



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC Action re: approval of Resolution authorizing an expenditure for the protection and advancement of interests pertaining to the Webb County School Lands and Attorney Fee Agreement with Law Firm of Person, Whitworth, Borchers & Morales in connection with Webb County School Lands

SUBMITTED BY: Juan Cruz **OF:** School Attorney

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: July 18, 2012

RECOMMENDATION:

It is recommended that the United ISD Board of Trustees take Action re: approval of Resolution authorizing expenditure for the protection and advancement of interests pertaining to the Webb County School Lands and Attorney Fee Agreement with Law Firm of Person, Whitworth, Borchers & Morales in connection with Webb County School Lands.

RATIONALE:

BUDGETARY INFORMATION

BOARD POLICY REFERENCE AND COMPLIANCE

UNITED INDEPENDENT SCHOOL DISTRICT

RESOLUTION

AUTHORIZING AN EXPENDITURE FOR THE PROTECTION AND ADVANCEMENT OF INTERESTS PERTAINING TO THE COUNTY SCHOOL LANDS

WHEREAS, the United Independent School District is a Texas political subdivision situated in the County of Webb, Texas;

WHEREAS, the United Independent School District's mission is to provide a public primary and secondary education to resident children within its boundaries;

WHEREAS, the State of Texas has entrusted to the County of Webb, Texas, under Article VII, §6 of the Texas Constitution, school lands ("County School Lands") to be developed and managed for the sole benefit of the public schools in Webb County, Texas;

WHEREAS, the County of Webb, Texas, as sole trustee of County School Lands, will retain legal counsel ("Counsel") to protect and advance the interests of the County School Lands for the benefit of the county's public schools;

WHEREAS, the United Independent School District, through its Board of Trustees, hereby determines the public schools of the District will benefit from Webb County's action to retain legal counsel to protect and advance the interests of the County School Lands; and

WHEREAS, the United Independent School District, through its Board of Trustees, hereby further determines, pursuant to §45.105(c) of the Texas Education Code, that the expenditure of District funds for payment of legal expenses related to the County School Lands is necessary and appropriate in the interest and conduct of the District's public schools;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES for the United Independent School District, at a properly noticed and convened meeting of the Board of Trustees, that approval is hereby granted to expend, in concert with other Webb County public school districts, local or undesignated state funds or both for the District's share of reasonable and necessary fees of Counsel and other legal expenses for the protection and advancement of interests pertaining to the County School Lands; and

BE IT FURTHER RESOLVED BY SAID BOARD OF TRUSTEES that the District's Superintendent of Schools and the Board's President are hereby authorized to execute a retainer agreement with Counsel and an interlocal agreement with other Webb County public entities sharing in the fees of Counsel and legal expenses, all as necessary to effectuate the expenditure of funds in accordance herewith.

Approved on this the ____ day of _____, 2012.

United Independent School District

By: _____
Judd Gilpin, Board President

Attest:

Secretary