

ELYSIAN FIELDS ISD NOTICE OF PUBLIC MEETING

The Elysian Fields ISD Board of Trustees Regular Meeting of the Board of Trustees will be held Monday, January 8, 2024 at 6:00 PM in the Boardroom at the Administration Building. The agenda of the meeting will be as follows:

- I. **Call to Order (Board President):** I call this meeting of the Elysian Fields ISD Board of Trustees to order. Let the record show that a quorum of board members is present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.
- II. **Welcome/Prayer**
- III. **Public Comments**
- IV. **ACTION ITEM: Consider Approval of the Monitoring Calendar Reports**
 - A. **3.2 Percent of high school students participating in a dual credit course**
 - B. **2.2 Clean financial audit**
 - C. **5.1 Percentage of clean exterior door sweeps**
 - D. **5.3 Percentage of days with School Resource Officer coverage**
- V. **ACTION ITEM: Consider Approval of the 2022-2023 Audit Report, presented by Morgan LaGrone**
Morgan LaGrone
- VI. **ACTION ITEM: Consent Agenda Items**
 - A. **Consider Approval of Minutes from the December 11, 2023 Board Meeting**
 1. **December 11, 2023 Board Meeting Minutes**
 - B. **Consider Approval of the First Read Policy Update 122**
 1. **Local Policy Comparison**
 2. **Explanatory Notes Update 122 LOCAL**
 - C. **Consider Approval of Teacher Contract and Hiring Personnel for the 2023-2024 school year**
 1. **Personnel**
 - D. **Consider Approval of 2023 4th Quarter Financial Investment Report and 2023 Calendar Year Investment Report**
 1. **2023 4th Quarter Financial Investment Report**
 2. **2023 Calendar Year Investment Report**
- VII. **Information Only: Discussion about McCreary, Veselka, Bragg and Allen, P.C. Services presented by Elizabeth Vaughn**
Elizabeth Vaughn
- VIII. **ACTION ITEM: Consider and take action to terminate all contracts with Linebarger Goggan Blair & Sampson LLP**
- IX. **ACTION ITEM: Consider and take action on Resolution Reaffirming and Adopting Imposition of Additional Penalties to Defray the Costs of Collections**

- A. Resolution Reaffirming and Adopting Imposition of Additional Penalties to Defray the Costs of Collections**
- X. ACTION ITEM: Consider and take action to Approve Contract for the Collection of Delinquent Property Taxes and Legal Representation Between the Elysian Fields Independent School District and McCreary, Veselka, Bragg & Allen, P.C. (MVBA) *See the Public notice on page 3 of this Agenda required by Section 2254.1036 of the Texas Government Code**
 - A. Resolution to Approve Contract for the Collection of Delinquent Property Taxes and Legal Representation Between the Elysian Fields Independent School District and McCreary, Veselka, Bragg & Allen, P. C. (MVBA)**
- XI. ACTION ITEM: Consider and take action to Approve Contract for Property Value Study Appeals and Taxable Value Audit Services with McCreary, Veselka, Bragg & Allen, P.C.**
- XII. ACTION ITEM: Resolution Regarding Chaplains**
 - A. Resolution of the Board of Trustees Regarding Whether to Adopt a Policy Authorizing a Campus of the District to Employ or Accept a Chaplain as a Volunteer Under Chapter 23 of the Texas Education Code**
- XIII. 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 discussions will be taken in open meeting. {See BEC (Legal)}

This notice was posted in compliance with the Texas Open Meetings Act on January 5, 2024 at 2:30pm

PUBLIC NOTICE

In Accordance with Texas Government Code, Section 2254.1036(a)(1), Elysian Fields Independent School District provides the following written notice to the public in connection with agenda item No. 10

The Agenda for the meeting of the Board of Trustees for Elysian Fields Independent School District on the 8th day of January, 2024, contains an agenda item for the consideration of a contingent fee contract with the law firm of McCreary, Veselka, Bragg, and Allen, P.C., for the collection of delinquent property taxes and legal representation pursuant to Texas Tax Code Sections 6.24(d) and 6.30. Specifically, the Board of Trustees will discuss and consider whether McCreary, Veselka, Bragg and Allen, P.C. is a well-qualified law firm based on demonstrated competence, qualifications, and experience in collecting delinquent taxes, and whether the contract negotiated between Elysian Fields Independent School District and McCreary, Veselka, Bragg and Allen, P.C. is for a fair and reasonable price as provided for in Texas Tax Code, Section 6.30(c) and Texas Government Code Section 2254.1032. In Accordance with Texas Government Code, Section 2254.1036(a)(1), Elysian Fields Independent School District provides the following written notice to the public in connection with the above Agenda Item:

1. Elysian Fields Independent School District (the "School District") is pursuing the legal services of McCreary, Veselka, Bragg and Allen, P.C., a delinquent tax collection law firm, and intends to begin a relationship with McCreary, Veselka, Bragg and Allen, P.C. The desired outcome of the legal services would be to provide for the efficient and effective collection of the delinquent property taxes that are owed to Elysian Fields Independent School District and to obtain legal representation for the School District.
2. There is no current or prior relationship between McCreary, Veselka, Bragg and Allen, P.C., and Elysian Fields Independent School District.
3. Elysian Fields Independent School District currently has a contingent fee contract for the same services with Linebarger Goggan Blair & Sampson, LLP, and Elysian Fields Independent School District desires to terminate the contingent fee contract, and simultaneously enter into a contingent fee contract with the law firm of McCreary, Veselka, Bragg and Allen, P.C., for the collection of delinquent property taxes and legal representation.
4. McCreary, Veselka, Bragg and Allen, P.C. has been competently collecting delinquent taxes for over sixty-years, and currently represents hundreds of Texas taxing units in the collection of delinquent taxes. McCreary, Veselka, Bragg and Allen, P.C. has represented other taxing entities in Harrison County for the collection of delinquent taxes since at least 1984. McCreary, Veselka, Bragg and Allen, P.C. is a competent, qualified, and experienced delinquent tax collection law firm that provides effective collection of delinquent property taxes in as short a time period as possible for the statutory contingent fee provided for by Sections 6.30, 33.07, 33.08, and 33.11 of the Texas Tax Code.
5. Texas Tax Code, Section 6.30 provides that the Board of Trustees may contract with a private attorney to collect delinquent taxes for a contingent fee not to exceed 20 percent of the amount of the delinquent taxes and accrued statutory penalty and interest collected. This contingent fee is added to the amount paid by the delinquent property owners. The delinquent property owners pay for the collection services provided by McCreary, Veselka, Bragg and Allen, P.C. Therefore, the delinquent tax collection services provided by McCreary, Veselka, Bragg and Allen, P.C. pursuant to the contingent fee contract are without cost to the School District.

6. The legal services desired by the School District that are the subject of the contract cannot be adequately performed by an attorney and supporting personnel of the School District due to the high cost of implementing the appropriate infrastructure and technology and employing sufficient attorneys and staff to perform these activities.
7. The legal services desired by the School District that are the subject of the contract cannot be reasonably obtained from attorneys in private practice under a contract providing for the payment of hourly fees without contingency because the School District does not have funds in its budget to pay the estimated hourly fees and other costs incurred to implement an effective delinquent tax collection program under a contract providing only for the payment of hourly fees and costs. Texas Tax Code, sections 6.30; 33.07; 33.08; and 33.11 allow the School District to recover a penalty to defray the costs of collecting delinquent taxes, only if the School District has entered into a contract with a private attorney pursuant to Texas Tax Code Section 6.30.
8. To defray the cost of collecting delinquent taxes as provided by Texas Tax Code, Sections 6.30; 33.07; 33.08; and 33.11, to save money and ensure that the collection of delinquent property taxes is diligently prosecuted throughout the School District, a contingent fee contract with McCreary, Veselka, Bragg and Allen, P.C. is in the best interest of the School District, and the residents located within the School District.
9. Except for the contingent fee for delinquent tax collections as provided for by paragraph 4. above, there is no additional charge by McCreary, Veselka, Bragg and Allen, P.C. for the legal representation of the School District as provided for by the contract.