

***Manor Independent School District***  
***Board of Trustee Regular Meeting Agenda Item***  
***May 16, 2022***

<b>ACTION ITEM SHEET</b>
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**RE:** Consider and possible action to approve Aqua Water Supply Corporation agreement for domestic water line tie-in for the Early College High School and Baseball/Softball Complex, including possible delegation of authority to Superintendent to negotiate and execute agreement.

**Supporting Documents:**

1. *Water Feasibility Study Dated May 3, 2022 with Preliminary Cost Summary of estimated payment to Aqua Water Supply Corporation for domestic water line tie-in for the Early College High School and Baseball/Softball Complex.*

**District Goals\*: Goal 5**

Goal 1: ACADEMIC ACHIEVEMENT GAPS- By 2026, 100% of Manor ISD scholars will graduate prepared for college, career, trade, and/or military services based upon their individual goals.

Goal 2: COMMUNICATION- By 2026, 100% of Manor ISD communication to all scholars, family, staff, & community members will be interactive, accurate, timely, & accessible to ensure the Manor ISD community is routinely informed.

Goal 3: COMMUNITY & FAMILY ENGAGEMENT- By 2026, Manor ISD will collaboratively engage in opportunities with 100% of families, as well as new and existing community partners.

Goal 4: EQUITY & INNOVATION- By 2026, 100% of Manor ISD scholars, staff, campuses, and school communities will have equitable access to innovative academic, human, financial, capital, technological, and all other necessary resources and supports.

Goal 5: FACILITIES & MAINTENANCE- By 2026, Manor ISD will proactively provide facilities to ensure 100% of scholars will have safe, well-maintained, environmentally sustainable, and community accessible facilities.

Goal 6: STAFF DEVELOPMENT- By 2026, Manor ISD will attract, develop, and retain highly-effective staff through an environment of equitable opportunity, growth, & innovation.

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**Background Information:**

With the new Early College High School campus and the addition of the Baseball /Softball Complex, the District will need to tie-in to the domestic water line with Aqua Water Supply Corporation (AWSC). Steger & Bizzell Engineering conducted a Water Feasibility Student for AWSC to determine if adequate water capacity is available to serve the new facilities. The cost estimate associated with the tie-in is \$290,595 (breakdown is included in the supporting documentation).

In order for MISD to proceed with securing water service, this project must be approved by AWSC's Board of Directors. The next regularly scheduled meeting for the AWSC Board is Monday, June 6<sup>th</sup> 2022 and in order to get on the June agenda, MISD would have to notify AWSC by no later than noon on May 25<sup>th</sup>. Accordingly, Administration is bringing this to the Board at the May 16 meeting as this was the next meeting after we receive the cost estimate.

Once AWSC's Board approves this, MISD will be asked to submit a legal fee deposit to cover costs associated with drafting an agreement. All estimated fees listed on the Preliminary Cost Summary (minus the legal deposit fee) would be due at the time the agreement is executed.

At this time, Administration is asking the MISD Board to move forward with approving paying the legal fee deposit and costs subject to getting a mutually agreeable agreement, which Administration can bring

back to the Board at a later date (unless the Board wants to delegate authority to the Superintendent to negotiate the agreement in a form approved by legal counsel).

**Fiscal Implications:**

If the Board approves this item without delegating the authority to the Superintendent to enter into an agreement, then the cost is limited to the deposit to cover AWSC's legal fees, which is \$2,000. The remaining \$288,595 would be due after the Agreement is approved by the MISD Board and executed.

If the Board approves this item and delegates authority to the Superintendent to enter into an agreement (in a form approved by legal counsel), the cost will be \$2,000 initially with the remaining \$288,595 due after the Agreement is executed.

Either way, the cost will be \$290,595 to MISD. AWSC has noted that if there is any additional amount for the \$2,000 deposit for AWSC's attorneys' fees that would be added to the final amount – a change (if any) is expected to be minimal.

**Administrative Recommendation:**

Administration recommends that the Board approve moving forward with a domestic water line tie-in with Aqua Water Supply Corporation.

**Proposed Motion Language:**

Two Options:

1. **Approve only deposit now:** "I move that the Board approve moving forward with a domestic water tie-in with Aqua Water Supply Corporation for the Early College HS and Baseball/Softball Complex as presented by Administration and further authorize the Chief Financial Officer to pay a deposit to Aqua Water Supply Corporation of \$2,000 to draft an agreement and direct the Superintendent/designee to bring back the final agreement at a future board meeting for Board consideration."
2. **Approve deposit and delegate authority to Superintendent to execute Agreement:** "I move that the Board approve moving forward with a domestic water tie-in with Aqua Water Supply Corporation for the Early College HS and Baseball/Softball Complex as presented by Administration, and further authorize the Chief Financial Officer to pay a deposit to Aqua Water Supply Corporation of \$2,000 to draft an agreement, and further authorize the Superintendent/designee to execute an agreement with Aqua Water Supply Corporation for the amount presented by Administration."

Mr. Joe Mendez

Contact Person

Dr. Andre Spencer

Approved by Superintendent