



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC: Approval of Resolution regarding The District's Budget Not Permitting Purchase of the
Three-Point Seatbelt-Equipped School Buses

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

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: September 20, 2017

RECOMMENDATION:

It is recommended that the United ISD Board approve the Resolution Regarding The District's Budget Not Permitting Purchase of the Three-Point Seatbelt-Equipped School Buses.

RATIONALE:

BUDGETARY INFORMATION:

POLICY REFERENCE & COMPLIANCE:

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE UNITED INDEPENDENT SCHOOL DISTRICT
REGARDING THE DISTRICT'S BUDGET NOT PERMITTING PURCHASE OF THREE-POINT SEATBELT-
EQUIPPED SCHOOL BUSES**

WHEREAS, The United Independent School District ("UISD" or "the District"), a political subdivision of the State of Texas, owns, operate, maintains, and purchases school buses for the purposes of providing safe and efficient transportation to and from school to all eligible UISD schoolchildren; and

WHEREAS, the Texas Transportation Code section 547.701(e) provides that a bus operated by or contracted for use by a school district for the transportation of schoolchildren shall be equipped with a three-point seat belt for each passenger, including the operator; and

WHEREAS, the Texas Transportation Code section 547.701(e)(2) further provides that this requirement does not apply to a bus purchased by the school district that is model year 2018 or later, if the board for the school district determines that the district's budget does not permit the district to purchase a bus that is equipped with the seatbelts required by the state; and

WHEREAS, the Texas Legislature did not provide funding to assist school districts in complying with the additional requirements for model year 2018 school buses set forth in Texas Transportation Code section 547.701(e); and

WHEREAS, UISD has an immediate need to purchase model year 2018 school year buses that were not equipped with three-point seat belts in order to meet the transportation needs of the District;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The findings and recitals in the preamble of this Resolution are hereby found to be true and correct.
2. The UISD Board of Trustees determines that the District's budget does not permit the District to purchase buses that are equipped with the seatbelts required by the state because of current and projected expenditures, both anticipated and unanticipated.
3. The UISD Board of Trustees determines that the District's budget does not permit the District to retroactively install three-point seatbelts in the model year 2018 school buses that are being purchased in 2017.
4. It is hereby found, determined and declared that a sufficient written notice of the date, time, place, and subject of the meeting of the UISD Board of Trustees at which this Resolution was adopted was posted at a place convenient and readily accessible at all times to the general public for the time required by Texas Government Code chapter 551, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally

acted upon. The UISD Board of Trustees further ratifies, approves, and conforms such written notice and posting thereof.

Motion was made by _____, seconded by _____, that the resolution above and foregoing be adopted.

For _____ Against _____

The above resolution was voted on at a regular meeting of the Board of Trustees held on the ____ day of September, 2017.

BY: _____
Juan Roberto Ramirez
President of the Board

ATTEST:

Aliza Flores Oliveros
Board Secretary