

Agenda of Special Meeting

The Board of Trustees Seguin ISD

A Special Meeting of the Board of Trustees of Seguin ISD will be held May 31, 2023, beginning at 6:30 PM in the Board Room, 1221 E Kingsbury, Seguin, TX 78155.

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

1. **Call to Order**

- A. Establish Quorum
- B. Announcement that this meeting of the Seguin Independent School District has been duly called and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Section 551.043 of the Texas Government Code.
- C. Pledges to the United States Flag and Texas Flag. Moment of silence.

2. **Audience with the Board**

The Seguin ISD Board of Trustees designates a time for audience participation at the beginning of each meeting to hear persons who desire to make comments. In accordance with Board Policy BED(Local):

- A. those wishing to speak shall sign up before the meeting begins stating the concern or noting the agenda item they wish to address; audience participation is limited to five minutes; the Board shall not deliberate any subject that is not on the posted agenda.

3. **Action Item:**

- A. Consideration and Possible Action, Including Adoption of a Resolution 3
Approving the Purchase of Approximately 42 Acres of Real Property
Located at 407 Patricia Park Court, Seguin, Texas and Delegate
Authority to the Superintendent to Negotiate and Execute the Necessary
Documents to Effectuate the Purchase of Said Property

4. **Budget Workshop:**

- A. 2023-2024 Budget Development Update

5. **Closed Session:** Board will adjourn into closed session pursuant to the following sections of the Texas Open Meetings Act

- A. Pursuant to Texas Government Code Section §§§ 551.071, 551.074, 551.129 - Consultation with legal counsel including possible telephone consultation with legal counsel, as necessary, to address legal concerns, implications, and answer any legal questions regarding posted agenda items.
- B. Pursuant to Texas Government Code Section § 551.074 - Discuss personnel matters, including appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a employee(s).

C. Pursuant to Texas Government Code Section § 551.072 - Discuss the sale, purchase, exchange, lease, or value of real property.

6. **Adjourn**

ACTION ITEM:

Consideration and Possible Action, Including Adoption of a Resolution Approving the Purchase of Approximately 42 Acres of Real Property Located at 407 Patricia Park Court, Seguin, Texas and Delegate Authority to the Superintendent to Negotiate and Execute the Necessary Documents to Effectuate the Purchase of Said Property

RECOMMENDATION:

That the Board approve the attached resolution authorizing the purchase of approximately 42 acres of real property located at 407 Patricia Park Court, Seguin, Texas at a price of \$1,971,000 and delegate authority to the Superintendent to negotiate and execute the necessary documents to effectuate the purchase of said property.

RATIONALE:

The District intends to use available funds from the 2022 Bond for the acquisition of a 42 acre land tract. A future middle school will be constructed on the site to accomodate anticipated growth in student enrollment. The Public Property Finance Act (Local Government Code Chapter 271, Subchapter A) does not include cash purchases of real property made with moneys from available funds. *Bandera v. Hamilton*, 2 S.W.3d 367 (Tex. App.—San Antonio 1999, pet. denied).

REFERENCE and COMPLIANCE:

CHG (LEGAL) - Purchasing and Acquisition: Real Property and Improvements

BUDGET IMPACT / INFORMATION:

None


EXHIBITS:

Exhibit 1 - Resolution Authorizing the Purchase of Real Property

RESOURCE PERSONNEL:

Anthony Hillberg, Chief Financial Officer, CPA, RTSBA

Submitted by:
(Signature)
(Name)
(Address)
(Telephone)


Date Submitted: 05/31/23
Dr. Matthew Gutierrez, Superintendent
1221 E. Kingsbury St., Seguin, TX 78155
(830) 401-8614

**RESOLUTION OF THE BOARD OF TRUSTEES
OF
SEGUIN INDEPENDENT SCHOOL DISTRICT**

WHEREAS, the Board of Trustees of **SEGUIN INDEPENDENT SCHOOL DISTRICT** desires to purchase that certain real property composed of approximately 42 acres of real property located at 407 Patricia Park Court, Seguin, Texas, from **GREEN DOG DEVELOPMENT, LLC**, a Texas limited liability company; and

WHEREAS, the Board of Trustees desires to delegate authority to Dr. Matthew Gutierrez, Superintendent, to negotiate, have prepared, and to execute an *Purchase and Sale Agreement*, and any and all other documents and instruments necessary to effectuate and complete the purchase and financing of said property, following approval by legal counsel.

NOW, THEREFORE, the Board of Trustees of Seguin Independent School District at a lawfully called meeting of the Board, held in compliance with the Texas Open Meetings Act, does hereby adopt the following Resolutions:

BE IT HEREBY RESOLVED THAT:

Dr. Matthew Gutierrez, Superintendent, is hereby authorized and empowered, in the name and on behalf of Seguin Independent School District, to negotiate, have prepared and to execute the *Purchase and Sale Agreement*, and all other documents and instruments necessary to effectuate and complete the purchase and financing of said property, following approval by legal counsel.

IT IS FURTHER RESOLVED, that execution of this Resolution shall be evidence of the Board's approval of this action and of the authority granted herein.

PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF TRUSTEES OF SEGUIN INDEPENDENT SCHOOL DISTRICT, ON THIS, THE _____ DAY OF _____, 2023.

[Signature Page to Follow]

SEGUIN INDEPENDENT SCHOOL DISTRICT

Members voting in favor of the Resolution:

Cinde Thomas-Jimenez

Carl Jenkins

Joshua Bright

Alejandro Guerra

Linda Duncan

Denise Crettenden

Benito Amador

ATTESTATION

The undersigned, being the Secretary of the Board of Trustees of Seguin Independent School District, hereby certifies that the foregoing represents a true copy of a Resolution of the Board of Trustees, duly held on _____, 2023, which Resolution is in full force and effect and has not been revoked or amended.

Secretary ___ / ___ / ___