



**Agenda of Special Session
August 14, 2023
The Board of Trustees
Wichita Falls Independent School District**

In Compliance with the Texas Government Code, Chapter 551, Subchapter C, the Board of Trustees of the Wichita Falls Independent School District will meet for a Special Session at 10:30 AM, on August 14, 2023, in the Board Room at the Education Center, 1104 Broad St, Wichita Falls, TX 76301.

The subjects to be discussed, considered, or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

I. CALL TO ORDER AND OPENING STATEMENT

II. INVOCATION

III. PUBLIC COMMENT

Public comments at Special Sessions are limited to items listed on the agenda.

IV. BOARD MATTERS

A. Consideration and Possible Action To Adopt A Resolution Delegating Emergency Authority To The Superintendent To Enter In Contract For Construction Services To Repair Damage Due to Unforeseen Damage in the Hirschi High School and Denver Alternative Facility and Waive the Requirements Under Chapter 44 Of The Texas Education Code Due To The Emergency Situation Pursuant To Texas Education Code 44.031 And 44.0312

2

V. ADJOURNMENT

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

The notice for this meeting was posted in compliance with the Texas Open Meetings Act on Friday, August 11, 2023 at 2:00 pm.

For the Board of Trustees

**THE BOARD OF TRUSTEES OF THE WICHITA FALLS
INDEPENDENT SCHOOL DISTRICT**

**RESOLUTION AUTHORIZING EMERGENCY PURCHASE
OF CONSTRUCTION SERVICES**

WHEREAS, the Wichita Falls Independent School District owns and maintains school facilities including the Hirschi High School and the Denver Alternative Facility;

WHEREAS, on August 10, 2023, the Hirschi High School and the Denver Alternative Facility experienced a microburst, which caused significant roof damage and flooding at the Hirschi High School and the Denver Alternative Facility;

WHEREAS, the microburst resulted in severe damage to the Hirschi High School and the Denver Alternative Facility, including the walls, floors and roof of the library;

WHEREAS, the roof damage and flooding were unforeseen and have negatively impacted the ability of the District to conduct classes and other essential school activities at the Hirschi High School and Denver Alternative Facility;

WHEREAS, the Board of Trustees finds that the microburst and resulting roof damage and flooding to the Hirschi High School and the Denver Alternative Facility constitutes an unforeseen operational failure of school facilities;

WHEREAS, pursuant to Board Policy CH(LOCAL), the Board of Trustees has delegated authority to the Superintendent to make budgeted purchases of goods and services costing less than \$100,000;

WHEREAS, Texas Education Code Section 44.0312 authorizes the board, in the event of a catastrophe, emergency, or natural disaster affecting the District, to delegate to the Superintendent or designated person the authority to contract for the replacement, construction, or repair of school equipment or facilities under Texas Education Code Chapter 44, Subchapter B if emergency replacement, construction, or repair is necessary for the health and safety of district students and staff;

WHEREAS, Texas Education Code Section 44.031(h) allows contracts for the replacement or repair of school equipment, a school facility, or part of a school facility to be made by methods other than those required by Texas Education Code Section 44.031 if the equipment, school facility, or a part of a school facility is destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, undergoes major operational or structural failure, and the Board of Trustees determines that the delay posed by the methods required by Texas Education Code Section 44.031 would prevent or substantially impair the conduct of classes or other essential school activities.

WHEREAS, District equipment, facilities, or parts of school facilities, specifically the Hirschi High School and the Denver Alternative Facility, have been destroyed or severely

damaged or, as a result of an unforeseen catastrophe or emergency, have undergone major operational or structural failure;

WHEREAS, the Board of Trustees finds the delay posed by the methods required by Texas Education Code Section 44.031 would prevent or substantially impair the conduct of classes or other essential school activities at the Hirschi High School and the Denver Alternative Facility;

WHEREAS, the Board of Trustees finds that the delay posed by the purchasing methods set forth in Chapter 44 of the Texas Education Code would prevent or substantially impair the conduct of classes or other essential school activities;

IT IS THEREFORE RESOLVED:

1. That the findings and recitals in the preamble of this Resolution are hereby found to be true and correct and are hereby approved and adopted;

2. That the Board of Trustees delegates to the Superintendent the authority to contract for the replacement, construction, or repair of the Hirschi High School and the Denver Alternative Facility under Texas Education Code Chapter 44, Subchapter B if emergency replacement, construction, or repair is necessary for the health and safety of district students and staff;

3. That the Board of Trustees does hereby authorize the Superintendent of Schools or his designee, within the limits of any delegated purchasing authority, including emergency purchasing authority, to contract for necessary construction services required to ensure that the Hirschi High School and the Denver Alternative Facility is suitable for occupancy by methods other than the methods otherwise required by Chapter 44 of the Texas Education Code, as the emergency replacement, construction, or repair is necessary for the health and safety of District students and staff;

4. The Board of Trustees ratifies the contract negotiated and entered into by the Superintendent for the emergency repair of the Hirschi High School and the Denver Alternative Facility;

5. The Superintendent shall report to the Board of Trustees at the next regular meeting any contract made under this authority;

6. Unless otherwise terminated by the Board of Trustees, the authority granted by this Resolution shall apply until the use of methods required by Texas Education Code Section 44.031 would no longer prevent or substantially impair the conduct of classes or other essential school activities; and

7. It is hereby found, determined and declared that a sufficient written notice of the date, time, place and subject of the meeting of the governing body of this local government at which this Resolution was adopted was posted at a place convenient and readily accessible at all times to the general public at the regular meeting place of the governing body for the time required by law preceding this meeting, as required by Chapter 551, Texas Government Code, 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 governing body further ratifies, approves and confirms such written notice and posting thereof.

CERTIFICATE FOR RESOLUTION

I hereby certify that the foregoing resolution was presented to the Board of Trustees of the Wichita Falls Independent School District during a meeting on August 14, 2023. A quorum of the Board of Trustees being then present, it was then duly moved and seconded that the resolution be adopted, and such resolution was then adopted according to the following vote:

Ayes: _____
Nays: _____
Abstentions: _____

To certify which, witness my hand and the official seal of the District this ____ day of _____ August, 2023.

President, Board of Trustees

Secretary, Board of Trustees