

NOTICE OF MEETING OF THE BOARD OF TRUSTEES OF THE MATAGORDA INDEPENDENT SCHOOL DISTRICT

Notice is hereby given that the Regular Meeting of the Board of Trustees of the Matagorda Independent School District will be held on **Wednesday, the 12th Day of January, 2022 at 6:00 P.M.** in the Boardroom in the Library at **717 Wightman Street in Matagorda, Texas 77457**. The order of the agenda items may be changed during the meeting. Consideration items may include deliberations and action. *Posted as required by Texas Gov't Code Title 5 Section 551.127 Concerning Video Conference Call, One or More of the Board Members or Administration May Participate in this Meeting by Video Conference Call.*

Notice to the Board and the Public: This meeting is a Regular Meeting of the Board that is open to the public. In considering whether to attend the meeting, please exercise caution based on guidance from the CDC and health officials to avoid unnecessary physical attendance and contacts at events. The District will utilize appropriate cleaning procedures and implement social distancing efforts within the building to reduce physical proximity of board members, staff, and any audience members.

- 1. Call the Meeting to Order**
- 2. Establish a Quorum**
- 3. Vision and Mission Statement -**
- 4. Public Comment**
- 5. Superintendent Report – Plans for New High School**

- 6. Consent Agenda Items**
 - A. Consider Minutes from all Previous Meetings
 - B. Consider Financial Reports Including Check Payments, Budget
 - C. Consider Monthly/Quarterly Tax and Security Reports

- 7. Consideration and Action Items**
 - A. Consider Approval of External Auditor for 2021-2022 School Year
 - B. Consider Resolution to Adopt the Early Turnover of Personal Property Taxes Pursuant to Tax Code Section 33.11
 - C. Consider the First Addendum to the Delinquent Tax Collection Contingent Fee Contract with Perdue Fielder Collins and Mott, LLP Pursuant to Section 6.30 of the Tax Code, said Contract Being for the Collection of Delinquent Government Receivables Owed to Matagorda Independent School District and Notice of Said First Addendum is Posted with the Agenda in Accordance with Section of the Government Code
 - D. Consider Data on Setting District Moto and Vision
 - E. Consider Lone Star Governance Training and Board Training
 - F. Consider Waiver for Low Attendance Days

- 8. Executive Closed Session As Needed**

- A. Discussion of Personnel Matters Tex. Gov't Code 551.074 Discussion of Annual Superintendent Evaluation and Setting Tool for Evaluation
- B. Discussion of Personnel Matters Tex. Gov't Code 551.074 Consider Hiring of Teacher to Replace Retiree

No final action, decision, or vote will be taken by the Board while in Executive Session.

9. Consider and Take Action, if any, on Items Discussed in Closed Session*

10. Discuss Topics for Next Regular Board Meeting on Agenda Including:

- A. Consider Setting Policy for High School
- B. Public Hearing to Present Plans for New High School
- C. Consider Hiring of Personnel for Fall 2022

11. Adjourn

**Action may be taken on any item on the agenda.*

If during the course of the meeting, discussion of any item on the agenda should be in a closed meeting, the board will conduct a closed meeting in accordance with the Texas Open Meeting Act, Texas Government Code, Chapter 551, Subchapters D and E.

Dated this 8th Day of January 2022



Barbara Marchbanks, Superintendent, Matagorda ISD

I, the undersigned authority, hereby certify that the above Notice of Meeting of the Board of Trustees of the above-named school district is a correct copy of the Notice and that I posted the Notice on the bulletin for public notices in the District's Administrative Office located at 717 Wightman St. Matagorda, Texas **on this 8th Day of January 2022**

Dated this 8th Day of January 2022



Barbara Marchbanks, Superintendent, Matagorda ISD

Bank Balances as of December 31, 2021

6B

Maintenance and Operations	\$296,932.10
Workers Comp	\$207.33
Debt Service	\$284,341.50

For the Month of December

Check Nbr	Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.So-Org-Prog	Reason	Amount	EFT
005143	12-08-2021	PROSPERITY BANK	009447		199-00-1111.00-000-200000	Change for Fundraiser	300.00	N
			009447		199-00-1111.00-000-200000	Wrong Account Code	-300.00	N
			009448		461-36-6399.00-101-200000	Change for Fundraiser	300.00	N
Totals for Check 005143							300.00	
010951	12-03-2021	AMERICAN EXPRESS	007751		101-35-6399.00-101-299000	PO Created by Req: 002789	31.50	N
			009431		199-11-6321.00-000-200000	OVERLAYS	32.93	N
			007769		199-23-6399.00-101-299000	PO Created by Req: 002807	58.00	N
			007746		199-23-6411.00-101-299000	PO Created by Req: 002781	14.76	N
			007749		199-41-6399.00-750-299000	PO Created by Req: 002786	61.50	N
			007746		199-41-6399.00-750-299000	PO Created by Req: 002781	7.38	N
			007769		199-41-6399.00-750-299000	PO Created by Req: 002807	58.00	N
			009431		199-41-6419.00-702-299000	BOARD MEAL	7.32	N
			009431		199-41-6419.00-702-299000	BOARD MEAL	50.98	N
			007759		199-41-6419.00-702-299000	PO Created by Req: 002796	4.00	N
			007750		199-41-6419.00-702-299000	PO Created by Req: 002788	110.18	N
			009431		199-51-6259.00-101-299000	PHONE	682.77	N
			007759		199-51-6319.00-101-299000	PO Created by Req: 002796	9.50	N
			009431		461-36-6399.00-101-200000	CONCESSION STAND SUPPLIES	302.84	N
Totals for Check 010951							1,431.66	
010952	12-03-2021	JACKSON ELECTRIC CO	009432		199-51-6259.00-101-299000	INTERNET	961.25	N
010953	12-03-2021	MATAGORDA W. D. & W.	009433		199-51-6259.00-101-299000	WATER	533.10	N
010954	12-03-2021	McCOY'S	007764		199-51-6319.00-101-299000	PO Created by Req: 002802	37.15	N
			007765		199-51-6319.00-101-299000	PO Created by Req: 002803	17.48	N
Totals for Check 010954							54.63	
010955	12-03-2021	OFFICE SYSTEMS	009435		199-41-6269.00-101-299000	COPIER	846.32	N
010956	12-03-2021	OFFICE SYSTEMS CENT	009434		199-41-6269.00-101-299000	COPIER	493.16	N
010957	12-03-2021	Pak Petroleum Marketing,	009436		199-34-6319.00-999-299000	DEF	75.00	N
010958	12-03-2021	REGION III	009437		199-35-6239.00-101-299000	PURCHASING COOP	279.15	N
			009437		199-41-6239.00-701-299000	SCHOOL PROCEDURES	212.00	N
			009437		199-51-6239.00-101-200000	PURCHASING COOP	279.15	N
			009437		199-53-6239.00-101-299000	ASCENDER	19,388.00	N
			009437		199-53-6239.00-101-299000	ERATE	3,000.00	N
Totals for Check 010958							23,158.30	
010959	12-03-2021	TASB, INC.	009438		199-41-6299.00-750-299000	POLICY UPDATE	1,706.84	N
010960	12-03-2021	VERIZON WIRELESS	009439		199-51-6259.00-101-299000	PHONES	250.51	N
			009439		863-00-2159.00-109-200000	INTERNET	401.13	N
Totals for Check 010960							651.64	
010961	12-03-2021	WALSH GALLEGOS TRE	009440		199-41-6211.00-701-299000	GENERAL/SPED/RETAINER	6,940.36	N
010962	12-08-2021	BUG MOBILES INC	007757		199-51-6249.00-101-299000	PO Created by Req: 002794	140.00	N
010963	12-08-2021	DAVIS BROTHERS AUTO	007774		199-51-6319.00-101-299000	PO Created by Req: 002812	121.18	N

For the Month of December

Check Nbr	Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.-So-Org-Prog	Reason	Amount	EFT
010981	12-30-2021	AQUA-ZYME SERVICES,I	009456		199-51-6249.00-101-299000	MICROBE SERVICE	80.00	N
010982	12-30-2021	BARTDESIGNS	007785		199-53-6299.00-101-299000	PO Created by Req: 002823	255.00	N
			007785		199-53-6399.00-101-200000	PO Created by Req: 002823	439.98	N
Totals for Check 010982							694.98	
010983	12-30-2021	JACKSON ELECTRIC CO	009457		199-51-6259.00-101-299000	INTERNET	961.25	N
010984	12-30-2021	MATAGORDA W. D. & W.	009463		199-51-6259.00-101-299000	WATER	461.40	N
010985	12-30-2021	SUMMIT FIRE AND SECU	009460		199-51-6249.00-101-299000	SEMI ANNUAL INSPECTION	373.50	N
010986	12-30-2021	SYNERGISDIC, LLC	009458		199-53-6299.00-101-299000	TECHNOLOGY	2,187.00	N
010987	12-30-2021	TEXAS COMMERCIAL FI	009459		199-51-6249.00-101-299000	FIRE EXTINGUISHERS	534.20	N
010988	12-30-2021	TRAVIS G TOMEK	009461		199-36-6249.00-101-299000	PHYSICAL EXMAS	70.00	N
010989	12-30-2021	VERIZON WIRELESS	009462		199-51-6259.00-101-299000	INTERNET	229.23	N
			009462		863-00-2159.00-109-200000	INTERNET	401.30	N
Totals for Check 010989							630.53	
Total Checks							74,919.56	

End of Report

Tax Collections Activity Report - Current/Delinquent

12/8/2021 4:02:05PM MATAGORDA ISD
 Report Criteria Entity: ALL
 Year: ALL
 Date Range: 12/01/2021 to 12/07/2021
 Batch(es): ALL

Entity	Current Year	M&O	I&S	Delinquent Years	M&O	I&S	All Years	M&O	I&S
	Taxes	115,053.44	12,421.04	Taxes	1.21	0.12	Taxes	115,054.65	12,421.16
	Discounts	0.00	0.00	Discounts	0.00	0.00	Discounts	0.00	0.00
	Penalty	0.00	0.00	Penalty	0.15	0.01	Penalty	0.15	0.01
	Interest	0.00	0.00	Interest	0.13	0.01	Interest	0.13	0.01
	Total Collected	115,053.44	12,421.04	Total Collected	1.49	0.14	Total Collected	115,054.93	12,421.18
	Total Collected	127,474.48		Total Collected	1.63		Total Collected	127,476.11	
	Refunds Paid			Refunds Paid			Refunds Paid		
	Taxes	0.00	0.00	Taxes	0.00	0.00	Taxes	0.00	0.00
	Penalty	0.00	0.00	Penalty	0.00	0.00	Penalty	0.00	0.00
	Interest	0.00	0.00	Interest	0.00	0.00	Interest	0.00	0.00
	Total Refunded:	0.00	0.00	Total Refunded:	0.00	0.00	Total Refunded:	0.00	0.00
	Total Refunded:	0.00		Total Refunded:	0.00		Total Refunded:	0.00	
	Taxes	115,053.44	12,421.04	Taxes	1.21	0.12	Taxes	115,054.65	12,421.16
	Penalty	0.00	0.00	Penalty	0.15	0.01	Penalty	0.15	0.01
	Interest	0.00	0.00	Interest	0.13	0.01	Interest	0.13	0.01
	Total Disbursed:	115,053.44	12,421.04	Total Disbursed:	1.49	0.14	Total Disbursed:	115,054.93	12,421.18
	Total Disbursed:	127,474.48		Total Disbursed:	1.63		Total Disbursed:	127,476.11	
	Current Year	127,474.48		Delinquent Years			All Years	127,476.11	
	Total Collected	127,474.48		Total Collected	1.63		Total Collected	127,476.11	
	Attorney Fees	0.00		Attorney Fees	0.33		Attorney Fees	0.33	
	Other Fees	0.00		Other Fees	0.00		Other Fees	0.00	
	Overpayments	0.00		Overpayments	0.00		Overpayments	0.00	
	Total Paid	127,474.48		Total Paid	1.96		Total Paid	127,476.44	
	Underpayments	0.00		Underpayments	0.00		Underpayments	0.00	
	Total Paid	127,474.48		Total Paid	1.96		Total Paid	127,476.44	
	Attorney Fees	0.00		Attorney Fees	0.33		Attorney Fees	0.33	
	Refunds Paid - Attorney Fees	0.00		Refunds Paid - Attorney Fees	0.00		Refunds Paid - Attorney Fees	0.00	
	Attorney Fee Disbursement Amount	0.00		Attorney Fee Disbursement Amount	0.33		Attorney Fee Disbursement Amount	0.33	

Tax Collections Activity Report - Current/Delinquent

Entity: MISD - CED 16
 Report Criteria: ALL
 Year: 12/01/2021 to 12/07/2021
 Date Range: ALL
 Batch(es): ALL

Entity	Current Year	M&O	I&S	Delinquent Years	M&O	I&S	All Years	M&O	I&S
	Taxes	0.00	0.00	Taxes	0.00	0.00	Taxes	0.00	0.00
	Discounts	0.00	0.00	Discounts	0.00	0.00	Discounts	0.00	0.00
	Penalty	0.00	0.00	Penalty	0.00	0.00	Penalty	0.00	0.00
	Interest	0.00	0.00	Interest	0.00	0.00	Interest	0.00	0.00
	Total Collected	0.00	0.00	Total Collected	0.00	0.00	Total Collected	0.00	0.00
	Total Collected	0.00	0.00	Total Collected	0.00	0.00	Total Collected	0.00	0.00
	Refunds Paid			Refunds Paid			Refunds Paid		
	Taxes	0.00	0.00	Taxes	0.00	0.00	Taxes	0.00	0.00
	Penalty	0.00	0.00	Penalty	0.00	0.00	Penalty	0.00	0.00
	Interest	0.00	0.00	Interest	0.00	0.00	Interest	0.00	0.00
	Total Refunded:	0.00	0.00	Total Refunded:	0.00	0.00	Total Refunded:	0.00	0.00
	Total Refunded:	0.00	0.00	Total Refunded:	0.00	0.00	Total Refunded:	0.00	0.00
	Taxes	0.00	0.00	Taxes	0.00	0.00	Taxes	0.00	0.00
	Penalty	0.00	0.00	Penalty	0.00	0.00	Penalty	0.00	0.00
	Interest	0.00	0.00	Interest	0.00	0.00	Interest	0.00	0.00
	Total Disbursed:	0.00	0.00	Total Disbursed:	0.00	0.00	Total Disbursed:	0.00	0.00
	Total Disbursed:	0.00	0.00	Total Disbursed:	0.00	0.00	Total Disbursed:	0.00	0.00
	Total Collected	0.00	0.00	Total Collected	0.00	0.00	Total Collected	0.00	0.00
	Attorney Fees	0.00	0.00	Attorney Fees	0.00	0.00	Attorney Fees	0.00	0.00
	Other Fees	0.00	0.00	Other Fees	0.00	0.00	Other Fees	0.00	0.00
	Overpayments	0.00	0.00	Overpayments	0.00	0.00	Overpayments	0.00	0.00
	Total Paid	0.00	0.00	Total Paid	0.00	0.00	Total Paid	0.00	0.00
	Underpayments	0.00	0.00	Underpayments	0.00	0.00	Underpayments	0.00	0.00
	Total Paid	0.00	0.00	Total Paid	0.00	0.00	Total Paid	0.00	0.00
	Attorney Fees	0.00	0.00	Attorney Fees	0.00	0.00	Attorney Fees	0.00	0.00
	Refunds Paid - Attorney Fees	0.00	0.00	Refunds Paid - Attorney Fees	0.00	0.00	Refunds Paid - Attorney Fees	0.00	0.00
	Attorney Fee Disbursement Amount	0.00	0.00	Attorney Fee Disbursement Amount	0.00	0.00	Attorney Fee Disbursement Amount	0.00	0.00

Matagorda County Appraisal District

2225 Avenue G
Bay City, Texas 77414
979-244-2031

December 15, 2021

Matagorda ISD
Chairman Stanley & Mrs. Marchbanks
P O Box 657
Matagorda TX 77457-0657

RE: 2022/2023 Board of Directors Election Results

Dear Chairman Stanley:

The election for the Matagorda County Appraisal District Board of Directors term 2022/2023 has officially been closed for voting. The results of the election are as follows:

Jay Kennedy	1154
David Cobb	1153
Stephen Zapalac	820
Tony Kucera Jr	654
Peter Zamarripa	718
Carolyn Thames	325

In accordance with Section 6.03 of the Texas Property Tax Code, Chief Appraiser Vince Maloney declares the following five candidates as receiving the most votes. The 2022-2023 Board of Directors will be:

Jay Kennedy
David Cobb
Stephen Zapalac
Tony Kucera Jr
Peter Zamarripa

Sincerely,



Vince Maloney
Chief Appraiser



EL CAMPO, TX

Pledge Security Listing

December 31, 2021

ID	CUSIP	Description	Safekeeping Location	Safekeeping Receipt	Coupon	Maturity Date	Call Date	Moody	S&P	Fitch	ASC 320	Face Amount	Current Par	Current Book Value	Market Value	Gain(Loss)
MATAGORDA ISD																
1948	3128QT7K4	FHLMC #1G3598	FHLB		2.40	06/01/2037		AAA	AA+	AAA	HTM	3,500,000	183,370.53	183,318.27	188,871.65	5,553.37
3607	3138EKLX1	FNMA #AL3041	FHLB		2.00	02/01/2028		AAA	AA+	AAA	HTM	1,232,369	219,533.59	220,704.98	224,288.94	3,583.95
4174	3138EJRE0	FNMA #AL2284	FHLB		2.50	09/01/2027		AAA	AA+	AAA	HTM	3,500,000	443,209.55	445,589.00	455,582.38	9,993.38
4882	3138WJAC2	FNMA #AS8102	FHLB		2.50	10/01/2031		AAA	AA+	AAA	HTM	1,500,000	442,779.71	452,159.07	455,359.69	3,190.61
5529	31418DVZ5	FNMA #MA4232	FHLB		2.00	01/01/2041		AAA	AA+	AAA	HTM	1,000,000	874,153.72	904,856.24	879,553.36	(25,302.86)
Total for MATAGORDA ISD												2,163,047.10	2,206,637.56	2,203,656.02	(2,981.57)	
												10,732,369				

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Although the information in this report has been obtained from sources believed to be reliable, its accuracy cannot be guaranteed.



Pledge Security Listing

December 31, 2021

ID	CUSIP	Description	Safekeeping Location	Safekeeping Receipt	Coupon	Maturity Date	Call Date	Moody	S&P	Fitch	ASC 320	Face Amount	Current Par	Current Book Value	Market Value	Gain(Loss)
1948	3128Q77K4	FHLMC #1G3558	FHLB		2.40	06/01/2037		AAA	AA+	AAA	HTM	3,500,000	183,370.53	183,318.27	188,871.65	5,553.37
3607	3138EKLY1	FNMA #AL3041	FHLB		2.00	02/01/2028		AAA	AA+	AAA	HTM	1,232,369	219,533.59	220,704.98	224,288.94	3,583.95
4174	3138EJRE0	FNMA #AL2284	FHLB		2.50	09/01/2027		AAA	AA+	AAA	HTM	3,500,000	443,209.55	445,589.00	455,582.38	9,993.38
4882	3138WJACZ	FNMA #AS8102	FHLB		2.50	10/01/2031		AAA	AA+	AAA	HTM	1,500,000	442,779.71	452,169.07	455,359.69	3,190.61
5529	3141BDV25	FNMA #MA4232	FHLB		2.00	01/01/2041		AAA	AA+	AAA	HTM	1,000,000	874,153.72	904,856.24	879,553.36	(25,302.86)
Total for MATAGORDA ISD												2,163,047.10	2,206,637.56	2,203,656.02	(2,981.57)	

Although the information in this report has been obtained from sources believed to be reliable, its accuracy cannot be guaranteed.



7B&C

Leslie Schkade
Partner
1235 N. Loop West, Suite 600
Houston, Texas 77008
p: 713-862-1860
f: 713-862-1429
w: www.pbfc.com

Memorandum

To: Matagorda ISD Board of Trustees

From: Leslie Schkade / Michael J. Darlow

Date: January 6, 2022

Re: Early Turnover of Personal Property Taxes

In mid-December I was contacted by Ms. Becky Cook, the Matagorda County Tax Assessor Collector, about the early turnover of personal property taxes. Commissioners' Court adopted early turnover for the county taxes at their December 20th meeting. For administrative purposes and continuity of collections, Ms. Cook would like all entities to participate.

By way of overview, taxes billed in October generally go delinquent and incur penalties and interest on February 1. All persons with taxes delinquent as of May 1 are sent a 30-day notice under Tax Code §33.07 warning of the imposition of an additional collection penalty on July 1 if the taxes remain unpaid. On July 1, those unpaid taxes, with interest and penalties, are turned over to us for collection pursuant to our contract. The collection penalty, which can be up to 20%, is used to pay our firm for its services – no money comes out of your unit's budget.

Section 33.11 was added to the Tax Code by the Legislature to provide for early turn-over of delinquent personal property taxes. This section provides a mechanism for early turnover of delinquent personal property taxes – real property taxes would still fall under §33.07. Under the section, a notice would go out in the first month of delinquency (usually February) to those persons owing delinquent taxes on business personal property and mobile homes and the collection penalty would be imposed 60 days later. The delinquent personal property taxes would then be turned over to us for collection. This would allow us, for most accounts, to start working on your personal property accounts as early as April 2 of each year rather than waiting for July. Unfortunately, given the fact that personal property can disappear quickly that extra three months may make a difference as to whether or not some accounts get collected before the business and its assets leave.

I have attached a Contract Addendum and Resolution authorizing the payment of the collection penalty for personal property taxes pursuant to Tax Code §33.11. For any questions, I can be reached at (713)802-6952 or via email: lschkade@pbfc.com.

Written Findings:

Written Findings as to the First Addendum to Delinquent Tax Contract with
Perdue, Brandon, Fielder, Collins & Mott, LLP

In an open meeting, the Board of Trustees for Matagorda ISD considered all matters listed Section 2254.1036(a)(1) of the Government Code, as they relate to an addendum to a contingent fee contract with Perdue Brandon Fielder Collins and Mott, LLP.

The Board of Trustees, pursuant to Section 2254.1036(b), of the Government Code, hereby finds the following to be true: 1) there is a substantial need for the legal services specified in said contract; 2) these legal services cannot be adequately performed by the attorneys and supporting personnel of Matagorda ISD; and 3) these legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which these services will be obtained or because Matagorda ISD does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees.

Therefore, this Board of Trustees hereby approves the first addendum to the delinquent tax contract by and between Matagorda ISD and Perdue Brandon Fielder Collins & Mott, LLP, for professional legal services regarding the collection of delinquent ad valorem taxes with services to be paid in accordance with Section 6.30 of the Tax Code.

APPROVED and EXECUTED this the ____ day of _____, 2022.

On Behalf of the Board of Trustees for Matagorda ISD
Matagorda County, Texas

Agenda Item 1:

Take action to approve the Resolution to adopt the early turnover of personal property taxes pursuant to Tax Code Section 33.11.

Agenda Item 2:

Take action to approve the First Addendum to the Delinquent Tax Collection contingent fee contract with Perdue Brandon Fielder Collins and Mott, LLP pursuant to Section 6.30 of the Tax Code, said contract being for the collection of delinquent government receivables owed to Matagorda Independent School District and notice of said First Addendum is posted with the agenda in accordance with Section 2254 of the Government Code.

FIRST ADDENDUM TO DELINQUENT TAX CONTRACT

THE STATE OF TEXAS

COUNTY OF MATAGORDA

THIS Addendum is being made to the contract currently in force between Perdue, Brandon, Fielder Collins & Mott, LLP (FIRM) and the MATAGORDA INDEPENDENT SCHOOL DISTRICT for the collection of delinquent taxes. This addendum is to put into effect the provisions of §33.11 of the Texas Tax Code and all terms of the delinquent tax collection contract presently in effect and executed on November 15, 2019, and provisions not in direct conflict with this Addendum remain in full force and effect.

PERSONAL PROPERTY TAXES

Notwithstanding any other provisions in the Contract, all delinquent personal property taxes are to be released for collection to the FIRM for collection 60 days after the delinquency date for said taxes. A penalty shall be assessed to defray the cost of collecting those taxes in the same percentage as previously provided for by Contract as provided for by §33.11, Texas Tax Code. All collection penalties and/or attorney fees collected on those taxes are the property of the FIRM and shall be paid as provided for other taxes in the Contract.

This Addendum is executed on behalf of the MATAGORDA INDEPENDENT SCHOOL DISTRICT by the President of the Board of Trustees who is duly authorized by the governing body to execute this instrument by motion and order heretofore passed and duly recorded in its minutes.

WITNESS the signature of all parties hereto this _____ day of _____, 2022, MATAGORDA County, Texas.

**MATAGORDA
INDEPENDENT SCHOOL
DISTRICT**

**PERDUE, BRANDON,
FIELDER, COLLINS & MOTT, LLP**

BY: _____

BY:  _____
Leslie Schkade, Partner

RESOLUTION

THE STATE OF TEXAS

COUNTY OF MATAGORDA

WHEREAS, Matagorda Independent School District wishes to defray its costs of collection, as authorized by TEX. TAX CODE § 33.11, that it incurs under a contract for collection of delinquent property taxes between Matagorda Independent School District and a private law firm pursuant to TEX. TAX CODE §6.30.

WHEREAS, under said Section 33.11, the governing body of Matagorda Independent School District is empowered to authorize the addition of a collection penalty in an amount that does not exceed the amount of the compensation specified in the contract with the private law firm.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF MATAGORDA INDEPENDENT SCHOOL DISTRICT THAT:

Section 1: THE RECITALS SET FORTH IN THIS RESOLUTION ARE TRUE AND CORRECT.

Section 2: AN ADDITIONAL PENALTY ON DELINQUENT TAXES FOR TAX YEAR 2021 AND SUBSEQUENT YEARS IS HEREBY AUTHORIZED AND IMPOSED, AS PROVIDED BY SECTION 33.11, TEXAS TAX CODE, IN THE AMOUNT OF 20% OF THE DELINQUENT TAX, PENALTY, AND INTEREST IF THE TAX BECOMES DELINQUENT ON OR AFTER FEBRUARY 1 OF A YEAR AND REMAINS DELINQUENT ON THE 60th DAY THEREAFTER.

PASSED, APPROVED and ADOPTED THIS _____ day of _____, 2022.

MATAGORDA INDEPENDENT SCHOOL
DISTRICT

BY _____

ATTEST:

Public Notice:

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, the Matagorda Independent School District ("District"), will consider entering into an amended contingent fee contract with the law firm of Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Firm") and hereby posts this notice pursuant to Sec. 2254.106 of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting described by Sec. 2254.1036(2) of the Government Code and shall announce the following:

A. The District is pursuing an amended contract with the Firm for the collection of delinquent ad valorem taxes owed to the District and through this contract the District seeks to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(1)(A).

B. The District believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(1)(B). The Firm has collected delinquent government receivables for over 50 years, including the collection of delinquent ad valorem taxes. The Firm currently has 14 primary offices and multiple satellite offices throughout Texas, Oklahoma and Florida. It employs more than 390 individuals, including 58 attorneys. It uses a multi-office, fully integrated team approach allowing the District access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts. The Firm utilizes proprietary collection software that can be tailored to meet any special need the District may have. This proprietary software also automates many aspects of the collection process, such as: account/debtor research, mailings and phone calls, return mail and address updates, payment notification and processing and workflow.

C. The nature of any relationship between the District and the Firm is as follows: GOVT. CODE § 2254.1036(1)(C). The Firm has represented the District since 2003 in the collection of delinquent ad valorem taxes.

D. The District is unable to perform collection of its delinquent ad valorem taxes. GOVT. CODE § 2254.1036(1)(D). The District currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to the District.

E. These collection services cannot be provided for an hourly fee. GOVT. CODE § 2254.1036(1)(E). The Tax Code allows the assessment of a percentage-based fee to recover the costs of collecting delinquent ad valorem taxes. This percentage-based fee is assessed only against the debtor and not the District or taxpayers of the District. The collection of delinquent ad valorem taxes is a high-volume practice, requiring a significant amount of research, mailing, and handling of outbound/inbound calls. An hourly fee for such work will likely exceed amount of delinquent ad valorem taxes due. Moreover, the District will bear the cost of these hourly fees and not the

debtor, because the Tax Code does not expressly authorize the District to pay for collection services based on an hourly fee.

F. The District believes this contingent fee contract is in its best interest. GOVT. CODE § 2254.1036(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent debt. Additionally, the percentage-based collection penalty is a pass-through expense to the debtor and not an expense to the District or taxpayers in the District.

About the Texas Association of School Boards New Sample Superintendent Evaluation Instrument

Local school boards in Texas are required by statute to complete a written evaluation of superintendent performance at least once a year. In evaluating the superintendent's performance, the board must look at and consider the district performance data reported on the Commissioner's Recommended Student Performance Domain Worksheet. However, the final criteria and instrument the board uses to assess superintendent performance are left to the discretion of the local board.

Many organizations make available model or sample evaluation instruments or templates to assist the board in developing and adopting an evaluation instrument. TASB has made such a sample available to local boards for many years. The sample has undergone changes as the conditions facing districts and the demands upon a superintendent's time and efforts have changed.

The TASB sample instrument was substantially revised in 2006. Below is the 2006 revision of the instrument.

What stayed the same in this version of the TASB Sample Instrument?

TASB has recommended for many years that the board's evaluation instrument have two parts: a set of Priority Performance Goals for the superintendent that address major district initiatives the board feels merit special time, effort, and resources from the superintendent during the year; and a group of items that assess performance on the major, ongoing management responsibilities of the superintendent. Priority Performance Goals often change from year to year, as the board and superintendent review the current needs of the district. The items assessing ongoing management of the district generally remain the same for several years, since they assess the management of ongoing functions in the district.

This two part structure to the evaluation instrument has been a part of the TASB sample instrument for many years. The current sample retains that structure and the rationale behind it.

In addition, the recommended rating scale for assessing superintendent performance remains the same as in the previous sample. TASB encourages the use of a three level rating scale, not tied to numbers, for rating superintendent performance.

What's changed in the Sample Instrument?

The items assessing the superintendent's ongoing responsibilities as manager of the district have undergone extensive revision.

The three domains in this portion of the instrument—Educational Leadership, District Management, and Board and Community Relations—have not changed. The areas assessed—Instructional Management, Student Services Management, etc.—have also remained largely the same. In the domain "District Management," however, we have restructured the areas assessed to include a separate item on fiscal management and to incorporate activities previously assessed as "administrative management" into each of the other areas in that domain. The item previously called "Personnel Management" we now call "Human Resource Management," to allow for greater scope in the activities assessed.

The primary changes in these items lie in the indicators the board will look at in assessing performance on each item.

In previous versions of the TASB model, board members were asked to assess the superintendent's performance based on whether or not—and how effectively—the superintendent performed a series of tasks in

each area that are generally acknowledged as good practices for a superintendent. For example, the item on Instructional Management read as follows:

Instructional Management: The superintendent

1. Establishes effective mechanisms for communication to and from staff in instructional evaluation, planning, and decision making.
2. Oversees annual planning for increased student learning and conducts periodic assessments of the effectiveness of the planning process.
3. Ensures that goals and objectives form the basis of curricular decision making and instruction and communicates expectations for high achievement.
4. Ensures that appropriate data are used in developing recommendations and making decisions regarding the instructional program and resources.
5. Oversees a system for regular evaluation of instructional programs to meet student instructional needs and to attain desired student achievement.

Although a board would expect a good superintendent to be engaging in each of these good practices, board members often commented that they, in their oversight role, had little evidence for knowing if the superintendent were performing these activities and little knowledge, from their lay perspective, about what would count as doing these activities well.

Similarly, board members often commented that their discussions among the board at evaluation time would focus on what should count as evidence of good performance rather than on whether the evidence available matched pre-established criteria for good performance.

In response to these comments, we have revised the indicators of successful performance on most of the items. In place of the list of good practices a superintendent might perform in each area, we have substituted a brief list of what the board might SEE, if the superintendent were adhering to these good practices in a systematic and effective manner. On many items, one of the things the board might expect to see is progress in the effectiveness or efficiency with which a district function is carried out, based on locally decided benchmarks or measures.

Are the domains addressed in the new sample consistent with the commissioner's rule on appraisal of administrators?

19 TAC § 150.1021 lists ten areas in which a board may want to evaluate its superintendent. There is no requirement that the board explicitly evaluate the superintendent in all ten areas, but all areas are important to superintendent performance. The TASB sample covers all ten areas, but it does so by integrating certain of the areas (such as organizational improvement) into each of the items, rather than incorporating it as a separate item.

What does the local board need to do to be able to use the TASB sample?

A "one size fits all" superintendent evaluation instrument is not possible in Texas, because of the vast differences in district size, complexity, and circumstances. Any sample instrument should be reviewed and modified as appropriate by the local board.

In the case of the TASB sample, the board will need to do a number of things.

1. Priority Performance Goals for the superintendent form the primary focus of the evaluation. They should be developed by the board and superintendent, at the beginning of the evaluation cycle, in

relation to established district goals or other priorities identified by the board. The locally developed Priority Performance Goals are simply inserted into the appropriate spaces in the sample.

For assistance in setting Priority Performance Goals, the board may wish consult the TASB publication, *Developing Superintendent Performance Goals*.

2. The items assessing the ongoing responsibilities of the superintendent as manager of the district are intended to provide the board an opportunity to assess general management performance. They are a secondary focus of the evaluation and should be used primarily to assess ongoing improvements in the district and plan for superintendent priorities in coming years.

The board and superintendent will need to review these items on the sample instrument and decide if the types of revision that have been made to the items represent a direction the board and superintendent are comfortable with.

If the board and superintendent are comfortable with the direction of these revisions, they will need to pay careful attention to the footnotes in the items and make whatever changes are called for.

Many of the items call for the superintendent to have developed benchmarks and standards of performance for certain functions in the district's operations and to provide monitoring reports to the board. These items assume a level of formality to the administration's management processes that may be new to the district. If the board wishes to move forward with an instrument based on the sample, the board and superintendent will need to discuss what tasks may be required of the administration to develop this degree of formalization to its management processes, whether that is desirable, and when the board can reasonably expect these tasks to have been done.

3. Once the appropriate modifications have been made and the Priority Performance Goals have been inserted, the board should formally adopt the instrument.

What about using the sample instrument for an evaluation in December or January?

Both the Priority Performance Goals for the superintendent and the instrument itself should be developed and adopted by the board early in the evaluation cycle. If the board does its evaluation of the superintendent in December or January, a very common time, TASB does not advise using the sample instrument for an evaluation in a cycle that is nearing its completion.

The board may find, however, that the summative evaluation conference with the superintendent, using its current instrument, provides useful insights into modifications that should be made to the sample to make it a productive instrument for the following year.

Is there an editable version of the sample available so that districts can make modifications directly to an electronic file?

Yes, an editable version of the sample may be downloaded from the TASB web site. Go to www.its.tasb.org and click on "Resources."

Texas Association of School Boards Superintendent Evaluation Instrument

General Information

The Evaluation Instrument is to assess the responsibilities and goals of the Superintendent over the past year. The purpose of the evaluation should be used primarily to assess ongoing improvements in the district and plan for superintendent priorities in coming years.

Most items in the ongoing responsibility section include:

- A measure of effectiveness that the administration uses to drive decision-making in the particular function addressed by the item.
- Indicators that the measure is being monitored.
- Indicators that the district is continually improving.
- Provision of data the board has and will continue to review to feel comfortable that the above is happening. All data received throughout the previous evaluation year should be used in assessing superintendent performance.

Rating Scale:

4-5	Exceptional	Progress exceeds expectations and criteria noted in the instrument
2-3	Proficient	Progress meets the expectations and criteria noted in the instrument
0-1	Needs Improvement	Progress does not meet the expectations and criteria noted in the instrument

Comments may be made on any item. Any rating of "Needs Improvement" must be accompanied by a comment indicating the nature of the deficiency or a statement of what the board expected to see in performance that was not evident

Board Priority Performance Goals

The board, in discussion with the superintendent established the following priority performance goals for the year 2019:

(Adjusted goals were approved at the October 15, 2019 Board meeting will be used for this next year's evaluation tool.)

Board Priority: Goal 1

Goal 1: Third grade literacy will increase from 59% Meets Expectation on "Local Assessment" to 91% Meets Expectation on "Local Assessment" by 2024.

Annual Targets: 19/20-59%; 20/21-65%; 21/22 – 72%; 22/23 – 84%; 23/24 – 91%

Board Priority: Goal 2

Goal 2: The graduating class of 2024 in literacy will increase from 37% Meets Expectations to 60% Meets Expectation on STAAR by 2024.

Annual Targets: 20/21- 44%; 21/22-50%; 22/23 – 56%; 23/24 – 60%

Board Priority: Goal 3

The graduating class of 2024 in mathematics will increase from 38% Meets Expectations to 70% Meets Expectations on STAAR by 2024.

Annual Targets: 20/21-42%; 21/22-50%; 22/23 – 62%; 23/24 – 60%

Board Priority: Goal 4

The percentage of graduates that are College, Career and Military Ready will increase from 70% to 88% by 2024.

Annual Targets: 20/21-71%; 21/22- 79%; 22/23-88%; 23/24 – 92%

Rating:

Comments:

Percent on all Goals Changed at December 8, 2020 Board meeting to be used for the 2021 Superintendent Evaluation

Superintendent Constraints

Superintendent Constraint 1:

The superintendent will not allow any campus to withhold differentiated instruction from students.

- SCPM 2.1: The percentage of faculty receiving professional development in differentiated instruction will increase from 0% to 100% by 2021.
Annual targets: 18/19-50%; 19/20-75%; 20/21-100%

Rating:

Comments:

Superintendent Constraint 2:

The superintendent will not allow the percentage of students graduating with College Career and Military readiness to decrease.

- SCPM 3.1: Dual credit enrollment will increase from 25% to 75% by 2022.
Annual targets: 18/19-31.7%; 19/20-50%; 20/21- 65% 21/22-75%

Rating:

Comments:

Assessment of Ongoing Responsibilities

Educational Leadership

C. Staff Development and Professional Growth: The superintendent oversees a program of staff development designed to improve district performance. The board may see:

- Alignment to District goals and the monitoring process, to be used by administration to assess efficiency in the targeted areas.
- An annual report on the success of the staff development program as demonstrated by administration-defined measures.

Rating:

Comments:

District Management

The superintendent demonstrates effective planning and management of the district administration, finances, operations, and personnel.

A. Facilities and Operations Management: The superintendent maintains a management system designed to produce ongoing efficiencies in major district operations, including transportation, food services, and building maintenance and operations⁷. The board may see:

- Alignment to District goals and the monitoring process, to be used by administration to assess efficiency in the targeted areas.
- An annual report on success in terms of the goals.
- A general trend toward improvement in each area, as defined by the goals and targets used.

Rating:

Comments:

B. Fiscal Management: The superintendent manages a budget development, implementation, and monitoring process that reflects sound business and fiscal practices and that supports district goals. The board may see:

- Contingency plans for addressing any anticipated changes in district circumstances that could affect district finances in future years.
- Recommended budget in line with established assumptions and district goals.
- Quarterly financial reports showing implementation compared to adopted budget⁹.
- End of year results that are generally consistent with adopted budget.
- Administrative procedures instituted to reduce the risk of fraud.

Rating:

Comments:

Board and Community Relations

The superintendent maintains a positive and productive working relationship with the board of trustees and the community.

A. Board Relations: The superintendent maintains a positive and productive working relationship with the board of trustees. The board may see:

- Evidence that during the prior evaluation year, the board was kept informed of significant issues as they arose.
- Evidence that during the prior evaluation year, the superintendent responded to board requests for information that were consistent with board policy and established procedures.
- Evidence that the superintendent's actions appropriately supported board policy and decisions with the staff and community.

(The board acknowledges that individual members' judgment on the indicators above may vary from member to member and from incident to incident. Differences among members of the board about superintendent performance in this area should be discussed among the board so that consistent direction and expectations can be provided to the superintendent.)

*Board members should assess this item on whether or not the members feel the superintendent exercised sound judgment on a **generally** consistent basis in meeting the corporate body's expectations in the above areas. The board's rating on this item should reflect the assessment of a majority of the board.)*

Rating:

Comments:

B. Community Relations: The superintendent maintains a positive and productive working relationship with the community. The board may see:

- Information detailing the district's internal and external communications.
- Evidence of methods for community and business involvement in schools. Evidence of programs to encourage community and business participation in and with the school district.

Rating:

Comments: