



REGION 18 EDUCATION SERVICE CENTER

2811 La Force Boulevard, Midland, TX 79706

Notice: Of a Regular Meeting of the Board of Directors Thursday, February 8, 2024 at 11:30 AM, in the Technology Classroom 9/10, 2811 La Force Boulevard, Midland, TX 79706. The Board may retire to executive session at any time between the meeting's opening and adjournment for purposes of deliberating business as authorized in Texas Government Code, Title 5, Subchapter D, Sections 551.071-551.074 and 551.076. Action, if any, will be taken in open session. (Texas Government Code Chapter 551.102)

AGENDA

1. Call to Order
2. Invocation
3. Roll Call
4. Audience
5. Consider Appointment of Director to Place 4
A vacancy on the Board of Directors at Place 4, created by the resignation of Mr. Wayne Mitchell, shall be filled by appointment of a new member per Region 18 ESC Board Policy BBB(LEGAL) and (LOCAL). Attached is the resume of Mr. Edward (Eddie) A. Brewer to be considered for appointment to Place 4 of the Board of Directors.
6. Swear in Place 4 Director
7. Information Items
 - a) Designation of Texas Public Information Act Nonbusiness Days for 2024
The 88th Legislature amended the Texas Public Information Act (TPIA) to give governmental entities the ability to designate no more than 10 days in a calendar year (in addition to state and national holidays) as nonbusiness days for the purposes of the Act. Attached is the Regulation of the Executive Director of Region 18 ESC designating TPIA "Nonbusiness Days" for the calendar year 2024.
8. Director Reports
 - a) Dr. Dewitt Smith - Executive Director/Chief Executive Officer
 - b) Britt Hayes - Chief Financial Officer
 - 1) Financial Statement
The Financial Report is shown in three sections. The first is the Financial Statement, which shows the budget to actual variances for both revenues and expenditures. The Statement of Position uses projected revenues and expenditures to estimate a fund balance at fiscal year-end, August 31, 2024. The third page is an investment report, which reflects investment balances, interest earned and shows a comparison of our interest rates to market trends.
 - 2) Joann Taylor - Chief TxCEE Officer
 - c) Linda Jolly - Deputy Director of School Improvement and Federal Programs
 - 1) Amanda Magallan - Chief Federal Programs Officer
 - 2) Dr. Autumn Sloan - Chief Student & School Support Officer
 - 3) Jill Rivera - Chief Instructional Officer
 - 4) Chris Enriquez - Director of Instructional Technology & Analytics
 - d) Ronnie Golson - Deputy Director of Leadership & Superintendent Support
 - 1) Casey Ritchie - Chief Technology Officer
9. Consent Agenda
 - a) Consider Approval of Minutes for December 6, 2023 Board Meeting
 - b) Consider Approval of Budget Amendment #3
 - c) Consider Approval of RFPs:

- 2023.08.A Addendum 1: Big Bend Telecom-Leased Lit Fiber Service
- 2023.08.B: Poka Lambro-Internet Access Services
- 2023.08.C: Astound-Internet Access Services
- 2023.08.D: WesTex Telephone-Internet Access Services
- 2023.08.E: Delcom Internet Access Services
- 2023.08.F: Hill Country Telephone-Internet Access Services

Region 18 is asking the Board to Approve the following items:

a) Minutes for December 3, 2023 Board Meeting

The December 6, 2023 Board of Directors meeting minutes are attached for review and approval.

b) Budget Amendment #3

The Texas Education Agency requires the Service Center to adopt a General Fund budget by function code. Amendments to the adopted budget between functions must be reflected in the official minutes. The attached summary shows no amendments necessary for the 2023-2024 budget year at this time. See attached

c) RFPs for Listed Services

- 2023.08.A Addendum 1: Big Bend Telecom-Leased Lit Fiber Service
- 2023.08.B: Poka Lambro-Internet Access Services
- 2023.08.C: Astound-Internet Access Services
- 2023.08.D: WesTex Telephone-Internet Access Services
- 2023.08.E: Delcom Internet Access Services
- 2023.08.F: Hill Country Telephone-Internet Access Services

10. Action Items

a) Consider Approval of Board Meeting Dates for 2024-2025

Per Region 18 Board Policy BE(LOCAL), regular meetings of the board of directors shall normally be held at least once every two months. Attached are proposed Board meeting dates and times for 2024-2025 for consideration and approval.

b) Consider Approval of Resolution regarding, and Sale and Transfer of, Fiber Optic Cable to Local Telecommunications Companies

Region 18 is asking the Board of Directors to authorize and approve the Fiber Optic Sale and Transfer Agreements with each named TELCO; and, authorize the Executive Director to take any and all further actions necessary to effectuate the Closing of the Sale and Transfer of the Fiber as provided in the attached Resolution.

c) Consider Adoption of Resolution and Approval of Annual Investment Policy and Strategy Review CBF (LOCAL)

Annual Investment Policy Review

According to chapter 2256.005(f) in the Texas Government Code, Region 18 ESC must review its investment policy and investment strategies not less than annually.

Management believes that cash in excess of what is needed for daily operations should be invested in ways that first prioritize the protection of principal and liquidity, then maximize the yield. Region 18 ESC invests excess funds in the Texas Class Investment Pool. Our ESC policy allows Pools to invest in things such as:

- Obligations of the United States Government or its agencies and instrumentalities.
- Fully collateralized repurchase agreements and reverse repurchase agreements, secured by any obligation of the United States, its agencies or its instrumentalities.
- No-load money market mutual funds regulated by the Securities and Exchange Commission and rated AAA or equivalent by at least one nationally recognized statistical rating organization (NRSRO).
- Certificates of deposit issued by national or state banks or credit unions, including savings banks, provided that such bank or credit union is domiciled in Texas. The certificates of deposit

must be guaranteed or insured by the Federal Deposit Insurance Company or the National Credit Union Share Insurance Fund. In addition, the certificates of deposit must be secured by obligations of the United States, its agencies or instrumentalities or as otherwise required by law.

- Commercial paper that matures in 270 days or less from the date of its issuance. The commercial paper must be rated at least A-1 or P-1 (or the equivalent thereof) by (1) two NRSROs or (2) one NRSRO and fully secured by an irrevocable letter of credit by a national or state bank.

- Guaranteed investment contracts from bond proceeds.

All investments must be made in accordance with the Public Funds Investment Act.

For reasons mentioned above, safeguards are in place and Pools are considered a safe investment. Pools provide a competitive rate of return while offering next day withdrawals. They provide an ability to initiate and monitor investment transactions and balances electronically. And lastly, the pools are required to disclose available market trends and the pool manager's investment decisions and activities to participants on a monthly basis. In our opinion, an investment pool is the most prudent avenue to invest excess funds when the pool's interest rates exceed that of the depository bank.

In addition to the investment pools, Region 18 ESC also had accounts with Prosperity Bank, our depository bank through 2023-2024. These accounts are used for daily operations. The bank has agreed to collateralize these accounts at 110% of our ledger balance.

Management feels our investments have met district objectives and meet all requirements of the Public Funds Investment Act. No changes to the CBF (legal) or to CBF (local) Investment Policies are recommended at this time.

Consideration: Interest Rates as of January 2024

- Prosperity Bank 0.35%
- Texas Class 5.24%
- TexPool 5.34%
- TexPool Prime 5.53%
- First Public 5.34%

[CBF Legal](#)

[CBF Local](#)

11. Executive Session

a) Personnel

b) Consultation with Region 18 ESC general counsel to seek and receive legal advice regarding pending legal matters including, but not limited to, personnel matters and/or pending or contemplated litigation. (Closed Session under Tex. Gov't Code 551.071)

c) Discuss Evaluation and Employment Letter Agreement of Executive Director (Closed Session under Tex. Gov't Code 551.071 and 551.074)

12. Action Items (Continued in Open Session)

a) Consider Approval of Evaluation and Employment Letter Agreement with Executive Director

An evaluation of the performance of the Executive Director/CEO was conducted during the Executive Session of this Board meeting. Action is required to approve the Employment Letter Agreement with the Executive Director.

13. Adjourn Meeting

The next meeting of the Region 18 Board of Directors is scheduled for April 4, 2024. There being no further business, this meeting may be adjourned.