

Agenda of Special Meeting

The Board of Trustees Seguin ISD

A Special Meeting of the Board of Trustees of Seguin ISD will be held August 15, 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. Consider and Approve Modifications to Board Policy (LOCAL) 3
Delegating Authority to the Superintendent to Take Action in
Compliance with Chapters 2254 and 2269 of the Government Code

4. **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.

5. **Reconvene to Open Meeting,** the Board will take appropriate action on items, if necessary, as discussed in Closed Session

A. Possible action on professional personnel, including appointment, employment, evaluation, assignment, duties, discipline or dismissal of a public employee(s).

6. **Adjourn**

ACTION ITEM: **Consider and Approve Modifications to Board Policy (LOCAL) Delegating Authority to the Superintendent to Take Action in Compliance with Chapters 2254 and 2269 of the Government Code**

RECOMMENDATION: That the Board of Trustees review and approve the updated (LOCAL) policy as recommended by District administration. The proposed local policy updates have been evaluated by the Texas Association of School Boards (TASB) and District legal counsel.

RATIONALE: Revisions to the attached local policy will streamline the process of formal contract negotiations and execution. The adjustments will facilitate increased operational efficiency, deemed critical by District administration, in light of multiple construction and bond-related projects planned in the coming months.

The delegation of authority over certain contract-related matters, as presented, is compliant with Chapter 44 of the Texas Education Code, and Chapters 2254 and 2269 of the Texas Government Code.

REFERENCE and COMPLIANCE: BF (LOCAL) BOARD MEMBERS: ETHICS, BF (LOCAL) BOARD POLICIES, BP (LOCAL) ADMINISTRATIVE REGULATIONS

BUDGET IMPACT / INFORMATION: None.

EXHIBITS: Board Policy CV (LOCAL) with modification presented in blue.

RESOURCE PERSONNEL: Anthony Hillberg, Chief Financial Officer, CPA, RTSBA

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



Date Submitted: 08/15/23

Dr. Matthew Gutierrez, Superintendent
1221 E. Kingsbury St., Seguin, TX 78155
(830) 401-8614

FACILITIES CONSTRUCTION

CV
(LOCAL)

Compliance with Law

The Superintendent shall establish procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.

Construction Contracts

Prior to advertising, the **Board District** shall determine the project delivery/contract award method to be used for each construction contract valued at or above \$50,000. To assist the Board, the Superintendent shall recommend the project delivery/contract award method that he or she determines provides the best value to the District. [See CV series generally and CBB(LEGAL) for requirements if federal funds are involved.]

For construction contracts valued at or above \$50,000, the Superintendent shall ~~also submit the resulting contract to the Board for approval~~ adhere to the guidelines as established by the **Delegation of Authority herein**. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the Superintendent and consistent with law and policy. [See also CH and CBB(LEGAL)]

Delegation of Authority

The Board of Trustees delegates to the Superintendent, or his designee, authority to take actions necessary to comply with Chapter 44 of the Texas Education Code, and Chapters 2254 and 2269 of the Texas Government Code as follows:

- to determine the construction delivery method offering the best value to the District;
- to prepare and issue requests for qualifications and proposals;
- to evaluate responses, proposals, and qualifications submitted by architects, engineers, contractors, and other construction services providers in order to **make recommendations to the Board** regarding the award of contracts;
- and upon approval of such recommendations, to negotiate and execute contracts with the selected firms on terms beneficial to and on behalf of the District. The Superintendent shall be authorized to make the determination that the district is unable to negotiate a satisfactory contract with the selected provider and is further authorized to provide such notice, and to commence negotiations with the next most highly qualified or next highest ranked provider.

[See also CH and CV series generally]

Note: For provisions regarding delegation of authority for construction contracts in the event of a catastrophe, emergency, or natural disaster affecting the District, see CH(LOCAL).

Change Orders

Change orders permitted by law shall be approved by the Board or its designee prior to any changes being made in the approved plans or the actual construction of the facility.

Project Administration

All construction projects shall be administered by the Superintendent or designee.

The Superintendent shall keep the Board informed concerning construction projects and also shall provide information to the general public.

Final Payment

The District shall not make final payments for construction or the supervision of construction until the work has been completed and the Superintendent has accepted the work.