Hays County, Texas; and (1.546 acre) Tract 1, Document No. 19026206, in the Official Public Records of Hays County, Texas, owned by HCISD, and described on **Exhibit B**;
6. The following lots owned by Uptown at Plum Creek Phase 1A, LLC
 - a. Lot 2, Block A (5.294 Acre), Plum Creek Uptown Phase 1A, Document No. 20039087, in the Official Public Records of Hays County, Texas;
 - b. Lot 2, Block B (3.579 Acre), Plum Creek Uptown Phase 1A, Document No. 20039087 in the Official Public Records of Hays County, Texas;
 - c. Lot 1, Block C (1.138 acre), Plum Creek Uptown Phase 1A, Document No. 20039087 in the Official Public Records of Hays County, Texas;
7. The following lots owned by Uptown at Plum Creek Phase 1B, LLC
 - a. All of Lot 1, Block A (1.340 acre), Plum Creek Uptown Phase 1A, Document No. 20039087, in the Official Public Records of Hays County, Texas, per deed Document No. 20059596, in the Official Public Records of Hays County, Texas;

- b. Lot 1, Block B (1.273 acre), Plum Creek Uptown Phase 1A, Document No. 20039087 in the Official Public Records of Hays County, Texas, per deed Document No. 20059596, in the Official Public Records of Hays County, Texas;
 - c. Lot 1, Block D (4.731 Acre) Plum Creek Uptown Phase 1B, Document No. 23033872 in the Official Public Records of Hays County, Texas;
 - d. Lot 1, Block E (1.378 acre), Plum Creek Uptown Phase 1B Document No. 23033872 in the Official Public Records of Hays County, Texas;
 - e. A 4.070 acre portion of a certain called (10.227 acre) Tract 2, Document No. 22031210 in the Official Public Records of Hays County, Texas, described on **Exhibit D-1**;
 - f. Tract 1 (1.394 acre) conveyed to Uptown at Plum Creek Phase 1B, LLC, under the Special Warranty Deed recorded under Document No. 20059596, in the Official Public Records of Hays County, Texas; described on **Exhibit D-2**;
8. A 5.404 acre portion of Lot 1, Heroes Memorial Park (5.544 Acre), Document No. 22012717 in the Official Public Records of Hays County, Texas, owned by the City;
9. Those tracts of land conveyed to the City of Kyle for use as right of way:
- a. Tract 1 (.9736 acres), Tract 2 (0.4616 acres), and Tract 3 (3.1192 acres) conveyed to the City of Kyle under the Special Warranty Deed, recorded under Document No. 23017316, in the Official Public Records of Hays County, Texas, to be dedicated as right of way;
 - b. All other portions of the approximate 64.397 acres and the approximate 11.375 acres conveyed to the City of Kyle to be used as right of way, including but not limited to Doherty Road, Everett Road, Burnham Road, Benner Road, Jack Ryan Road

Exhibit A-1

64.397 acres

64.397 Acres
M.M. McCarver League, Str. 4, A-10
Hays County, Texas

LAI Job No. 070605
PN0886(kls)
Page 1 of 8

FIELD NOTES DESCRIPTION

DESCRIPTION OF 64.397 ACRES OF LAND IN THE M.M. MCCARVER LEAGUE SURVEY NO. 4, A-10, HAYS COUNTY, TEXAS; BEING A PORTION OF THE CALLED 983.99 ACRE TRACT DESCRIBED AS TRACT 2 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 64.397 ACRE TRACT OF LAND, AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with plastic cap stamped "LAI" previously set at the intersection of the current north right-of-way line of Kohlers Crossing (a.k.a. Hays County Road No. 171) and the west right-of-way line of F.M. Highway 1626, same being in the west line of that certain 28.91 acre tract described in the deed to the City of Kyle, Texas, of record in Volume 1871, Page 236, Official Public Records of Hays County, Texas, for the northeast corner of a called 0.254 acre right-of-way dedication described as Parcel No. 3, Tract 3 in a deed to The City of Kyle, Texas of record in Volume 3220, Page 508, Official Public Records of Hays County, Texas, and for the eastern southeast corner and POINT OF BEGINNING of the tract described herein;

THENCE S 88° 53' 16" W, with the current north right-of-way line of said Kohlers Crossing, same being the north line of the said 0.254 acre right-of-way dedication, a distance of 541.72 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set in the east line of a called 10.00 acre tract described in a deed to Hays Consolidated Independent School District of record in Volume 2029, Page 661, Official Public Records of Hays County, Texas, for the northwest corner of the said 0.254 acre right-of-way dedication, same being the northeast corner of a called 0.273 acre right-of-way dedication described as Parcel No. 8, in a deed to The City of Kyle, Texas of record in Volume 3226, Page 168, Official Public Records of Hays County, Texas, and for the eastern southwest corner of the tract described herein;

THENCE N 01° 06' 44" W, with the east line of the said 10.00 acre tract, a distance of 410.03 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the southwest corner of a called 0.0238 acre tract described as Exhibit "A" in a deed to Hays Consolidated Independent School District of record in Volume 2857, Page 753, Official Public Records of Hays County, Texas, and for a re-entrant corner of the tract described herein;

THENCE N 88° 53' 16" E, with the south line of the said 0.0238 acre tract, at a distance of 15.00 feet pass a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the southeast corner of the said 0.0238 acre tract, same being the southern southwest corner of a called 1.2623 acre tract described in a deed to Hays Consolidated Independent School District of record in Volume 2029, Page 668, Official Public Records of Hays County, Texas, and continuing with the south line of the said 1.2623 acre tract for a total distance of 77.13 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for an angle point;

THENCE with the southeast, east, northeast, north and west lines of the said 1.2623 acre tract, the following five (5) courses and distances:

1. N 58° 53' 16" E, a distance of 157.42 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the southeast corner of the said 1.2623 acre tract,

2. N 01° 06' 44" W, a distance of 172.58 feet to a 1/4-inch iron rod with plastic cap stamped "LAI" previously set for the northeast corner of the said 1.2623 acre tract,
3. N 61° 06' 44" W, a distance of 157.42 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for an angle point,
4. S 88° 53' 16" W, a distance of 62.13 feet to a 1/4-inch iron rod with plastic cap stamped "LAI" previously set for the northern northwest corner of the said 1.2623 acre tract, and
5. S 01° 06' 44" E, a distance of 69.54 feet to a 1/4-inch iron rod with plastic cap stamped "LAI" previously set for the northeast corner of a called 0.0606 acre tract described as Exhibit "B" in a deed to Hays Consolidated Independent School District of record in Volume 2857, Page 753, Official Public Records of Hays County, Texas, for an interior south corner of the tract described herein;

THENCE S 88° 53' 16" W, with the north line of the said 0.0606 acre tract, a distance of 15.00 feet to a 1/4-inch iron rod with plastic cap stamped "LAI" previously set for the northwest corner of the said 0.0606 acre tract, same being the northeast corner of the said 10.00 acre tract, for an angle point in the south line of the tract described herein;

THENCE S 88° 50' 25" W, with the north line of the said 10.00 acre tract, a distance of 465.45 feet to a 1/4-inch iron rod with plastic cap stamped "LAI" previously set in the east line of a called 11.375 acre tract described in a deed to Plum Creek Development Partners, Ltd. of record in Volume 3311, Page 508, Official Public Records of Hays County, Texas, for an interior southwest corner of the tract described herein;

THENCE with the east, north and west lines of the said 11.375 acre tract, the following five (5) courses and distances:

1. N 00° 32' 48" W, a distance of 70.00 feet to a 1/4-inch iron rod with plastic cap stamped "LAI" previously set for the northeast corner of the said 11.375 acre tract, for a re-entrant corner of the tract described herein,
2. S 88° 50' 25" W, a distance of 360.00 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the northern northwest corner of the said 11.375 acre tract, for a re-entrant corner of the tract described herein,
3. S 01° 09' 35" E, a distance of 70.00 feet to a 1/4-inch iron rod with plastic cap stamped "LAI" previously set for a re-entrant corner of the said 11.375 acre tract and an interior southeast corner of the tract described herein,
4. S 88° 50' 25" W, a distance of 563.86 feet to a 1/4-inch iron rod with plastic cap stamped "LAI" previously set for the western northwest corner of the said 11.375 acre tract for a re-entrant corner of the tract described herein, and
5. S 00° 44' 56" E, a distance of 678.27 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set in the current north right-of-way line of said Kohlers Crossing, same being the north line of a called 0.171 acre right-of-way dedication described as Parcel No. 3, Tract 1, in a deed to The City of Kyle, Texas of record in Volume 3220,

Page 508, Official Public Records of Hays County, Texas, for the southern southeast corner of the tract described herein;

THENCE with the current north right-of-way line of said Kohlers Crossing, same being the north line of the said 0.171 acre right-of-way dedication, the following two (2) courses and distances:

1. S 88° 49' 05" W, a distance of 32.71 feet to a ½-inch iron rod with plastic cap stamped "LAI" previously set for an angle point, and
2. S 87° 37' 32" W, a distance of 344.54 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for the western southwest corner of the tract described herein;

THENCE crossing the said 983.99 acre tract, the following eight (8) courses and distances:

1. N 02° 22' 28" W, a distance of 827.73 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for point of curvature,
2. with the arc of a curve to the right having a radius of 400.00 feet, an arc length of 178.69 feet and a chord of which bears N 10° 25' 25" E a distance of 177.21 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for a point of tangency,
3. N 23° 13' 18" E, a distance of 963.35 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for the northwest corner of the tract described herein,
4. S 66° 46' 42" E, a distance of 457.41 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for a point of curvature,
5. with the arc of a curve to the left having a radius of 400.00 feet, an arc length of 170.21 feet and a chord of which bears S 78° 58' 09" E a distance of 168.93 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for a point of tangency,
6. N 88° 50' 25" E, a distance of 1167.26 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for a point of curvature,
7. with the arc of a curve to the right having a radius of 300.00 feet, an arc length of 67.97 feet and a chord of which bears S 88° 43' 33" E a distance of 67.95 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for a point of tangency, and
8. S 86° 17' 31" E, a distance of 173.33 feet to a ½-inch iron rod with plastic cap stamped "LAI" set in the west right-of-way line of said P.M. 1626, same being the west line of the said 28.91 acre tract, for the northeast corner of the tract described herein;

THENCE with the west right-of-way line of said P.M. 1626, same being the west line of the said 28.91 acre tract, the following four (4) courses and distances:

1. S 03° 42' 29" W, a distance of 868.41 feet to a calculated point of curvature from which a Type 2 Texas Department of Transportation monument bears S 60° 08' E a distance of 0.23 feet.

2. with the arc of a curve to the left having a radius of 2964.78 feet, an arc length of 381.54 feet and a chord of which bears S 00° 01' 17" W a distance of 381.27 feet to a calculated point of tangency from which a Type 2 Texas Department of Transportation monument bears S 68° 44' E a distance of 0.17 feet,
3. S 03° 39' 40" E, a distance of 347.53 feet to a ½-inch iron rod with plastic cap stamped "LAP" previously set from which a Type 2 Texas Department of Transportation monument bears N 82° 45' E a distance of 0.21 feet, and
4. S 42° 46' 53" W, a distance of 39.16 feet to the POINT OF BEGINNING and containing 64.397 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.
LAI WORD FILE: FN0886(kls)

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of February, May, September, December 2007, and January 2008, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 31st of January, 2008, A.D.

Loomis Austin, Inc
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 - State of Texas

11.375 acres

11.375 Acres
M.M. McCarver League, Sur. 4, A-10
Hays County, Texas

LAI Job No. 070605
FN0854(xls)
Page 1 of 4

FIELD NOTES DESCRIPTION

DESCRIPTION OF 11.375 ACRES OF LAND IN THE M.M. MCCARVER LEAGUE, SURVEY NO. 4, A-10, HAYS COUNTY, TEXAS; BEING A PORTION OF THE CALLED 983.99 ACRE TRACT DESCRIBED AS TRACT 2 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 11.375 ACRE TRACT OF LAND, AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod with plastic cap stamped "LAI" previously set in the former north line of Hays County Road No. 171 (a.k.a. Kohlers Crossing), (a.k.a. Mountain City Road), a called 8.362 acre tract described as Parcel No. 1 in the Quitclaim Deed dated September 10, 1991, from Richard V.W. Negley c/o William Negley, Life Tenant, to Hays County, Texas, for the southwest corner of a called 10.00 acre tract described in a deed to Hays Consolidated Independent School District of record in Volume 2029, Page 661, Official Public Records of Hays County, Texas, and the southwest corner of a called 0.273 acre right-of-way dedication described as Parcel No. 8 in a deed to The City of Kyle, Texas of record in Volume 3226, Page 168, Official Public Records of Hays County, Texas, same being the southeast corner of a called 0.162 acre right-of-way dedication described as Parcel No. 3, Tract 2 in a deed to The City of Kyle, Texas of record in Volume 3220, Page 508, Official Public Records of Hays County, Texas;

THENCE N 01° 06' 44" W, with a west line of the said 10.00 acre tract and the west line of the said 0.273 acre right-of-way dedication, same being the east line of the said 0.162 acre right-of-way dedication, a distance of 12.65 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the northeast corner of the said 0.162 acre right-of-way dedication and for the southern southeast corner and POINT OF BEGINNING of the tract described herein;

THENCE S 88° 49' 05" W, with the current north right-of-way line of said Kohlers Crossing, same being the north line of the said 0.162 acre right-of-way dedication, a distance of 577.66 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set in the east line of a called 1.016 acre tract, described as Exhibit "A-1" in a deed to The City of Kyle, Texas of record in Volume 1415, Page 83, Official Public Records of Hays County, Texas, for the northwest corner of the said 0.162 acre right-of-way dedication, and a southwest corner of the tract described herein;

THENCE with the east, north and west lines of the said 1.016 acre tract, the following three (3) courses and distances:

1. N 00° 44' 56" W, a distance of 259.66 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the northeast corner of the said 1.016 acre tract,
2. S 89° 15' 04" W, a distance of 170.00 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the northwest corner of the said 1.016 acre tract, and

3. S 00° 44' 56" E, a distance of 260.95 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the northeast corner of a called 0.171 acre right-of-way dedication described as Parcel No. 3, Tract 1 in a deed to The City of Kyle, Texas of record in Volume 3220, Page 508, Official Public Records of Hays County, Texas, for a southeast corner of the tract described herein;

THENCE S 88° 49' 05" W, with the current north right-of-way line of said Kohler's Crossing, same being the north line of the said 0.171 acre right-of-way dedication, a distance of 70.00 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the western southwest corner of the tract described herein;

THENCE crossing the said 983.99 acre tract, the following five (5) courses and distances:

1. N 00° 44' 56" W, a distance of 678.27 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the western northwest corner of the tract described herein,
2. N 88° 50' 25" E, a distance of 563.86 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for a re-entrant corner of the tract described herein,
3. N 01° 09' 35" W, a distance of 70.00 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the northern northwest corner of the tract described herein,
4. N 88° 50' 25" E, a distance of 360.00 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the eastern northeast corner of the tract described herein, and
5. S 00° 32' 48" E, passing at a distance of 70.00 feet, a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the northern northwest corner of the said 10.00 acre tract, and continuing for a total distance of 177.58 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the eastern southeast corner of the tract described herein;

THENCE with a north and a west line of the said 10.00 acre tract, the following two (2) courses and distances:

1. S 88° 53' 16" W, a distance of 89.05 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for a northwest corner of the said 10.00 acre tract and a re-entrant corner of the tract described herein, and
2. S 01° 06' 44" E, a distance of 48.00 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for a re-entrant corner of the said 10.00 acre tract and for a southeast corner of the tract described herein;

THENCE S 88° 53' 16" W, with a north line of the said 10.00 acre Hays Consolidated Independent School District tract and the north line of a called 1.1731 acre tract, described in a deed to Plum Creek Development Partners, Ltd. of record in Volume 2363, Page 271, Official Public Records of Hays County, Texas, a distance of 187.46 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the northwest corner of the said 1.1731 acre tract, for a re-entrant corner of the tract described herein;

THENCE with the west and south lines of the said 1.1731 acre tract, the following two (2) courses and distances:

1. S 01° 06' 44" E, a distance of 304.50 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the southwest corner of the said 1.1731 acre tract, for a re-entrant corner of the tract described herein, and
2. N 88° 53' 16" E, a distance of 167.83 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set in a west line of the said 10.00 acre tract, for the southeast corner of the said 1.1731 acre tract, for the southern northeast corner of the tract described herein;

THENCE S 01° 06' 44" E, with the west line of the said 10.00 acre tract, passing at a distance of 210.03 feet a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the northwest corner of the said 0.273 acre right-of-way dedication and continuing for a total distance of 217.96 feet to the POINT OF BEGINNING and containing 11.375 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.
LAI WORD FILE: FN0854(kls)

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of February, May and September 2007, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 11th of December, 2007, A.D.

Loomis Austin, Inc
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 - State of Texas

EXHIBIT B

HCISD Property

Exhibit B-1

Tract 1: Approximately 1.546 acres described below

1.546 Acre
M.M. McCarver League, Sur. 4, A-10
Hays County, Texas

LAI Job No. 020905
FN0868(kls)
Page 1 of 3

FIELD NOTES DESCRIPTION

DESCRIPTION OF 1.546 ACRES OF LAND IN THE M.M. MCCARVER LEAGUE, SURVEY NO. 4, A-10, HAYS COUNTY, TEXAS; BEING A PORTION OF THE CALLED 983.99 ACRE TRACT DESCRIBED AS TRACT 2 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING A PORTION OF THE CALLED 1.1731 ACRE TRACT DESCRIBED IN A DEED TO PLUM CREEK DEVELOPMENT PARTNERS, LTD. OF RECORD IN VOLUME 2363, PAGE 271, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 1.546 ACRE TRACT OF LAND, AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for a re-entrant corner of a called 10.00 acre tract described in a deed to Hays Consolidated Independent School District of record in Volume 2029, Page 661, Official Public Records of Hays County, Texas, and the southeast corner of the said 1.1731 acre tract;

THENCE N 01° 06' 44" W, with the east line of the said 1.1731 acre tract, a distance of 229.89 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the southeast corner and POINT OF BEGINNING of the tract described herein;

THENCE crossing the said 983.99 acre tract and the said 1.1731 acre tract, the following four (4) courses and distances:

1. S 88° 49' 05" W, a distance of 292.50 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the southwest corner of the tract described herein,
2. N 01° 10' 55" W, a distance of 230.21 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the northwest corner of the tract described herein,
3. N 88° 50' 25" E, a distance of 292.78 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the northeast corner of the tract described herein, from which a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the northern northwest corner of the said 10.00 acre tract bears N 88° 50' 25" E, a distance of 109.74 feet, and
4. S 01° 06' 44" E, passing at a distance of 155.48 feet, a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the northeast corner of the said 1.1731 acre tract and continuing for a total distance of 230.09 feet to the POINT OF BEGINNING and containing 1.546 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

LAI WORD FILE: FN0868(kls)

1.546 Acre
M.M. McCarver League, Sur. 4, A-10
Hays County, Texas

LAI Job No. 020905
FN0868(kls)
Page 2 of 3

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of February, May, December 2007, and January 2008, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 17th of March, 2008, A.D.

Loomis Austin, Inc.
Austin, Texas 78746





John D. Barnard
Registered Professional Land Surveyor
No. 5749 - State of Texas

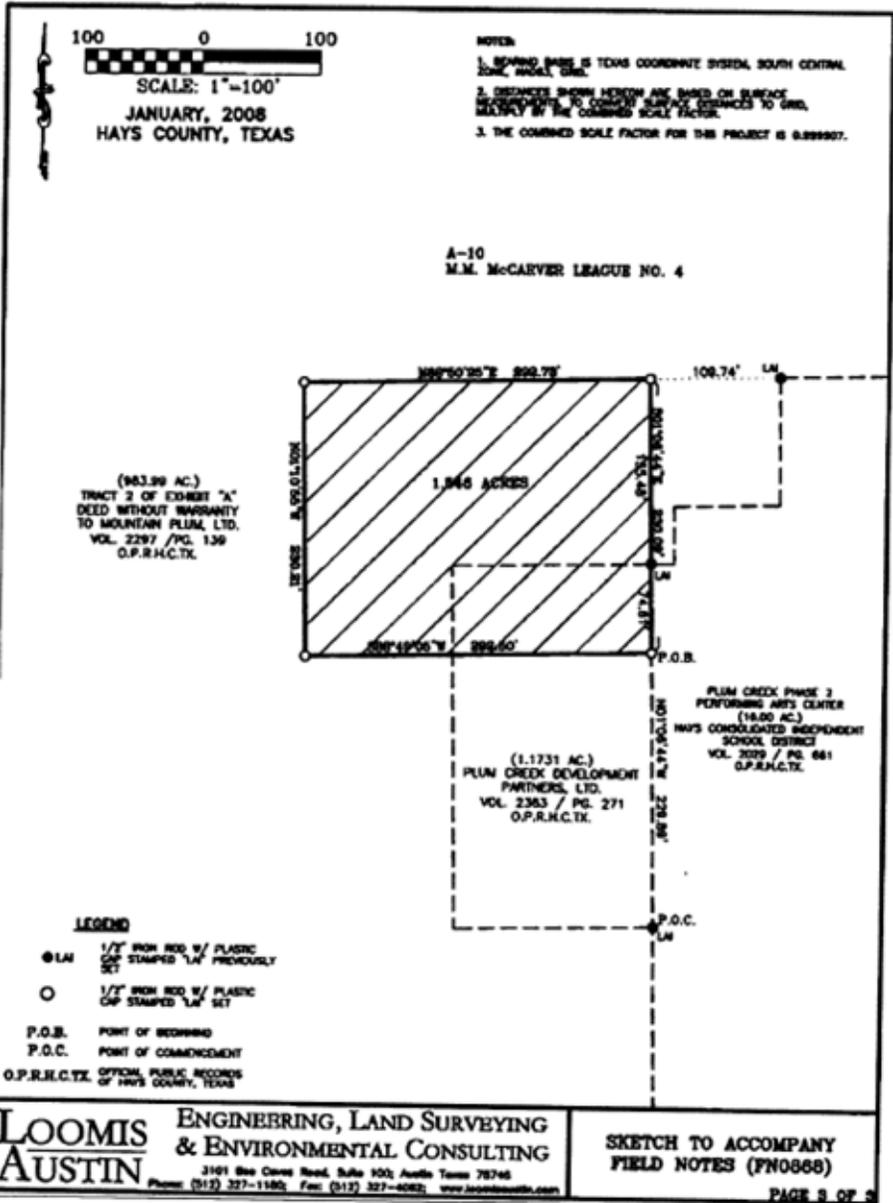


Exhibit B-2

Tract 2: Approximately .122 acres described below

0.122 Acre
M.M. McCarver League, Sur. 4, A-10
Hays County, Texas

LAI Job No. 020905
FN0869(kls)
Page 1 of 2

FIELD NOTES DESCRIPTION

DESCRIPTION OF 0.122 ACRES OF LAND IN THE M.M. MCCARVER LEAGUE, SURVEY NO. 4, A-10, HAYS COUNTY, TEXAS; BEING A PORTION OF THE CALLED 983.99 ACRE TRACT DESCRIBED AS TRACT 2 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 0.122 ACRE TRACT OF LAND, AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the northern northwest corner of a called 10.00 acre tract described in a deed to Hays Consolidated Independent School District of record in Volume 2029, Page 661, Official Public Records of Hays County, Texas, for the northeast corner and **POINT OF BEGINNING** of the tract described herein;

THENCE S 00° 32' 48" E, with a west line of the said 10.00 acre tract, a distance of 107.58 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for a re-entrant corner of the said 10.00 acre tract, for the southeast corner of the tract described herein;

THENCE S 88° 53' 16" W, with a north line of the said 10.00 acre tract, a distance of 48.68 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the southwest corner of the tract described herein, from which a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for a northwest corner of the said 10.00 acre tract bears S 88° 53' 16" W, a distance of 40.36 feet;

THENCE crossing the said 983.99 acre tract, the following two (2) courses and distances:

1. N 01° 06' 44" W, a distance of 107.53 feet to a 1/2 -inch iron rod with plastic cap stamped "LAI" set for the northwest corner of the tract described herein, and
2. N 88° 50' 25" E, a distance of 49.75 feet to the **POINT OF BEGINNING** and containing 0.122 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.
LAI WORD FILE: FN0869(kls)

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of February, May, December 2007, and January 2008, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 17 of March, 2008, A.D.

Loomis Austin, Inc.
Austin, Texas 78746



John D. Barnard
John D. Barnard
Registered Professional Land Surveyor
No. 5749 - State of Texas

H:\Survey\FieldNotes\FN-0800s\FN0869(kls).doc

50 0 50



SCALE: 1"=50'

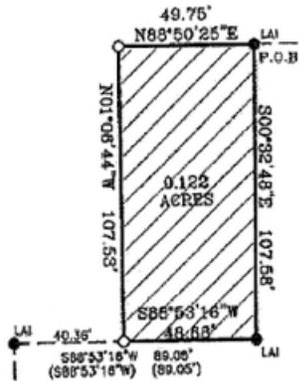
JANUARY, 2008
HAYS COUNTY, TEXAS

NOTES:

1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, GRID.
2. DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS. TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR.
3. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.999997.

A-10
M.M. McCARVER LEAGUE NO. 4

(983.99 AC.)
TRACT 2 OF EXHIBIT "A"
DEED WITHOUT WARRANTY
TO MOUNTAIN PLUM, LTD.
VOL. 2297 / PG. 139
O.P.R.H.C.TX.



PLUM CREEK PHASE 2
PERFORMING ARTS CENTER
(10.00 AC.)
HAYS CONSOLIDATED INDEPENDENT
SCHOOL DISTRICT
VOL. 2029 / PG. 6d1
O.P.R.H.C.TX.

(1.1731 AC.)
PLUM CREEK DEVELOPMENT
PARTNERS, LTD.
VOL. 2363 / PG. 271
O.P.R.H.C.TX.

LEGEND

- LAI 1/2" IRON ROD W/ PLASTIC CAP STAMPED "LAI" PREVIOUSLY SET
- 1/2" IRON ROD W/ PLASTIC CAP STAMPED "LAI" SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- O.P.R.H.C.TX. OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS

**LOOMIS
AUSTIN**

ENGINEERING, LAND SURVEYING
& ENVIRONMENTAL CONSULTING

3101 Bee Caves Road, Suite 100, Austin Texas 78746

Phone: (512) 327-1180; Fax: (512) 327-4092; www.loomis-austin.com

SKETCH TO ACCOMPANY
FIELD NOTES (FN0869)

PAGE 2 OF 2

FILE: H:\Survey\Plum_Crk_Ph2\Section 1-A\Work\Section 1-A Field Note Sketches\FN0869(1)s.dwg
DATE: Mar 17, 2008-2:52pm

EXHIBIT C

UPC1A Property

1. Lot 2, Block A (5.294 Acre), Plum Creek Uptown Phase 1A, Document No. 20039087, in the Official Public Records of Hays County, Texas;
2. Lot 2, Block B (3.579 Acre), Plum Creek Uptown Phase 1A, Document No. 20039087 in the Official Public Records of Hays County, Texas; and,
3. Lot 1, Block C (1.138 acre), Plum Creek Uptown Phase 1A, Document No. 20039087 in the Official Public Records of Hays County, Texas.

EXHIBIT D

UPC1B Property

4. All of Lot 1, Block A (1.340 acre), Plum Creek Uptown Phase 1A, Document No. 20039087, in the Official Public Records of Hays County, Texas, per deed Document No. 20059596, in the Official Public Records of Hays County, Texas;
5. Lot 1, Block B (1.273 acre), Plum Creek Uptown Phase 1A, Document No. 20039087 in the Official Public Records of Hays County, Texas, per deed Document No. 20059596, in the Official Public Records of Hays County, Texas;
6. Lot 1, Block D (4.731 Acre) Plum Creek Uptown Phase 1B, Document No. 23033872 in the Official Public Records of Hays County, Texas;
7. Lot 1, Block E (1.378 acre), Plum Creek Uptown Phase 1B Document No. 23033872 in the Official Public Records of Hays County, Texas;
8. A 4.070 acre portion of a certain called (10.227 acre) Tract 2, Document No. 22031210 in the Official Public Records of Hays County, Texas, described on **Exhibit D-1**;
9. Tract 1 (1.394 acre) conveyed to Uptown at Plum Creek Phase 1B, LLC, under the Special Warranty Deed recorded under Document No. 20059596, in the Official Public Records of Hays County, Texas; described on **Exhibit D-2**;

Exhibit D-1

Exhibit D-2

County: Hays
Project: Plum Creek Uptown Phase 1A
Project No.: 30194242.00

Page 1 of 2
November 5, 2019

EXHIBIT "A"

TRACT 2 - BEING 1.394 ACRES OF LAND, MORE OR LESS, BEING OUT OF AND A PART OF THE M.M. McCARVER SURVEY NO. 4, ABSTRACT NO. 10, IN THE CITY OF KYLE, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED AS TRACT NO. 2 IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.T.); SAID 1.394 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found with a cap stamped "LAI" in the north line of that certain 5.002 acre tract of land being described as Tract 3, Parcel One in a Special Warranty Deed to PC Operating Partners, Ltd., of record in Volume 5233, Page 198, O.P.R.H.C.T.; from which point a 1/2-inch iron rod found with a cap stamped "LAI" at an interior ell corner in said north line of said 5.002 acre tract bears, North 88°50'50" East, a distance of 43.33 feet;

THENCE, over and across a remainder of said Tract 2, the following six (6) courses and distances:

1. North 01°11'10" West, with the east line of a proposed right-of-way, a distance of 260.52 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509";
2. North 01°11'10" West, a distance of 75.00 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509";
3. North 01°11'10" West, with said east line of a proposed right-of-way, a distance of 255.81 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509";
4. North 88°53'16" East, a distance of 284.52 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509 in the west line of a proposed right-of-way;
5. North 01°06'44" West, with said west line of a proposed right-of-way, a distance of 15.53 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509; and
6. North 88°53'16" East, over and across a proposed right-of-way, a distance of 78.00 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509 in the easterly line of said proposed right-of-way for the **POINT OF BEGINNING** and southwest corner of the tract described herein;

THENCE, with the west line of the tract described herein, continuing over and across the remainder of said Tract 2, with the east line of a proposed right-of-way, the following two (2) courses and distances:

1. 266.59 feet along the arc of a curve to the left, with a radius of 389.00 feet, a central angle of 39°15'58", and whose chord bears, North 20°44'43" West, a distance of 261.40 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509"; and
2. North 40°22'42" West, a distance of 53.44 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509" at the intersection of two proposed rights-of-way, for the northwest corner of the tract described herein;

Exhibit D-1

THENCE, with the north line of the tract described herein, continuing over and across said remainder of Tract 2 described in Volume 2297, Page 139, O.P.R.H.C.T., with the south line of a proposed right-of-way, the following two (2) courses and distances:

1. 132.26 feet along the arc of a curve to the right, with a radius of 215.00 feet, a central angle of $35^{\circ}14'49''$, and whose chord bears, North $71^{\circ}13'17''$ East, a distance of 130.19 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509"; and
2. North $88^{\circ}50'41''$ East, a distance of 68.04 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509" for the northeast corner of the tract described herein;

THENCE, with the east line of the tract described herein, continuing over and across said Tract 2, 349.01 feet along the arc of a curve to the right, with a radius of 564.00 feet, a central angle of $35^{\circ}27'20''$, and whose chord bears, South $18^{\circ}50'16''$ East, a distance of 343.47 feet to a 5/8-inch iron rod set with a plastic cap stamped "WGI 10194509", for the southeast corner of the tract described herein;

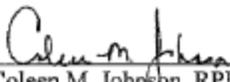
THENCE, with the south line of the tract described herein, continuing over and across said Tract 2, South $88^{\circ}53'39''$ West, a distance of 175.00 feet to the **POINT OF BEGINNING** and containing 1.394 acres of land within these metes and bounds.

NOTES:

Basis of bearings is the Texas Coordinate System of 1983, Central Zone 4203 (NAD83/2011). All distances shown hereon are grid. Units: U.S. Survey Feet.

There is a survey plat of even date herewith.

I, Coleen M. Johnson, a Registered Professional Land Surveyor, do hereby certify that this description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision. The field work was completed on October 28, 2019.



Coleen M. Johnson, RPLS
Registered Professional Land Surveyor
Texas Registration No. 4871
Wantman Group, Inc.
2021 East 5th Street, Suite 200
Austin, Texas 78702
TBPELS Survey Firm Nos. 10194451 & 10194509

Nov. 5, 2019
Date



EXHIBIT E

City Property

A 5.404 acre portion of Lot 1, Heroes Memorial Park (5.544 Acre), Document No. 22012717 in the Official Public Records of Hays County, Texas, owned by the City

AFTER RECORDING RETURN TO:

Jennifer Cook Purcell, Esq.
Law Office of Jennifer Cook Purcell, PLLC
1302 Thaddeus Cove
Austin, Texas 78746
jenny@jcplaw.co

**FOURTH AMENDMENT OF THE
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT PERFORMING ARTS CENTER**

This Fourth Amendment of the Declaration of Covenants, Conditions, and Restrictions for Hays Consolidated Independent School District Performing Arts Center (“**Fourth Amendment**”) is made and executed by PLUM CREEK DEVELOPMENT PARTNERS, LTD., a Texas limited partnership (“**Declarant**”) and the BOARD OF TRUSTEES OF HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, an independent school district and political subdivision of the State of Texas (“**HCISD**”), and is as follows:

1. HCISD and the Declarant previously executed that certain Declaration of Covenants, Conditions, and Restrictions for Hays Consolidated Independent School District Performing Arts Center, recorded in Document 02018954; Book 2029, Page 625, Official Public Records of Hays County, Texas, as amended by that Amendment to Declaration of Covenants, Conditions and Restrictions for Hays Consolidated Independent School District Performing Arts Center and Facilities Use Agreement, recorded in Document 03038729; Book 2363, Page 261, Official Public Records of Hays County, Texas, as amended by that First Amendment to Declaration of Covenants, Conditions and Restrictions for Hays Consolidated Independent School District Performing Arts Center, recorded in Document 80001113; Book 3316, Page 51, Official Public Records of Hays County, Texas; as amended by that Second Amendment of Declaration of Covenants, Conditions and Restrictions for Hays Consolidated Independent School District Performing Arts Center, recorded in Document 21062335, Official Public Records of Hays County, Texas, as such may be amended from time to time (collectively, the “**Declaration**”). The Declaration currently encumbers the Property (as such term is defined in the Declaration).

2. Pursuant to *Section 6.2* of the Declaration, the Declaration can be amended at any time and from time to time by a writing signed by both the Declarant and the HCISD.

3. In connection with the foregoing, Declarant and HCISD hereby desire to amend the Declaration to add, with the exception of any publicly dedicated right-of-way located within or upon such parcels of land including but not limited to any portion of the Everett Street or Doherty Street (collectively, the “**ROW**”), those approximate 1.546 acres and .122 acre parcels of land more particularly described under Exhibit “A”, attached and incorporated herewith (collectively, the “**Land**”) to the Property (as such term is defined in the Declaration), so that such Land is further encumbered by the Declaration, and as more specifically set forth in this Fourth Amendment below.

AGREEMENT:

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarant and HCISD hereby amend the Declaration, as follows:

1. Recitals Incorporated. The recitals above are incorporated herein and specifically made a part of this Fourth Amendment.

2. Addition of Land. Upon the recordation of this Fourth Amendment in the Official Public Records of Hays County, Texas, the Land, as more particularly described in Exhibit "A" attached hereto and made a part of for all purposes, excluding any ROW located within or upon such Land, is hereby added to and made a part of the Property (as such term is defined under the Declaration) and is hereby subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens, and charges of the Declaration, which shall apply to and encumber the Land.

3. Duration. *Section 6.1* of the Declaration is hereby deleted in its entirety and is replaced with the following:

"Section 6.1 Duration. This Declaration and the covenants, restrictions, charges and liens set out herein shall run with and bind the Property and shall inure to the benefit of and be enforceable by the Declarant and its successors and assigns, for a term beginning on the date this Declaration is recorded in the Official Public Records of Hays County, Texas, and continuing through and including January 1, 2064, after which time this Declaration will be automatically extended for successive periods of ten (10) years unless a change (the word "change" meaning a termination, or change of term or renewal term) is approved by the Owner, the Declarant, or their assignees.

4. Duration. *Section 6.4* of the Declaration is hereby deleted in its entirety and is replaced with the following:

"Section 6.4 Notices. Any notice permitted or required to be given by this Declaration must be in writing and shall be served on the parties to this Declaration. Any such notices shall, unless otherwise provided herein, be given or served (a) by depositing the same in the United States mail, postage paid, certified and addressed to the party to be notified, with return receipt requested, (b) by overnight delivery using a nationally recognized overnight courier, (c) by personal delivery, or (d) by electronic mail addressed to the electronic mail address for the party to be notified with a confirmation copy delivered by another method permitted under this *Section 6.4 (a), (b), or (c)*. Notice given in accordance herewith for all permitted forms of notice other than by electronic mail, shall be effective upon the earlier to occur of actual delivery to the address of the addressee

or refusal of receipt by the addressee (even if such addressee refuses delivery thereof). Notice given by electronic mail in accordance herewith shall be effective upon the entrance of such electronic mail into the information processing system designated by the recipient's electronic mail address. A party's address may be changed by written notice to the other party; provided, however, that no notice of a change of address shall be effective until actual receipt of such notice."

5. Miscellaneous. Capitalized terms used but not defined in this Fourth Amendment will have the meaning subscribed to such terms in the Declaration. This Fourth Amendment may be executed in multiple counterparts, all of which, in the aggregate, shall constitute a single instrument even though all parties may not have executed the same counterpart. Unless expressly amended by this Fourth Amendment, all other terms and provisions of the Declaration shall remain in full force and effect as written and are hereby ratified and confirmed.

[Signature Page Attached]

EXECUTED to be effective as of the date this Fourth Amendment is recorded in the Official Public Records of Hays County, Texas.

DECLARANT:

PLUM CREEK DEVELOPMENT PARTNERS, LTD.,
a Texas limited partnership

By: PCDP General Partner, LLC,
a Texas limited liability company,
its General Partner

By: _____
Richard B. Negley, Manager

By: _____
Thomas J. Smith, Manager

By: MountainCityLand, LLC,
a Texas limited liability company,
its Manager

By: _____
Name: Laura Negley Gill
Title: Manager

[Acknowledgments on Following Page]

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on this _____ day of _____, 2024, by Richard B. Negley, Manager of MP General, L.L.C., a Texas limited liability company, General Partner of Mountain Plum, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

(seal)

Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on this _____ day of _____, 2024, by Thomas J. Smith, Manager of MP General, L.L.C., a Texas limited liability company, General Partner of Mountain Plum, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

(seal)

Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on this _____ day of _____, 2024, by Laura Negley Gill, Manager of MountainCityLand, LLC, a Texas limited liability company, Manager of MP General, L.L.C., a Texas limited liability company, General Partner of Mountain Plum, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

(seal)

Notary Public, State of Texas

DECLARANT:

MOUNTAIN PLUM, LTD.,
a Texas limited partnership

By: MP General, L.L.C.,
a Texas limited liability company,
its General Partner

By: _____
Richard B. Negley, Manager

By: _____
Thomas J. Smith, Manager

By: MountainCityLand, LLC,
a Texas limited liability company,
its manager

By: _____
Name: Laura Negley Gill
Title: Manager

[Acknowledgments on Following Page]

HCISD:

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

By: _____
Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF §

Before me, the undersigned authority, on this day personally appeared _____, _____, of the Hays Consolidated Independent School District, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that [s]he executed the same in the capacity and for the purposes and consideration therein expressed.

Given under my hand and seal of office this ____ day of _____, 2024.

Notary Public, State of Texas

Exhibit "A"

Legal Description of the Land

Tract 1: Approximately 1.546 acres described below

1.546 Acre
M.M. McCarver League, Sur. 4, A-10
Hays County, Texas

LAI Job No. 020905
FN0868(kls)
Page 1 of 3

FIELD NOTES DESCRIPTION

DESCRIPTION OF 1.546 ACRES OF LAND IN THE M.M. MCCARVER LEAGUE, SURVEY NO. 4, A-10, HAYS COUNTY, TEXAS; BEING A PORTION OF THE CALLED 983.99 ACRE TRACT DESCRIBED AS TRACT 2 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING A PORTION OF THE CALLED 1.1731 ACRE TRACT DESCRIBED IN A DEED TO PLUM CREEK DEVELOPMENT PARTNERS, LTD. OF RECORD IN VOLUME 2363, PAGE 271, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 1.546 ACRE TRACT OF LAND, AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½-inch iron rod with plastic cap stamped "LAI" previously set for a re-entrant corner of a called 10.00 acre tract described in a deed to Hays Consolidated Independent School District of record in Volume 2029, Page 661, Official Public Records of Hays County, Texas, and the southeast corner of the said 1.1731 acre tract;

THENCE N 01° 06' 44" W, with the east line of the said 1.1731 acre tract, a distance of 229.89 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for the southeast corner and POINT OF BEGINNING of the tract described herein;

THENCE crossing the said 983.99 acre tract and the said 1.1731 acre tract, the following four (4) courses and distances:

1. S 88° 49' 05" W, a distance of 292.50 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for the southwest corner of the tract described herein,
2. N 01° 10' 55" W, a distance of 230.21 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for the northwest corner of the tract described herein,
3. N 88° 50' 25" E, a distance of 292.78 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for the northeast corner of the tract described herein, from which a ½-inch iron rod with plastic cap stamped "LAI" previously set for the northern northwest corner of the said 10.00 acre tract bears N 88° 50' 25" E, a distance of 109.74 feet, and
4. S 01° 06' 44" E, passing at a distance of 155.48 feet, a ½-inch iron rod with plastic cap stamped "LAI" previously set for the northeast corner of the said 1.1731 acre tract and continuing for a total distance of 230.09 feet to the POINT OF BEGINNING and containing 1.546 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

LAI WORD FILE: FN0868(kls)

1.546 Acre
M.M. McCarver League, Sur. 4, A-10
Hays County, Texas

LAI Job No. 020905
FN0868(kls)
Page 2 of 3

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of February, May, December 2007, and January 2008, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 17th of March, 2008, A.D.

Loomis Austin, Inc.
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 - State of Texas

Tract 2: Approximately .122 acres described below

0.122 Acre
M.M. McCarver League, Sur. 4, A-10
Hays County, Texas

LAI Job No. 020905
FN0869(kls)
Page 1 of 2

FIELD NOTES DESCRIPTION

DESCRIPTION OF 0.122 ACRES OF LAND IN THE M.M. MCCARVER LEAGUE, SURVEY NO. 4, A-10, HAYS COUNTY, TEXAS; BEING A PORTION OF THE CALLED 983.99 ACRE TRACT DESCRIBED AS TRACT 2 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 0.122 ACRE TRACT OF LAND, AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for the northern northwest corner of a called 10.00 acre tract described in a deed to Hays Consolidated Independent School District of record in Volume 2029, Page 661, Official Public Records of Hays County, Texas, for the northeast corner and **POINT OF BEGINNING** of the tract described herein;

THENCE S 00° 32' 48" E, with a west line of the said 10.00 acre tract, a distance of 107.58 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for a re-entrant corner of the said 10.00 acre tract, for the southeast corner of the tract described herein;

THENCE S 88° 53' 16" W, with a north line of the said 10.00 acre tract, a distance of 48.68 feet to a 1/2-inch iron rod with plastic cap stamped "LAI" set for the southwest corner of the tract described herein, from which a 1/2-inch iron rod with plastic cap stamped "LAI" previously set for a northwest corner of the said 10.00 acre tract bears S 88° 53' 16" W, a distance of 40.36 feet;

THENCE crossing the said 983.99 acre tract, the following two (2) courses and distances:

1. N 01° 06' 44" W, a distance of 107.53 feet to a 1/2 -inch iron rod with plastic cap stamped "LAI" set for the northwest corner of the tract described herein, and
2. N 88° 50' 25" E, a distance of 49.75 feet to the **POINT OF BEGINNING** and containing 0.122 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.
LAI WORD FILE: FN0869(kls)

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the month of February, May, December 2007, and January 2008, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 17 of March, 2008, A.D.

Loomis Austin, Inc.
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 - State of Texas

H:\Survey\FieldNotes\FN-0800s\FN0869(kls).doc

50 0 50



SCALE: 1"=50'

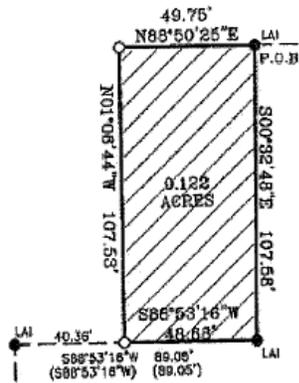
JANUARY, 2008
HAYS COUNTY, TEXAS

NOTES:

1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, GRID.
2. DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS. TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR.
3. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.999907.

A-10
M.M. McCARVER LEAGUE NO. 4

(983.99 AC.)
TRACT 2 OF EXHIBIT "A"
DEED WITHOUT WARRANTY
TO MOUNTAIN PLUM, LTD.
VOL. 2297 / PG. 139
O.P.R.H.C.TX.



PLUM CREEK PHASE 2
PERFORMING ARTS CENTER
(10.00 AC.)
HAYS CONSOLIDATED INDEPENDENT
SCHOOL DISTRICT
VOL. 2029 / PG. 661
O.P.R.H.C.TX.

(1.1731 AC.)
PLUM CREEK DEVELOPMENT
PARTNERS, LTD.
VOL. 2363 / PG. 271
O.P.R.H.C.TX.

LEGEND

- LAI 1/2" IRON ROD W/ PLASTIC CAP STAMPED "LAI" PREVIOUSLY SET
- 1/2" IRON ROD W/ PLASTIC CAP STAMPED "LAI" SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- O.P.R.H.C.TX. OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS

**LOOMIS
AUSTIN**

ENGINEERING, LAND SURVEYING
& ENVIRONMENTAL CONSULTING

3101 Bee Caves Road, Suite 100, Austin Texas 78746

Phone: (512) 327-1180; Fax: (512) 327-4062; www.loomisustin.com

SKETCH TO ACCOMPANY
FIELD NOTES (FN0869)

PAGE 2 OF 2

FILE: H:\Survey\Plum_Crk_Ph2\Section 1-A\Work\Section 1-A Field Note Sketches\FN0869(kls).dwg
DATE: Mar 17, 2008-2:52pm

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

Date: May 13, 2024

Agenda Item: Q.1

Board Goal: Goal #1 – Student Achievement Goal

Subject: First Reading – Proposed Revision to Policy FFAC (LOCAL) – Medical Treatment

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer

A. Purpose of Agenda Item:

Action needed Information only Receive input

B. Authority for This Action:

Local Policy: FFAC Law or Rule N/A

C. Goal or Need Addressed:

Aligned with the district’s goal for student achievement, this item proposes amendments to FFAC (LOCAL) that clarify how the district supports student health while at school.

D. Summary:

Previous board action relating to this item –
 Future action anticipated – Adoption of revised policy anticipated in May 2024
 Background information – FFAC (local) policy update from November 28, 2023 does not allow the school district to purchase nonprescription medication to administer to students nor student athletes according to the standing orders from the medical advisor. These nonprescription medications are meant to be given on an emergency and first aid basis to students whose parents have given consent on registration for first aid and medical treatment. Hays CISD Nurses and Athletic Trainers are allowed to give certain nonprescription medications according to standing orders signed by the Hays CISD Medical Advisor and athletic trainer physician.

E. Comments Received:

Cabinet DLT FBOC Teacher Org. Reps. Other: Legal Counsel and TASB

F. Administrative Recommendation:

No recommendation requested at this time. This item will be brought to the Board for approval on May 20, 2024.

G. Fiscal Impact and Cost: Amount: \$1700

Budget Bond Grant/Special Funds Other
Prior Year Spending -
Future/Ongoing -

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Marivel Sedillo, Chief Academic Officer

I. Suggested Motion:

No motion needed. This item is presented for information and discussion only.

PROPOSED REVISIONS

No employee shall give any student prescription medication, non-prescription medication, herbal substances, anabolic steroids, or dietary supplements of any type, except as authorized by this or other District policy.

Medication Provided by Parent

The Superintendent shall designate the employees who are authorized to administer medication that has been provided by a student's parent. An authorized employee is permitted to administer the following medication in accordance with administrative regulations:

1. Prescription medication in accordance with legal requirements.
2. Nonprescription medication, upon a parent's written request, when properly labeled and in the original container.
3. Herbal substances or dietary supplements provided by the parent and only if required by the individualized education program or Section 504 plan for a student with disabilities.

Medication Provided by District

Except as required by law and provided by this policy, the District shall not purchase medication to administer to a student.

Emergency Basis

The District shall purchase certain nonprescription medications to administer to students only on an emergency basis and in accordance with:

1. Protocols established by the District's medical adviser who must be licensed to practice medicine in the state of Texas; and
2. Parental consent given on the emergency treatment form.

The Superintendent shall designate the employees who are authorized to administer nonprescription medication under these protocols and permissions.

Athletic Program

The District shall purchase nonprescription medication that may be used to prevent or treat illness or injury in the District's athletic program. Only a licensed athletic trainer or a physician licensed to practice medicine in the state of Texas may administer this medication and may do so only if:

1. The District has prior written consent for medication to be administered [see Medical Treatment, below]; and
2. The administration of a medication by an athletic trainer is in accordance with a standing order or procedures approved by

	<p><u>a physician licensed to practice medicine in the state of Texas.</u></p>
Epinephrine	<p>The District authorizes school personnel who have agreed in writing and been adequately trained to administer an unassigned epinephrine auto-injector in accordance with law and this policy. Administration of epinephrine shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing anaphylaxis.</p>
<i>On Campus</i>	<p>Authorized and trained individuals may administer an unassigned epinephrine auto-injector at any time to a person experiencing anaphylaxis on a school campus.</p> <p>The District shall ensure that at each campus a sufficient number of authorized individuals are trained to administer epinephrine so that at least one trained individual is present on campus during all hours the campus is open. In accordance with state rules, the campus shall be considered open for this purpose during regular on-campus school hours and whenever school personnel are physically on site for school-sponsored activities.</p>
<i>Maintenance, Availability, and Training</i>	<p>The Superintendent shall develop administrative regulations designating a coordinator to manage policy implementation and addressing annual training of authorized individuals in accordance with law; procedures for auto-injector use; and acquisition or purchase, maintenance, expiration, disposal, and availability of unassigned epinephrine auto-injectors at each campus.</p>
<i>Notice to Parents</i>	<p>In accordance with law, the District shall provide notice of the policy to parents regarding the epinephrine program, including notice of any change to or discontinuation of this program.</p>
Opioid Antagonist	<p>This provision shall be applicable to every campus.</p>
<i>On Campus</i>	<p>The District authorizes school personnel who have been adequately trained to administer an opioid antagonist in accordance with law and this policy. Administration of an opioid antagonist shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing an opioid-related overdose.</p> <p>Each applicable campus shall have at least one individual who is authorized and trained to administer an opioid antagonist present during regular school hours.</p>
<i>Maintenance, Availability, Training, and Reporting</i>	<p>Each applicable campus shall have at least two unused, unexpired opioid antagonist doses available.</p>

All opioid antagonists shall be stored in a secure location and shall be easily accessible by individuals who are authorized and trained to administer an opioid antagonist.

The Superintendent shall develop administrative regulations addressing acquisition, maintenance, expiration, and disposal of opioid antagonists in the District, as well as reporting, employee training, and emergency notification requirements.

Psychotropics

Except as permitted by law, an employee shall not:

1. Recommend to a student or a parent that the student use a psychotropic drug;
2. Suggest a particular diagnosis; or
3. Exclude the student from a class or a school-related activity because of the parent's refusal to consent to psychiatric evaluation or examination or treatment of the student.

Medical Treatment

A student's parent, legal guardian, or other person having lawful control shall annually complete and sign a form that provides emergency information and addresses authorization regarding medical treatment. A student who has reached age 18 shall be permitted to complete this form.

The District shall seek appropriate emergency care for a student as required or deemed necessary.

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

Date: May 20, 2024

Agenda Item: Q.2

Board Goal: Safety & Security

Subject: Discussion of Districtwide Intruder Detection Audit Report Findings

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. Summary:**
 Previous board action relating to this item -
 Future action anticipated – As needed
 Background information – Discussion of the Districtwide Intruder Detection Audit Report Findings.
- 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: May 20, 2024

Agenda Item: Q.3

Board Goal: Safety & Security

Subject: Update on District Safety & Security Initiatives

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. Summary:

Previous board action relating to this item -

Future action anticipated – As needed

Background information – Provide the Hays CISD Board of Trustees routine updates regarding an overview of general safety and security initiatives.

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: May 20, 2024

Agenda Item: Q.4

Board Goal: Community Relations

Subject: Update on Bond, Construction, and Renovation Projects

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

E. Suggested Motion

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

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

Date: May 20, 2024

Agenda Item: Q.5

Board Goal: Finance

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.

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

Date: May 20, 2024

Agenda Item: R

Board Goal: N/A

Subject: Requests for Information from the Board of Trustees

Administrator Responsible/Position:

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 Board shall request information as needed.

D. Administrative Recommendation: N/A

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

Date: May 20, 2024

Agenda Item: S

Board Goal: N/A

Subject: Recap of Questions from Board Meeting

Administrator Responsible/Position:

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 Board shall request information as needed.

D. Administrative Recommendation: N/A

**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*