Notice of Special Meeting
Board of Trustees
December 6, 2022

A Special Meeting of the Board of Trustees will be held on December 6, 2022, beginning at 6:00 PM, in the Administration Building, 400 East Loop 340, Waco, TX 76705.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. For more information about public comment, see Policy BED. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

I. Roll Call, Establishment of Quorum, and Call to Order -- Board President
II. Opening Ceremony -- Board President
III. Consider Listing of Agenda Items -- Board President
IV. Public Participation -- Board President
V. Action and Discussion Items -- Board President
    A. Consider Approval of Sewer Line Easement -- Mr. Todd Gooden
    B. Consider Budget Amendments -- Mr. James Garrett
VI. Closed Meeting -- Board President
VII. Adjournment -- Board President

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, Texas Government Code, Chapter 551, Subchapters D and E or Texas Government Code section 418.183(f). 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. [See TASB Policy BEC(LEGAL)]

_____

For the Board of Trustees

ROLL CALL, ESTABLISHMENT OF QUORUM, AND CALL TO ORDER

The meeting was called to order at _____ m.

Board of Trustees Members Present: _____

_____

Board of Trustees Members Absent: _____

_____

School Personnel Present: _____

_____

_____

_____

Others Present: _____

_____

_____

BOARD PRESIDENT:

THE OPENING CEREMONY CONSISTING OF THE PLEDGE OF ALLEGIANCE

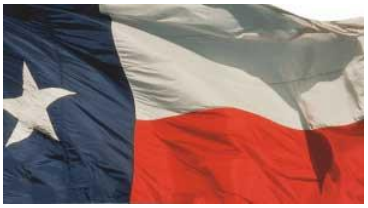
TO THE AMERICAN FLAG AND TO THE TEXAS FLAG WILL BE PROVIDED BY:

_____

(NAME, TITLE, POSITION, LVISD CAMPUS/DEPT.)



PLEDGE TO UNITED STATES FLAG. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.



PLEDGE TO TEXAS FLAG: "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

APPROVE LISTING OF AGENDA ITEMS

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person:
Dr. Sharon M. Shields and Board President

Background Information:
Board Members are asked to review the listing of agenda items.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

Motion:

Second:

For:

Against

Abstain:

PUBLIC PARTICIPATION

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☐

Contact Person(s):
Board President and Dr. Sharon M. Shields

Background Information:
LVISD POLICY BED (LOCAL) -- Public Participation: At regular meetings the Board shall allot 30 minutes to hear persons who desire to make comments to the Board. Persons who wish to participate in this portion of the meeting shall sign up with the presiding officer or designee before the meeting begins and shall indicate the topic about which they wish to speak.

Limit on Participation: Audience participation is limited to the portion of the meeting designated for that purpose. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless recognized by the presiding officer. No presentation shall exceed five (5) minutes. Delegations of more than five persons shall appoint one person to present their views before the Board.

Board's Response—Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.

Complaints and Concerns—Complaints and concerns for which other resolution channels are provided shall be directed through those channels. The presiding officer or designee shall determine whether a person who wishes to address the Board has attempted to solve a matter administratively. If not, the person shall be directed to the appropriate policy to seek resolution before bringing the matter to the Board at a subsequent meeting.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

ACTION / DISCUSSION ITEMS

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
N/A

Background Information:
The following items are included for board discussion and possible action.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

Consider Approval of Sewer Line Easement

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None ☐ Attached ☒ Provided Later ☐

Contact Person:
Mr. Todd Gooden

Background Information:
In a joint project between the county, the City of Waco, the City of Bellmead, and the City of Lacy-Lakeview, there will be a replacement of the current sewer line that starts in the City of Waco and runs through our school district out past the TSTC campus. The line was originally installed in the mid 1970's and is badly in need of replacement.

The specific impact to our District will occur when the line passes under Loop 340 and continues down Williams Road. The line will run in front of our Administration Building and continue down Williams Road in front of H.P. Miles. We have no authority to block the easement. The agreement merely protects the District by ensuring that any digging or demolition that needs to be done on or near our property will be restored at the same or better condition when the project is finished.

There is no definite timeline on the project. It will begin on the other side of the Brazos River and will work north east until it gets to our District.

Fiscal Implication:
N/A

Administrative Recommendation:
The District recommends that the Board approve the easement agreement.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Sanitary Sewer Easement

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security Number or your Driver's License Number.

Date: _____

Grantor:	La Vega I.S.D.
Grantor's Mailing Address:	400 East Loop 340
[include county]	Waco, McLennan County, Texas 76705
Grantee:	City of Waco, Texas, a municipal corporation
Grantee's Mailing Address:	P.O. Box 2570
[include county]	Waco, McLennan County, Texas 76702-2570

Permanent Easement Property: Being a 40.01 feet wide easement, 1.178 acre of land, being part of the H.P. Miles School Subdivision to the City of Bellmead, McLennan County, Texas, according to the plat recorded in McLennan County Clerk's Document 2011007116 of the Deed Records of McLennan County, Texas and being more particularly described in the field notes attached as Exhibit A and shown on the survey plat/drawing attached as Exhibit B.

Facilities: Raw, reclaimed or re-use, and potable water lines and wastewater lines, drainage channels and lines (above or below ground), and all associated appurtenances to these water, wastewater, and drainage channels and lines.

Easement Duration: The duration of the Easement is perpetual, until all of the Facilities shall be abandoned. If abandoned, said easement shall cease and all rights herein granted shall terminate and revert to Grantor or Grantor's successors or assigns.

Easement Purpose: To install, construct, operate, use, maintain, repair, modify, upgrade, monitor, inspect, replace, make connections with, remove, and decommission/abandon in place the Facilities in, over, under, on, and across the Easement Property. The Easement is nonexclusive and irrevocable.

Consideration: The sum of Ten and No/100 Dollars ($10) and other goods and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantor. The consideration recited herein shall constitute payment in full for all damages, including costs, sustained by Grantor resulting from the easement and installation of the Facilities referred to herein.

Permitted Encumbrances: Any easements, liens, encumbrances, and other matters not subordinated to the Easement Property and of record in the Real Property Records of

the McLennan County, Texas that are valid, existing, and affect the Easement Property as of the Date the Easement is executed.

Grant of Easement: Grantor, for the Consideration, grants, sells, and conveys to Grantee and Grantee's heirs, successors, and assigns an easement in, over, under, on, and across the Easement Property for the Easement Purpose, together with all and singular the rights and appurtenances thereto in any way belonging (collectively, the "Easement"), to have and to hold the Easement to Grantee and Grantee's heirs, successors, and assigns forever. This Easement shall constitute a conveyance and covenant running with the land for the benefit of Grantee, its successors and assigns.

Grantor covenants that s/he/it is the owner of the above-described land, and that said land is free and clear from all encumbrances and liens. Grantor binds Grantor and Grantor's heirs, successors, and assigns to warrant and forever defend the title to the Easement in Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claims the Easement or any part of the Easement, subject to the Permitted Encumbrances.

Grantee shall have such other rights as are necessary for the full enjoyment and use of the rights herein granted, including without limitation, to: (1) prevent excavation within the easement area; (2) prevent construction of any and all buildings, structures or other obstructions which, in the sole judgment of Grantee injure the Facilities or interfere with the construction, maintenance, inspection, operation, protection, use, repair, alteration, replacement, upgrading, relocation, or removal thereof; (3) trim or remove trees, shrubbery, or undergrowth within, but not limited to, said Easement area, to the extent in the sole judgment of Grantee, as may be necessary to prevent possible interference with the construction, maintenance, inspection, operation, protection, use, repair, alteration, replacement, upgrading, relocation, or removal of the Facilities; and (4) abandon in place any Facilities such that Grantee shall have no obligation or liability to Grantor or its successors or assigns to move or remove any such abandoned Facilities.

Grantor shall not make changes in grade, elevation, or contour of the land within the easement area as described above without prior written consent of Grantee. The installation, construction, operation, use, maintenance, repair, modification, upgrade or replacement of any structure, fence, building, retaining wall, detention or water quality control, rainwater harvesting system, tree, or other similar improvement in the Easement Property must be approved in writing in advance by the City.

Grantor recognizes that the general course of said lines and appurtenances to be constructed, or the metes and bounds as described herein, is based on preliminary surveys only, and Grantor hereby agrees that this easement and its general dimensions hereby granted shall apply to the actual location of said lines and appurtenances to be constructed when constructed.

Temporary Construction Easement:

Grantor further grants to Grantee an approximately 0.644 acre Temporary Construction Easement in, on, over, under, along, through, and across Grantor's property and shown on the survey plat/drawing attached as Exhibit B, for all of the purposes described in the above Easement Purpose, and including ingress, egress, and storing materials on the said Temporary Construction Easement during and throughout the period of construction of the Facilities. The Temporary Construction Easement will become effective upon execution of this document and will terminate no later than ninety (90) days after completion of the initial pipeline. The termination of this Temporary Construction Easement shall not, in any way, cancel, terminate, reduce, or diminish the Easement

Grantee agrees to record this document in the public records of McLennan County, Texas and supply Grantor with a copy of the recorded Perpetual Easement to the City of Waco within forty-five (45) days after execution of this Perpetual Easement to the City of Waco.

GRANTOR:

_____

signature

Print Name: _____

Title: _____

Date Signed: _____

ACKNOWLEDGMENT (business)

THE STATE OF TEXAS §

COUNTY OF McLENNAN §

BEFORE ME, the undersigned authority, on this day personally appeared

_____, _____
(Name) *(Title in business entity)*

of (insert name of grantor business/company), known to me to be the person whose name is subscribed to the forgoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein stated.

GIVEN under my hand and seal of office, this the _____ day of _____, 20___.

_____
Notary Public, State of Texas

ACKNOWLEDGMENT (individual)

THE STATE OF TEXAS §

COUNTY OF McLENNAN §

BEFORE ME, the undersigned authority, on this day personally appeared *(insert name of Grantor)* _____, known to me to be the person whose name is subscribed to the forgoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein stated.

GIVEN under my hand and seal of office, this the _____ day of _____, 20___.

_____
Notary Public, State of Texas

CONSENT AND SUBORDINATION BY LIENHOLDER

_____ ("Lienholder"), as the holder of a lien on the property upon which the Easement is granted, consents to the above grant of the Easement, including the terms and conditions of the grant, and Lienholder subordinates its lien to the rights and interests of Grantee, so that a foreclosure of the lien will not extinguish Grantee's rights and interests.

_____

Signature

Print Name:_____

Print Title:_____

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 20____, by _____.

_____

Notary Public in and for the State of Texas

After recording, return to:
City of Waco
City Attorney's Office
P.O. Box 2570
Waco, Texas 76702-2570

EXHIBIT A

Walker Partners
engineers | surveyors

823 Washington Ave., Suite 100
Waco, Texas 76701

1.178 ACRE WASTEWATER EASEMENT
LOCATED IN THE H. P. MILES SCHOOL SUBDIVISION TO THE CITY OF BELLMEAD
McLENNAN COUNTY, TEXAS

FIELD NOTES FOR A 1.178 ACRE WASTEWATER EASEMENT LOCATED IN THE H. P. MILES SCHOOL SUBDIVISION TO THE CITY OF BELLMEAD, McLENNAN COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN McLENNAN COUNTY CLERK'S DOCUMENT 2011007116 OF THE OFFICIAL PUBLIC RECORDS OF McLENNAN COUNTY, TEXAS. SAID 1.178 ACRE TRACT BEING MORE PARTICULARLY SHOWN ON THE ATTACHED EXHIBIT DRAWING AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTHEAST RIGHT-OF-WAY LINE OF WILLIAMS ROAD (100' WIDE) MARKING THE NORTHWEST CORNER OF SAID H. P. MILES SCHOOL SUBDIVISION FOR THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 1/2" IRON ROD WITH A CAP STAMPED "WALLACE GROUP" FOUND MARKING THE NORTHEAST CORNER OF THE H. P. MILES SCHOOL SUBDIVISION BEARS N 61°00'15" E – 920.24';

THENCE CROSSING THE INTERIOR OF THE H. P. MILES SCHOOL SUBDIVISION THE FOLLOWING FIVE CALLS:

1) **S 67°23'15" E – 45.00'** TO AN OUTSIDE CORNER OF THE HEREIN DESCRIBED TRACT,
2) **S 22°36'45" W – 986.84'** SOUTHEAST OF, PARALLEL TO AND 45' AT RIGHT ANGLES FROM THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID WILLIAMS ROAD TO AN INSIDE CORNER OF THE HEREIN DESCRIBED TRACT,
3) **S 34°32'09" E – 97.14'** EAST OF, PARALLEL TO AND 40' AT RIGHT ANGLES FROM THE EAST RIGHT-OF-WAY LINE OF EAST LOOP 340 (VARIABLE WIDTH) TO AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT,
4) **S 32°33'40" E – 51.87'** EAST OF, PARALLEL TO AND 40' AT RIGHT ANGLES FROM THE EAST RIGHT-OF-WAY LINE OF EAST LOOP 340 TO THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT,
5) **S 57°26'54" W – 40.01'** TO A POINT IN THE EAST RIGHT-OF-WAY LINE OF EAST LOOP 340 FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE WITH THE COMMON LINE OF THE H. P. MILES SCHOOL SUBDIVISION AND EAST LOOP 340 THE FOLLOWING TWO CALLS:

1) **N 32°33'06" W – 51.09'** TO A BROKEN TEXAS OF TRANSPORTATION CONCRETE MONUMENT FOUND FOR AN ANGLE POINT OF SAID H. P. MILES SCHOOL SUBDIVISION AND OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 5/8" IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF THE H. P. MILES SCHOOL SUBDIVISION BEARS S 32°33'06" E – 300.16' AND S 29°43'50" E – 66.02',
2) **N 34°32'09" W – 124.27'** TO A POINT FOR THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF EAST LOOP 340 WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID WILLIAMS ROAD FOR AN OUTSIDE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 22°36'45" E – 1005.40' WITH THE COMMON LINE OF SAID H. P. MILES SCHOOL SUBDIVISION AND SAID WILLIAMS ROAD RETURNING TO THE **POINT OF BEGINNING** AND CONTAINING 1.178 ACRES OF LAND AS SURVEYED BY DANA B. SPIGENER, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4809 ON APRIL 22, 2022. BEARINGS CITED WITHIN THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.

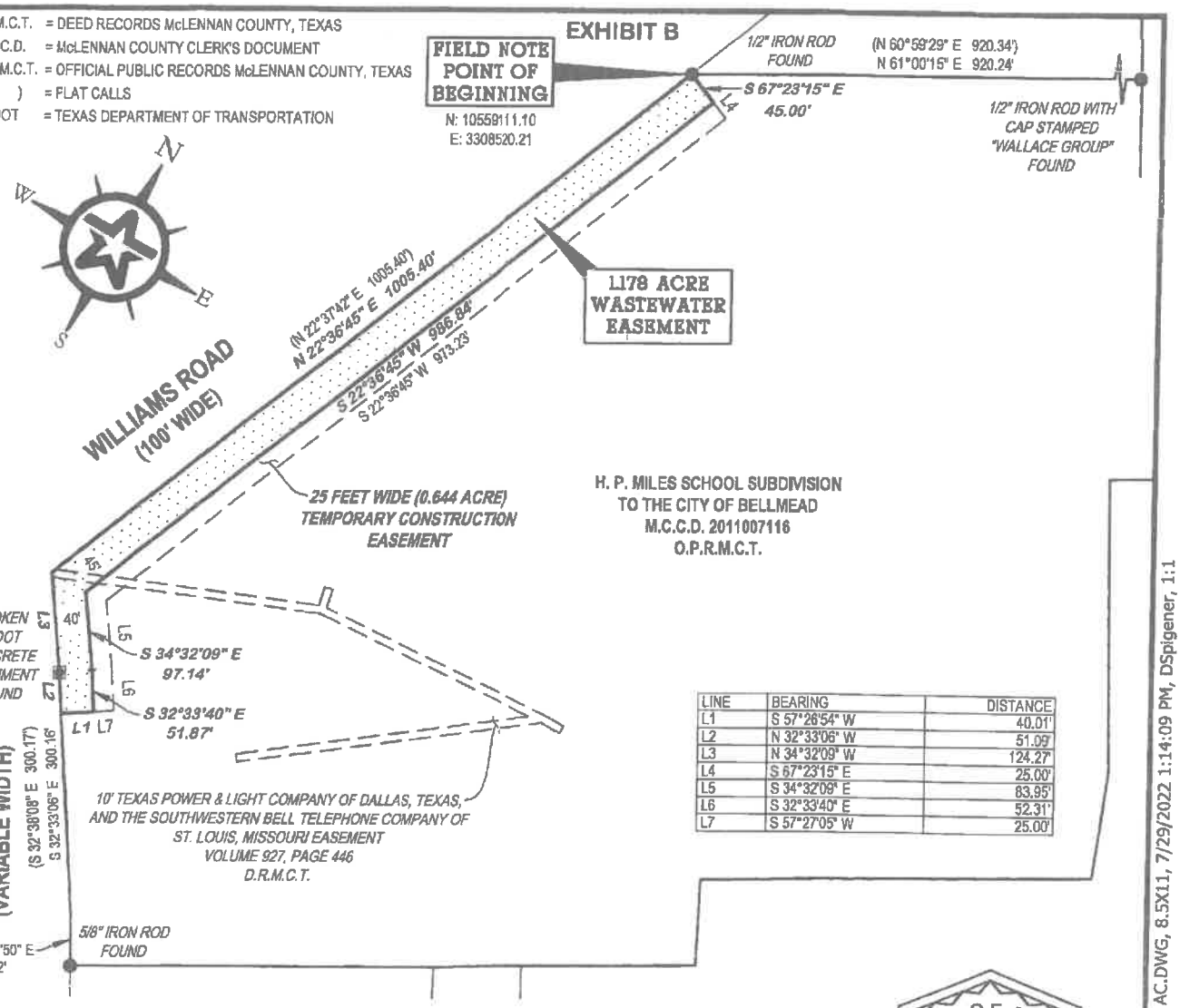
Dana B. Spigener
DANA B. SPIGENER, R.P.L.S. 4809



PREPARED: JULY 29, 2022
PROJ NO. 1-02407.02
PLAT NO. A1-2121
FIELD NOTE NO. 08_1.178 AC
MAP CHECKED: JULY 29, 2022

D.R.M.C.T. = DEED RECORDS McLENNAN COUNTY, TEXAS
M.C.C.D. = McLENNAN COUNTY CLERK'S DOCUMENT
O.P.R.M.C.T. = OFFICIAL PUBLIC RECORDS McLENNAN COUNTY, TEXAS
( ) = PLAT CALLS
TxDOT = TEXAS DEPARTMENT OF TRANSPORTATION

EXHIBIT B



LINE	BEARING	DISTANCE
L1	S 57°26'54" W	40.01'
L2	N 32°33'06" W	51.09'
L3	N 34°32'09" W	124.27'
L4	S 67°23'15" E	25.00'
L5	S 34°32'09" E	83.95'
L6	S 32°33'40" E	52.31'
L7	S 57°27'05" W	25.00'

SURVEYOR'S NOTES:

SURVEY DATE: APRIL 22, 2022

FIELD NOTES ATTACHED HERETO, MADE A PART HEREOF AND TITLED:
1.178 ACRE WASTEWATER EASEMENT LOCATED IN THE H. P. MILES SCHOOL SUBDIVISION TO THE CITY OF BELLMEAD, McLENNAN COUNTY, TEXAS

THE SURVEYOR DID NOT ABSTRACT THE SUBJECT TRACT. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE REPORT PROVIDED BY FOSSETT TITLE WORKS, LLC, PERIOD COVERED: 1952 THROUGH MAY 8, 2022. THE SURVEYOR DOES NOT GUARANTEE THAT THE TITLE REPORT LISTS ALL EASEMENTS, RESTRICTIONS OR ENCUMBRANCES (EITHER OF RECORD OR NOT OF RECORD) WHICH MAY AFFECT THE SUBJECT TRACT.

THE BEARINGS AND GRID COORDINATES SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.

STATE OF TEXAS
REGISTERED
DANA BRENT SPIGENER
4809
PROFESSIONAL
LAND SURVEYOR

Dana B. Spigener

PREPARED: JULY 29, 2022

EXHIBIT
1.178 ACRE WASTEWATER EASEMENT
25 FEET WIDE (0.644 ACRE) TEMPORARY CONSTRUCTION EASEMENT
LOCATED IN THE H. P. MILES SCHOOL SUBDIVISION TO THE CITY OF BELLMEAD ACCORDING TO THE PLAT THEREOF RECORDED IN McLENNAN COUNTY CLERK'S DOCUMENT 2011007116 OF THE OFFICIAL PUBLIC RECORDS OF McLENNAN COUNTY, TEXAS

© COPYRIGHT ALL RIGHTS RESERVED

Walker Partners
engineers ★ surveyors
823 Washington Ave. ● Waco, Texas 76701
Phone: 1-254-714-1402 ● T.B.P.E. Registration No. 8053
T.B.P.L.S. Registration No. 10032500

0 100 200 400
GRAPHIC SCALE IN FEET

REVISIONS

PLAT NO. A1-2121 DRAFT DATE 07/29/2022 FB/PG
PROJ. NO. 1-02407.02 TAB NO. 8.5X11 FIELD NOTE NO. 08
DWG. NAME 1-02407.02EXHIB_LAVEGA 1.178 AC DRAWN BY DBS

G:\PROJECTS\1-02407\1-02407.02\1 SURVEY\1.0 CAD\1-02407.02EXHIB_LAVEGA 1.178 AC.DWG, 8.5X11, 7/29/2022 1:14:09 PM, DSpigener, 1:1

Consider Budget Amendments

Presented for:
Board action ☒ Report/Review Only ☐

Supporting documents:
None Attached X Provided Later

Contact Person:
Mr. James D. Garrett

Background Information:
Section 2.10.6 of the Financial Accountability System Resource Guide, version 14.0, dated January 2010, states that budget amendments are mandated by the state for budgeted funds reallocated from one function level, and state and/or federal project to another. These budget changes are usually the result of unexpected levels of expenditures in certain categories and must be amended in the budget for legal compliance.

All budget amendments are required to be adopted by the last day of the fiscal year. All necessary budget amendments must be formally adopted by the school board and recorded in the board minutes.

Fiscal Implication:
Budget amendments are moving from one function to another.

Administrative Recommendation:
Approve the budget amendments as presented.

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Fund 240 / 3 NAT SCHOOL BREAKFAST LUNCH PRO

Amendment Nbr	Date	Amendment Reason					
	Fnc-Obj.So-Org-Prog		Original	Approved	Increase	Decrease	Amended
121697	11-29-2022	B121697 BUDGET CHANGE					
	00-3700.00-000-300000		.00	.00	351,000.00	.00	-351,000.00
	35-6399.00-835-399000		-67,000.00	-47,700.00	26,000.00	.00	-73,700.00
	35-6629.00-835-399000		.00	.00	325,000.00	.00	-325,000.00
				Amendment 121697 Total	**702,000.00**	**.00**	
	Fund 240 / 3 Totals						
	3XXX		**.00**	**.00**	**351,000.00**	**.00**	**-351,000.00**
	5XXX		**.00**	**.00**	**.00**	**.00**	**.00**
	6XXX		**-67,000.00**	**-47,700.00**	**351,000.00**	**.00**	**-398,700.00**
	7XXX		**.00**	**.00**	**.00**	**.00**	**.00**
	8XXX		**.00**	**.00**	**.00**	**.00**	**.00**
	Grand Totals						
	3XXX		**.00**	**.00**	**351,000.00**	**.00**	**-351,000.00**
	5XXX		**.00**	**.00**	**.00**	**.00**	**.00**
	6XXX		**-67,000.00**	**-47,700.00**	**351,000.00**	**.00**	**-398,700.00**
	7XXX		**.00**	**.00**	**.00**	**.00**	**.00**
	8XXX		**.00**	**.00**	**.00**	**.00**	**.00**

End of Report

CLOSED MEETING

Presented for:
Board action ☐ Report/Review Only ☒

Supporting documents:
None ☒ Attached ☐ Provided Later ☒

Contact Person:
Board President

Background Information:
The Board may enter into a closed meeting after the following requirements have been met:

1. A quorum of the Board has first been convened in open meeting for which notice has been given.
2. The presiding officer has publicly announced in open meeting that a closed meeting will be held.
3. The presiding officer has identified the section or sections of the Open Meetings Act or other applicable statutes that authorize the holding of such closed meeting.

Fiscal Implication:
N/A

Administrative Recommendation:
N/A

A closed meeting was declared:

_____ Beginning Time

_____ Date

_____ Sections of the Texas Government Code

_____ Ending Time

ADJOURNMENT

Motion: _____

Second: _____

For: _____

Against: _____

Abstain: _____

Date and Time: _____