

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: December 8, 2025

Agenda Item: K.13

Board Goal: N/A

Subject: Consideration and possible approval of Offsite Infrastructure and Utility Joint Development Agreement, Cost Allocation, and Escrow Agreement for 2025 Bond Comprehensive High School #4

**Administrator Responsible/Position: Max Cleaver, Chief Operations Officer
Nathan Wensowitch, Exec Dir of Facilities, Construction and Bond Programs**

A. Purpose of Agenda Item:

☒ Action needed ☐ Information only ☐ Receive input

B. Authority for This Action:

☒ Local Policy: ☐ Law or Rule ☐ N/A
CH – Purchasing and Acquisition

C. Goal or Need Addressed: Provide timely, cost-effective facilities

D. Summary:

- ☒ **Previous board action relating to this item:** The Board approved Schematic Design (SD) for this project in October 2024 and design development (DD) in April 2025.
- ☒ **Future action anticipated:** Staff anticipates recommending a GMP for this project in January 2026.
- ☒ **Background information:** The 2025 Bond contains provisions for offsite roads and utilities for Comprehensive HS 4 as shown on the attached document in the Infrastructure and Fees line in Table A Comprehensive High School 4 Budget. The engineers have prepared a Sunfield Cost Share Exhibit detailing the various elements. The onsite utilities will be paid from funds contained within the guaranteed maximum price in the construction line item in Table A.

The Hays Project Team, Sunfield Development LLC Staff, Austin Water Staff, consultants, and attorneys have prepared a draft Joint Development, Cost Allocation, and Escrow Agreement which details the specific provisions and timing of this transaction. We have shared a draft version for your review and comment. The cost estimates are detailed in Table B Cost Estimates for Off Site Utilities for Comprehensive High School 4.

E. Comments Received:

☒ Cabinet ☐ DLT ☐ FBOC ☒ Other: Design Team, Developer, Attorneys

F. Administrative Recommendation: Administration recommends approval of the escrow cost estimate for offsite utilities and authorization to negotiate and execute a final development agreement.

G. Fiscal Impact and Cost: \$7,340,444

☐ Budget ☒ 2025 Bond ☐ Grant/Special Funds: ☐ Other

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver, Nate Wensowitch, Mariana Evans (Attorney)

Evaluation method and timeline: N/A

Next report to the Board: We anticipate recommending a guaranteed maximum price to the Board in January 2026.

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the Offsite Infrastructure and Utility Joint Development Agreement, Cost Allocation, and Escrow Agreement with Sunfield Development LLS, fund the escrow for the specified work for an amount not to exceed \$7,340,444, and authorize the Superintendent and/or Board President to execute documents necessary and convenient to complete the transaction, as presented.