

**The Board of Trustees
Aledo ISD
Agenda of Special Meeting**

A Special Meeting of the Board of Trustees of Aledo ISD will be held November 4, 2020, beginning at 6:00 PM in the Aledo ISD Administration Board Room, 1008 Bailey Ranch Rd, Aledo, TX 76008.

**Aledo Independent School District Vision
Growing Greatness through exceptional experiences that empower learners for life**

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.

Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

If, during the course of the meeting covered by this agenda, the Board should determine that a closed session of the Board should be held or is required in relation to any item included on this agenda, then such closed session as authorized by Section 551.001 et seq of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this agenda or as soon after the commencement of the meeting covered by this agenda as the Board may conveniently meet in such closed session concerning any and all subjects and for any and all purposes permitted by Sections 551.071 – 551.084, inclusive, of the Open Meetings Act.

I. Call To Order

Hoyt Harris, President

II. Determine a Quorum

III. Update on COVID-19 Impact on District Operations and Community Needs 3

Susan K Bohn, Superintendent

A. Resolution Delegating Authority to the Superintendent to Act in Place of the Board of Trustees
During an Emergency or Disaster Due to COVID-19

Susan K Bohn, Superintendent

IV. Public Comment on Non-Agenda Item

Hoyt Harris, President

V. Public Comment on Agenda Item

Hoyt Harris, President

VI. Action Items

A. Consider Approval of Resolution Authorizing Sale of Real Property: Approximately 8
Eighty (80) Acres on Old Weatherford Road

Susan K Bohn, Superintendent; Earl Husfeld, Chief Financial Officer

B. Consider Approval of Coronavirus Relief Fund Interlocal Cooperation Agreement 13
Between Parker County and Aledo ISD

Earl Husfeld, Chief Financial Officer

VII. Executive Session

Hoyt Harris, President

- A. Section 551.074 - Personnel Matters- The Board will discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public employees or officials. (This may involve consultation with attorney as permitted under Section 551.071)
- B. Section 551.072 - Deliberation Regarding Real Property- The Board will discuss the purchase, exchange, lease or value of real property. (This may involve consultation with attorney as permitted under section 551.071)
- C. Section 551.0821 - School Board- The Board will discuss personally identifiable information about a public school student.

VIII. Trustee Comments/Acknowledgments

Hoyt Harris, President

IX. Adjourn

Hoyt Harris, President



ALEDO ISD BOARD MEETING TEMPLATE

MEETING DATE: November 4, 2020

AGENDA ITEM: Update on COVID-19 Impact on District Operations and Community Needs

PRESENTER: Dr. Susan K. Bohn, Superintendent

BACKGROUND INFORMATION:

- Federal and State officials have declared a disaster and emergency regarding coronavirus/COVID-19 and its potential spread.
- In order to efficiently and effectively address this ever-changing emergency situation in the best interest of the health, safety, and well-being of the District's students, staff, community, and the citizenship at-large, the Administration and Board of Trustees will discuss the impact of the situation on the District operations and our community as we plan for serving our students, staff, and community during the pandemic.

FISCAL INFORMATION:

Financial impact unknown at this time

ATTACHMENTS:

Resolution Delegating Authority to the Superintendent to Act in Place of the Board of Trustees During an Emergency or Disaster Due to COVID-19

ADMINISTRATIVE RECOMMENDATION:

Communication item only

BOARD OF TRUSTEES: ALEDO INDEPENDENT SCHOOL DISTRICT
Resolution No: 08172020-1
A RESOLUTION DELEGATING AUTHORITY TO THE SUPERINTENDENT TO ACT
IN PLACE OF THE BOARD OF TRUSTEES DURING AN EMERGENCY OR
DISASTER DUE TO COVID-19

WHEREAS, the Aledo Independent School District Board of Trustees (Board) recognizes that officials in the State of Texas and the United States Government have declared a disaster and emergency regarding coronavirus/COVID-19 (hereafter “COVID-19”) and its potential spread;

WHEREAS, the territory included in the Aledo Independent School District is within the areas declared a disaster and an emergency area;

WHEREAS, on or about March 13, 2020, the President of the United States declared a national emergency and the Governor of the State of Texas declared a statewide disaster regarding COVID-19;

WHEREAS, on or about March 19, 2020, the Governor of Texas issued an Executive Order limiting gatherings to ten (10) or fewer individuals until April 3, 2020;

WHEREAS, the Board recognizes that COVID-19 is an unforeseen and unavoidable emergency of urgent public necessity, that the World Health Organization has declared COVID19 a pandemic, and that additional emergency declarations may follow in the coming days and weeks;

WHEREAS, the Board and Administration are following advice and directives from federal, state and local authorities in responding to the COVID-19 Virus;

WHEREAS, the Board has a substantial public interest in protecting the health and safety of its students, staff, and community and therefore desires to ensure that the school district and community are prepared to the fullest extent possible to protect the health and safety of students, staff, and community in light of COVID-19;

WHEREAS, the District was closed during the spring of 2020, due to the COVID-19 pandemic, and may determine a need exists to implement further suspension or modification of classes and/or District operations in response to the health needs of our families and our community;

WHEREAS, the District’s public purpose is served by promoting conscientious health choices, including individual quarantines as may be necessary when classes resume;

WHEREAS, the District’s public purpose is served by working with students, families, and staff to the extent possible to support continued learning during times of

school suspension and/or quarantine;

WHEREAS, only for the duration of the Declaration of Disaster and resulting Executive Orders of the Governor, the board of trustees determines that the delay posed by the methods provided for in Texas Education Code Section 44.031(a) would prevent or substantially impair the provision of classes or other essential school activities; **WHEREAS**, to the extent possible, the term of contracts awarded by methods other than those required by Section 44.031(h), due to the COVID-19 emergency, shall not extend longer than reasonably necessary to respond to the Declaration of Disaster and comply with Executive Orders of the Governor;

WHEREAS, any contract entered into by the district pursuant to this resolution will be presented to the board of trustees for ratification at a future board meeting;

WHEREAS, the Board believes the public purposes described above are fulfilled by efficiently and effectively making certain delegations, as described more fully herein, to the Superintendent to address this ever-changing emergency situation in the best interest of the health, safety, and well-being of its students, staff, community, and the citizenship at-large.

WHEREAS, the Board believes the public purposes described above are fulfilled by efficiently and effectively making certain delegations, as described more fully herein, to the Superintendent to address this ever-changing emergency situation in the best interest of the health, safety, and well-being of its students, staff, community, and the citizenship at-large, recognizing that at any time during this emergency, establishing a quorum may be difficult or impossible, and in such circumstances only, delegation of these authorities to the Superintendent would be the only way to make necessary decisions to continue District operations.

IT IS THEREFORE RESOLVED THAT the Board of Trustees finds a substantial public purpose exists in protecting the health and safety of its students, staff, and community and therefore in ensuring that the school district and community are prepared to the fullest extent possible to protect the health and safety of students, staff, and community in light of COVID-19.

In furtherance of these public purposes, the Board of Trustees makes the following delegations to the Superintendent and designee(s):

1. The authority to act in place of the Board under Policy DEC (Local) regarding employee leave and thus create guidelines and make decisions regarding absences,

leave time, leave days, and compensation of any employee who is quarantined as a result of COVID19 and/or who tests positive for COVID-19 and who presents appropriate medical documentation regarding themselves and/or an immediate family member, in compliance with Texas and federal law;

2. The authority to seek any necessary waivers from the Texas Education Agency without further action of the Board of Trustees regarding missed instructional days, low attendance, or any matters related to the emergency closures as part of this Resolution;

3. The authority to declare a catastrophe and take all actions as appropriate in accordance with Texas Government Code, Section 552.233, regarding temporary suspension of the Texas Public Information Act;

4. Where permitted by law, the authority to act in place of the Board under Policies CH, COA and CV (Local) to negotiate, and execute contracts for goods and services that are necessary to mitigate, prevent, restore, and repair damage caused to District equipment, personal property, and facilities or to protect the safety of students and staff, related to COVID-19 and its potential spread. Such authority being necessary to prevent delays that will prevent or substantially impair the conduct of classes or other essential school functions and activities;

5. The authority to make contracts for goods and services needed to replace traditional classroom facilities and instructional equipment with alternative goods and services by methods other than those required by Section 44.031(a), including but not limited to the acquisition of resources necessary to implement remote operations and instruction in compliance with the Governor's Executive Orders; Such authority also extending to contracts for goods and services necessary to maintain the health and safety of facilities and equipment, including but not limited to, resources necessary for cleaning, disinfection, air quality measures, and testing.

6. The authority to make budgeted or unbudgeted purchases for goods or services, up to \$150,000, such authority being necessary to prevent delays that will prevent or substantially impair the conduct of classes or other essential school functions and activities due to COVID-19; after which the Superintendent will fully report to the Board of Trustees; and,

7. In the event other waivers or immediate actions are needed, the Superintendent is authorized to take other action and to submit/apply for other waivers in accordance with guidance and instructions from the national and state authorities and/or agencies.

8. The above authority is granted only after the Superintendent discusses the necessary authority with the Board President and a good faith effort has been made

to convene a quorum of the Board in a meeting that meets the requirements of the Texas Open Meetings Act, Texas Government Code Chapter 551, and the special exceptions thereto issued by the Texas Office of the Attorney General as related to the COVID-19 emergency declaration.

9. This Resolution shall be placed on the agenda of each Board meeting for consideration by the Board until it is rescinded by the Board.

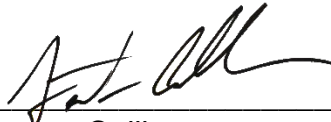
The above Resolution is passed and adopted this 17th day of August 2020 by the Board of Trustees.

APPROVED:



Hoyt Harris
President, Board of Trustees

ATTEST:



Forrest Collins
Secretary, Board of Trustees



ALEDO ISD BOARD MEETING TEMPLATE

MEETING DATE: November 4, 2020

AGENDA ITEM: Consider Approval of Resolution Authorizing Sale of Real Property: Approximately Eighty (80) Acres on Old Weatherford Road

PRESENTER: Susan Bohn, Superintendent; Earl Husfeld, Chief Financial Officer

BACKGROUND INFORMATION:

Aledo Independent School District owns approximately 132 acres on Old Weatherford Road east of Farmer Road/FM 3325 in Parker County. The District is currently developing a portion of the tract for Middle School #2, a project that was approved by District voters as a part of the 2019 Bond package.

The Administration has determined that it is in the best interest of the District to sell the remaining portion (approximately 80 acres) of the tract. At the board meeting on August 17, 2020, the Board of Trustees approved a Resolution Authorizing Sale of Real Property, which authorized the Administration to publish notice of the proposed sale and the District's request for proposals for the purchase of the property. The District provided such public notice as required by law. The District received one (1) proposal for the purchase of the tract, from DRHI, INC.

Since receiving the proposal from DRHI, INC., the District has negotiated a Contract for Sale ("Contract") for the sale of the tract to DRHI, INC. The terms of the Contract include a sales price of \$35,000 per acre and the donation by DRHI, INC. of a 12 acre elementary school site on another tract of land under contract by DRHI, INC.

The Administration is requesting that the Board of Trustees approve the attached Resolution Authorizing Sale of Real Property authorizing the Superintendent to enter into the Contract as discussed.

FISCAL INFORMATION:

The purchase price in the Contract is \$35,000 per acre.

ATTACHMENTS:

Resolution Authorizing Sale of Real Property

ADMINISTRATIVE RECOMMENDATION:

The Administration recommends that the Board of Trustees approval of the Resolution Authorizing Sale of Real Property for the sale of approximately 80 acres of property on Old Weatherford Road to DRHI, INC.

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY

RESOLVED, that the Board of Trustees of Aledo Independent School District (“AISD”) has determined that the following tract of real property is not necessary for the construction of facilities to meet the current and foreseeable needs of the District for educational purposes:

Approximately eighty (80) acres of land located along the north side of Old Weatherford Road in Parker County, Texas as generally illustrated on Exhibit “A” (the “Property”);

RESOLVED, that the Board of Trustees has determined that the Property should be sold (“Sale”) pursuant to that certain Contract of Sale (“Contract”) between Aledo Independent School District (as Seller) and DRHI, Inc. (as Purchaser), and to enter into and deliver all documents, instruments and agreements necessary or desirable to consummate the Sale (the Contract, together with such documents, instruments and agreements, collectively, the “Sale Documents”).

RESOLVED, that AISD is hereby authorized, empowered, and directed to enter into and deliver the Sale Documents and all ancillary documents related thereto, and perform the duties and obligations set forth therein.

FURTHER RESOLVED, that Susan Bohn, in her capacity as Superintendent of AISD is hereby authorized to execute and deliver and to do and perform all acts and things of whatsoever kind or nature necessary or incidental to or required to effectuate the purpose of these resolutions, and to document the Sale, with such changes in text, form, and terms thereof as such Superintendent, acting singly, deems necessary or desirable or proper.

AND FURTHER RESOLVED, that all documents and agreements heretofore executed and all acts or other things performed to effectuate the purposes of these resolutions and the documentation of the Sale are hereby, in all respects, ratified, confirmed, and approved as the acts of the Superintendent of AISD or AISD, as applicable.

[Signature page to follow]

Dated to be effective as of _____, 2020.

Approved:

Attest:

Hoyt Harris
President, Board of Trustees

Forrest Collins
Secretary, Board of Trustees

EXHIBIT A





ALEDO ISD BOARD MEETING TEMPLATE

MEETING DATE: November 4, 2020

AGENDA ITEM: Consider Approval of Coronavirus Relief Fund Interlocal Cooperation Agreement between Parker County, Texas and Aledo Independent School District

PRESENTER: Earl Husfeld, Chief Financial Officer

BACKGROUND INFORMATION:

- Parker County, Texas (the “County”) has received federal funding under the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”) to address and respond to the impact and effects of the COVID-19 pandemic.
- These funds were received by the County from the United States Department of Treasury under the Coronavirus Relief Fund (“CRF”) as provided for in the CARES Act. Texas school districts were not allocated any of these funds.
- The Parker County, Texas Commissioners Court has established a COVID-19 funding program to allow the County to grant money to school districts located in Parker County. The use of these CRF funds is to assist school districts within the County with their expenditures incurred due to the effects of COVID-19.
- The following Coronavirus Relief Fund Interlocal Cooperation Agreement outlines the terms and conditions by which the County agrees to reimburse to the District eligible expenditures, as specified in the CARES Act guidance, as funding is available from CRF funds.

FISCAL INFORMATION:

None

ATTACHMENTS:

Coronavirus Relief Fund Interlocal Cooperation Agreement between Parker County, Texas and Aledo Independent School District

ADMINISTRATIVE RECOMMENDATION:

The Administration recommends the Board of Trustees approve the Coronavirus Relief Fund Interlocal Cooperation Agreement between Parker County, Texas and Aledo Independent School District as presented.

CORONAVIRUS RELIEF FUND INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement ("Agreement") is entered into by and between Parker County, Texas (the "County") and **Aledo** Independent School District (the "District") located within Parker County, pursuant to Chapter 791 of the Texas Government Code, to address the impact of the public health emergency with respect to the Coronavirus pandemic ("COVID-19").

GENERAL

Coronavirus Relief Fund. The County has received federal funding under the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act") to address and respond to the impact and effects of the COVID-19 emergency.

1. **County Authority.** The Parker County, Texas Commissioners Court, under Chapter 381 of the Local Government Code, is lawfully establishing a COVID-19 funding program (the **COVID-19 Assistance Program**), allowing the County to grant money to schools districts located within Parker County. These funds were received by the County from the US Department of the Treasury (the "Treasury") under the Coronavirus Relief Fund ("CRF"), as provided for in the CARES Act. The use of these CRF funds is to assist units of local government within the County with their expenditures incurred due to the effects of COVID-19.

2. **Inspector General Oversight & Recoupment.** Section 601(f) provides that the Inspector General of the Treasury shall conduct monitoring and oversight of the receipt, disbursement, and use of CRF funds. If the Inspector General determines that a unit of local government has failed to comply with the use of funds rules (as described herein in Paragraphs 8-14, "Use of Funds"), the amount of CRF funds in noncompliance shall be "booked as a debt of such entity owed to the federal government." The conditions and restrictions on the use of the CRF funds follows to all recipients, from the County, to the District, to other sub-recipients that receive such funds.

GRANT

3. **Amount.** Subject to the terms and conditions of this Agreement, the County agrees to reimburse to the District eligible expenditures, as specified in CARES Act guidance, as funding is available from COVID Relief Funds (CRF) contingent upon the District's request.

4. **Separate Bank Account.** The District agrees to deposit these COVID Relief Funds into a separate, segregated account created solely for holding and disbursing these CRF monies. The account must be an interest bearing account and similarly insured and protected in the same manner as the District's other funds.

5. **Conditions.** Before receiving COVID Relief Funds, the District must provide the County with a proposed budget and description of eligible expenditures.

RESPONSIBILITIES OF THE DISTRICT

6. The responsibilities of the District are:
 - a. to comply with all terms and conditions of the CARES Act;
 - b. to use COVID Relief Funds in compliance with the CARES Act;
 - c. to maintain proper and adequate records of its own expenses, and supporting documentation of the expenditures, and provide copies of, or access to such, at any time as required by the County;
 - d. to NOT reallocate any Parker County COVID Relief Funds to another grantee/sub recipient; and
 - e. To return the Statement of Compliance Certificate by February 1, 2021.

USE OF FUNDS

7. Amounts paid from the Treasury's Coronavirus Relief Fund are subject to the restrictions outlined in the *Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments* (updated September 2, 2020) and set forth in section 601 (d) of the Social Security Act, as added by section 5001 of the CARES Act. (See Exhibit A, which is incorporated by reference into this agreement.)

8. Section 601 (d) allows CRF funds to cover only those costs that:
 - a. are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
 - b. were not accounted for in the most recently approved budget [of the District], including any amendments, as of March 27, 2020;
 - c. were incurred between March 1, 2020 and December 30, 2020. See *Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments*, Updated September 2, 2020. (See Exhibit A.)

9. **“Necessary Expenditure” Condition.** The use of the money is limited to "necessary ~~PPE~~-expenditures." The Treasury intends for broad interpretation of the word *necessary*, meaning "reasonably necessary for its intended use in the *reasonable judgment* of the government officials responsible for spending the Fund payments." The Treasury's standard, *reasonable judgment*, adopts a **subjective**, not objective standard. **Parker County is reallocating a portion of its CRF funds specifically for the eligible expenditures as specified in CARES Act guidance.** Funds may not be used to fill shortfalls in governmental revenue to cover expenditures that would not otherwise qualify under section 601(d). REVENUE REPLACEMENT IS STRICTLY PROHIBITED AND IS NOT A PERMISSIBLE USE OF FUNDS.

10. **“Due To” Condition.** The requirement that expenditures be incurred "due to" the public health emergency created by COVID-19 means that expenditures must be used for actions taken to respond to the public health emergency.

11. The District expressly agrees without qualification or exception to adhere and comply with section 60l (d) and the accompanying guidelines regarding its spending and uses of the COVID Relief Funds.

REMEDIES

12. **Indemnity.** To the extent allowable by law, the District shall defend, indemnify, and hold harmless the County and its officers, commissioners, employees, volunteers, and agents, from any and all costs and expenses, damages, liabilities, demands, causes of action, suits, charges, or legal or administrative proceedings, claims and losses, including, without limitation, attorneys' fees and costs, caused by or arising out of any act or omission of the District relating to the terms of this Agreement, including but not limited to any ineligible expenditure.

13. **Recoupment.** If the County, or its designee, reasonably determines that all or a portion of the District's expenditure of *COVID-19 Assistance Program Funds* is an ineligible expenditure, then the District shall immediately reimburse the County in an amount equal to the amount of the ineligible expenditure from funds of the District other than *COVID-19 Assistance Program Funds* granted pursuant to this Agreement, and provide to the County evidence of such reimbursement. The District shall have 30 days of receipt of the County's determination of an ineligible expenditure to reimburse the County for such expense. The District shall have 15 days to appeal, or provide requested resolution for, a determination of an ineligible expenditure.

14. **Offset.** To the extent allowable by law, the County reserves the right in its sole discretion to apply any money, damages or costs incurred as a result of a material breach of this agreement by the District against the future distributions from the County to the District.

OTHER

15. **Law and Venue.** The laws of the State of Texas shall govern this Agreement, except where clearly superseded by federal law. Venue of any dispute shall be in a court of competent jurisdiction in Parker County, Texas.

16. **No Assignment.** The District may not assign this Agreement.

17. **Entire Agreement.** This Agreement supersedes and constitutes a merger of all prior oral and/or written agreements and understandings of the parties on the subject matter of this Agreement and is binding on the parties and their legal representatives, receivers, executors,

successors, agents and assigns.

18. **Amendment.** Any Amendment of this Agreement must be by written instrument dated and signed by both parties.

22. **Severability.** No partial invalidity of this Agreement shall affect the remainder unless the public purpose to be served hereby is so greatly diminished thereby as to frustrate the object of this Agreement.

23. **Survival.** All provisions of this Agreement that impose continuing obligations on the parties, including but not limited to payment, agreement purpose, and confidentiality shall survive the expiration or termination of this Agreement.

24. **Waiver.** No waiver by either party of any provision of this Agreement shall be effective unless in writing, and such waiver shall not be construed as or implied to be a subsequent waiver of that provision or any other provision.

25. **Signature Authority.** The signatories hereto represent to each other that they have the full right, power, and authority and have been given any approvals necessary to enter into this Agreement to bind the respective parties for which they sign, and to perform their obligations hereunder, and that the consent of no other parties is needed to fully effectuate this Agreement.

EXHIBITS

26. This list of exhibits is included with this agreement and incorporated herein, as appropriate:

1. Exhibit A: Parker County CRF Guidance; Treasury Guidance and Treasury/TDEM FAQs

Signatories:

Parker County Authorized Official

Title

Date

ISD Authorized Official

**_____
President, Board of Trustees**
Title

**_____
November 4, 2020**
Date