

TISD BOARD OF TRUSTEES ACTION ITEM

Approval of Legal Services Engagement Agreements — FY 2026–2027

Meeting Date:	August 10, 2026	Agenda Item:	District Legal Services
Prepared By:	Marc Floyd, Purchasing Coordinator	Department:	Finance & Purchasing
Action Requested:	Board Approval		

RECOMMENDATION

Administration recommends that the Board of Trustees authorize the Superintendent, or the Superintendent's designee, to execute engagement agreements for general legal counsel services with the following two law firms for the 2026–2027 fiscal year, as further described below:

1. **Eichelbaum Wardell Hansen Powell & Muñoz, P.C.** — Telephone Consultation Agreement (Exhibit A), effective September 1, 2026; and
2. **Leon, Alcalá, Morse & Reynolds, PLLC** — General Legal Services Agreement, effective June 10, 2026, continuing year to year until terminated.

BACKGROUND

Temple ISD retains outside general counsel to provide legal advice and representation to the administration and Board of Trustees on matters including employment law, student issues, civil rights, procurement, special education and Section 504 compliance, real estate, construction contracts, elections, open government and Public Information Act requests, and other district operations. The District has historically maintained engagement agreements with more than one firm to ensure timely access to counsel and coverage across specialty areas. Both firms named below have provided legal services to the District and have submitted updated engagement terms for the upcoming fiscal year for Board consideration and approval.

SUMMARY OF ENGAGEMENT TERMS

Term	Eichelbaum Wardell Hansen Powell & Muñoz, P.C.	Leon, Alcalá, Morse & Reynolds, PLLC
Agreement Type	Telephone Consultation Agreement (Exhibit A)	General Legal Services Agreement (no annual retainer)
Effective Date	September 1, 2026	June 10, 2026 (continues year to year until terminated)
Base / Annual Fee	Flat fee of \$1,000 per year, billed each September 1; covers unlimited telephone advice on initial calls under .3 hours per matter	No annual retainer; unlimited routine "Question Call" services (no legal research or written work product) provided at no fee
Hourly Rates (Reduced/Standard)	\$365 / \$345 Senior Shareholders (by years of practice); \$325 Shareholders/Of Counsel; \$300 Senior Associates; \$285 Associates; \$235 Attorneys Pending Licensure; \$145 Law Clerks/Paralegals	\$360 Partner/Senior Attorney/Of Counsel; \$335 Senior Associate; \$285 Associate; \$140 Paralegal; \$100 Legal Assistant; travel time at ½ hourly rate

Term	Eichelbaum Wardell Hansen Powell & Muñoz, P.C.	Leon, Alcala, Morse & Reynolds, PLLC
Additional Benefits	Not specified in Exhibit A	Up to 3 hours of free Board/administrator legal training annually; bond counsel, Chapter 313, and JETI application services available under a separate engagement
Expenses	Copying \$.15 (B/W) / \$.50 (color) per page; delivery, long-distance, postage, electronic research and travel at actual cost; mileage at IRS standard rate; outside vendor/court reporter fees billed directly to the District	In-house copies and electronic library charges at no cost; outside copying, postage, litigation expenses, travel/lodging, and courier at actual cost; mileage at IRS rate (\$.725/mile)
Termination	Not specified in Exhibit A	Terminable by either party at any time, consistent with the Firm's professional conduct obligations

LEGAL AND POLICY BASIS FOR BOARD APPROVAL

Board authorization of these engagements is grounded in the following legal and policy framework:

1. **Texas Education Code § 11.151(b)** vests the Board of Trustees, as the corporate body governing and overseeing management of the District, with the authority to acquire and hold real and personal property and to make contracts necessary for the conduct of the District's schools, including contracts for legal counsel.
2. **Texas Government Code Chapter 2254, Subchapter A (Professional Services Procurement Act)** defines "professional services" to include services within the scope of the practice of law, § 2254.002(2)(A), and requires that selection and contracts for such services be made on the basis of demonstrated competence and qualifications for a fair and reasonable price, rather than through competitive bidding, § 2254.003. Legal services are therefore exempt from the formal competitive procurement and bid-threshold requirements of Texas Education Code § 44.031, and Board approval here is sought as authorization of a professional services contract rather than as a competitively bid purchase.
3. **District Purchasing Policy — CH(LOCAL)** recognizes professional services, including legal services, as exempt from formal competitive bidding while still requiring appropriate authorization; consistent with District practice, administration presents legal services engagements to the Board for approval on an annual basis.
4. **State Contracting Certifications.** The Leon, Alcala, Morse & Reynolds engagement letter includes the certifications required for governmental contracts under Texas Government Code § 2271.002 (nonparticipation in a boycott of Israel), § 2274.002 (nondiscrimination against firearm entities and firearm trade associations), and § 2276.002 (nonparticipation in a boycott of energy companies).

FISCAL IMPACT

Costs under both agreements are billed as incurred (flat fee plus hourly rates for Eichelbaum Wardell Hansen Powell & Muñoz; hourly rates only, with no retainer, for Leon, Alcala, Morse & Reynolds) and will be paid from the General Fund legal services budget. Neither engagement obligates the District to a fixed annual contract amount beyond the \$1,000 flat fee described above.

ATTACHMENTS

1. Exhibit A — Eichelbaum Wardell Hansen Powell & Muñoz, P.C. Telephone Consultation Agreement (Fees, Rates, and Expenses as of September 1, 2026)
2. Leon, Alcala, Morse & Reynolds, PLLC General Legal Services Agreement, dated June 10, 2026

Board Action: ☐ Approved ☐ Approved as Amended ☐ Tabled ☐ Denied

Board President Name: _____

Board President Signature: _____

Date: _____