SUBJECT of Agenda Item 11b *:* Consideration and Possible Action to Approve a Resolution Authorizing the Superintendent to enter and Execute a Contingent Fee Legal Services Agreement with Daly & Black, P.C., (Special Counsel) for Legal Representation in Connection with Building and Related Damage Claims, Including the Pursuit, Negotiation, and Resolution of Such Claims. BACKGROUND INFORMATION

PUBLIC NOTICE INFORAMTION

In accordance with TEX. GOV'T CODE § 2254.1036(a)(2) the board will consider the following and give notice to the public:

Consideration for the Board of Trustees to make findings and authorize an authorized representative of the Board to execute the Contingent Legal Fee Contract with the law firm of Daly & Black, P.C., ("Special Counsel") in the prosecution of a lawsuit arising under the laws of the State of Texas against multiple insurance companies regarding the companies' breach of contract in failing to properly assess, adjust, and pay significant property damage claims made or incurred by the District and associated with damages the District suffered during catastrophic hail events on or around March 7 of 2026, and that the District should have been fully covered under contract between the District and the insurance companies, as well as other applicable common law or statutory violations.

ADMINISTRATIVE CONSIDERATIONS

Pursuant to TEX. GOV'T CODE § 2254.1036(a)(1), the following public notice is given:

(A) The reasons for pursuing the matter that is the subject for the legal services for which the attorney or law firm would be retained and the desired outcome of pursing the matter:

The intended contract is for filing a lawsuit for breach of contract and other causes of action available under the common law and the Texas Insurance Code for the payment of the repair costs, replacement costs, expenses, attorneys' fees, and incidental costs that are due the District resulting from the insurance companies' breach of contract for failure to timely issue to the District monies due and owing for the repair and replacement of the roofs and appurtenances damaged by hail on or around March 7 of 2026. The desired outcome is a judgment and/or settlement which would result in the collection of these monies, damages, costs, and expenses owed to the District.

(B) The competence, qualifications, and experience demonstrated by the attorney or law firm:

Special Counsel has over 30 years of first party insurance litigation experience collecting by settlement and/or trial with a concentration in litigation relating to catastrophic losses against insurance companies, among other business litigation. Daly & Black is considered one of the most successful firms in Texas for this type of service. Further, Richard Daly and John Black have been litigating against Fortune 500 companies and insurance companies with successful results for their clients. More information on this litigation team is available at www.dalyblack.com/our-founders/.

(C) The nature of any relationship, including the beginning of the relationship, between the political subdivision or governing body and the attorney or law firm selected:

The authorized representative for Rio Grande City Grulla Independent School District Board has met with Special Counsel (identified by individual firm and attorney members above) on October 12, 2026, after the District had made inquiries as to whether or not a cause of action existed against the insurance company for failure to pay the roofing claims to the school buildings for the District buildings. For reasons elaborated below, the district contacted Special Counsel, who agreed to review the matter and, after review, Special Counsel advised the Board President that a cause of action exists for breach of contract for failure to assess, adjust, and pay significant property damage claims due to repair the roofs for the District buildings, and its Special Counsel will pursue the claim for the District on a contingency fee basis for the amount not previously recovered by the client, subject to final, statutory approval of the contingency fee contract. Additional causes of action under the common law and/or the Texas Insurance Code may also be available to pursue. There is no prior relationship between the District and the attorney or law firm selected.

(D) The reasons the legal services cannot be adequately performed by the attorneys and supporting personnel of the political subdivision:

The attorney for the District has reviewed the matter and determined that this was not the type of claim that local counsel could efficiently and effectively pursue using internal resources. The services are specialized and require significant knowledge and expertise in the area of commercial insurance coverage, relevant Texas Insurance Code provisions, storm loss, roof damage causation issues, roof construction, roof defects, and litigation.

(E) The reasons the legal services cannot be reasonably obtained from attorneys in private practice under a contract providing for the payment of hourly fees without contingency:

This case does not justify hiring an outside law firm at an hourly rate. Because of many reasons – possible time to fully litigate to trial, the likely voluminous paperwork and numerous technical construction and legal issues, an hourly fee for such work has the potential to be cost prohibitive and exceed the amount of fees collected on a contingency basis, as well as any potential recovery.

(F) The reasons entering into a contingent fee contract for legal services is in the best interest of the residents of the political subdivision:

The outcome of this matter weights as much on Special Counsel as it does on the Client this way. Special Counsel will be paid the amount of the percentage-based contingency fee, regardless of the number of hours Special Counsel spends litigating and researching. This contract will allow the District to recover remediation, repair costs and expenses, replacement costs and expenses, and court costs that are legally due to the District. The percentage-based contingency fee and all costs of litigation is a burden shouldered by Special Counsel, and the District will not be burdened with any additional attorney fee or any expenses related to this case. Further, any contingency fee paid to Special Counsel will be limited by the relevant provisions of the Texas Government Code.

RECOMMENDATION

That the Board approve a resolution to execute a contingency legal fee contract with Daly & Black, P. C.

ACTION REQUESTED

Board approval

CONTACT PERSON

Guadalupe Garza
Superintendent

RIO GRANDE CITY GRULLA ISD
WHERE FUTURES IGNITE

RGCGISD School Board
Dr. Veronica Barrera, President
Rene A. Peña, Vice President
Eduardo "Eddie" Ramirez, Secretary
Noe Castillo, Member
Pattsy Garcia, Member
Jesus "Jesse" Solis, Member
Basilio D. Villarreal, Jr. Member

Guadalupe Garza, Superintendent

NOTICE

The Board of Trustees of the Rio Grande City Grulla Independent School District will hold a Board of Trustees Regular Board Meeting on Thursday, November 12, 2026 at 5:45 PM, at the Multi-Purpose Center Main Hall, 1 S. Fort Ringgold, Rio Grande City, Texas 78582. At this meeting, the Board may deliberate or act on any of the subjects listed on this agenda. The President may change the order of items listed below for the convenience of the meeting.

Notice Regarding Executive Session: The Board of Trustees may convene in a closed meeting (Executive Session) at any time during the course of this meeting as authorized by the Texas Open Meetings Act, Tex. Gov't Code §§ 551.071, 551.072, 551.073, 551.074, 551.076, 551.082, 551.0821, 551.0785, 551.089, 551.087, §§ 418.175-.182, and Tex. Educ. Code§ 39.030(a). Any final action or decision on a matter deliberated in a Executive Session will be made in open session in accordance with law.

AGENDA

1. **CALL MEETING TO ORDER**
2. **ROLL CALL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **RECOGNITIONS**
   a. John & Olive Hinojosa Elementary
      - Student Council
      - Diamond Reporters
      - Safety Patrol Team
   b. General Ricardo Sanchez Elementary
      - Student Council
   c. Alto Bonito STEAM Academy
      - Student Counsel
      - ESPORTS
   d. AC2E Middle School
      - TMEA Region Orchestra
   e. Dr. Mario E. Ramirez Elementary
      - Student Council
      -DMR Studios

f. 21st Century ACE Grant Recognition

6. **REPORTS AND INFORMATION**
   a. 2026 RDA Report
7. **PUBLIC COMMENTS ON AGENDA ITEMS**
   Pursuant to Board Policy BED (Local), individuals wishing to participate in the public comment portion of the meeting must sign up with the presiding officer or designee before the meeting begins, in accordance with the Board's procedures. Comments are limited to three minutes per speaker unless adjusted by the presiding officer for effective meeting management. The Board may not deliberate or take action on any topic not included on the posted agenda.
8. **CONSENT AGENDA**
   a. **FINANCE**
      i. **FINANCE REPORTS**
         a. Report on Tax Collections for the Month of October 2026
         b. Report on Budget Balances for the Month of October 2026
         c. Report on Monthly Check Register for the Month of October 2026
         d. Report on District Staff Data for the Month of October 2026
      ii. Consider and Take Possible Action on Donations to Rio Grande City Grulla ISD
      iii. Consider and Take Possible Action on Tax Refunds for the Month of October 2026
      iv. Consider and Take Possible Action on Starr County Appraisal District Allocations for Year 2026-2027 Payment Schedule
      v. Consider and Take Possible Action on Resolution and Annual Review of Investment Policy and Investment Strategies
      vi. Consider and Take Possible Action on Resolution on Sources of Instruction Relating to Investment Responsibilities
      vii. Consider and Take Possible Action on Computer System License & Maintenance Agreement
      viii. Consider and Take Possible Action on PowerSchool Enrollment
      ix. Consider and Take Possible Action on PowerSchool Enterprise Management Service
      x. Consider and Take Possible Action on 26-27 District and Campus Improvement Plans
      xi. Consider and Take Possible Action on Requisitions Under TASB Policy CH (LOCAL): Purchasing and Acquisition
      xii. Consider and Take Possible Action on Requisitions for $50,000 and Over
      xiii. Consider and Take Possible Action on List of Bids/ Agreements up for renewal

xiv. Consider and Take Possible Action on Awarding of the Following Bids:
   a. - RFP #27-12 Health Science Certification Training Program

xv. Consider and take possible action on advertising for solicitations and contract delivery method for the Bellas Artes Renovation

b. **SUPERINTENDENT'S OFFICE**

i. Discussion and possible action to approve a resolution authorizing the Superintendent to pursue Fort Ringgold's inclusion in the City of Rio Grande City's historic district, execute and submit necessary documents, and pursue related historic preservation grants, subject to the terms of the resolution

ii. Discussion and possible action to approve a Memorandum of Understanding and authorize the conditional lease of the Robert E. Lee House and associated property identified in Exhibit A to the City of Rio Grande City for public museum restoration and operation; adopt the related public-purpose findings and lease conditions, including a recorded reverter; authorize the Superintendent to finalize conforming documents and complete closing; and authorize the Board President to execute the lease instrument

iii. Discuss, consider, and take possible action to approve a resolution approving voluntary annexation of the District's Rio Grande City High School property into the City of Rio Grande City and delegating authority to the Superintendent to undertake related due diligence and prepare, negotiate, execute, and submit the documents necessary to accomplish the annexation

c. **TRANSPORTATION**

i. Consider and Take Possible Action on Chiller for AC2E Middle School

d. **BOARD GOVERNANCE**
Approval of Board Minutes

i. Regular Board Meeting — October 13, 2026

9. **ACTION ITEMS**
SPECIAL SERVICES DEPT.

a. Consider and Take Possible Action on RGCGISD Special Education Student Activity Spring 2027

b. Consider and Take Possible Action on 26-27 Special Education Stipend

10. **CURRICULUM & INSTRUCTION**

a. Consider and Take Possible Action on School Improvement - Approval of TIP/LIP

11. **SUPERINTENDENT'S OFFICE**

a. Consideration and possible action to approve a $250 recognition award for each District Spotlight recipient. The District Spotlight initiative recognizes two individuals each month whose exceptional dedication, initiative, and commitment make a distinctive and lasting impact on our students, schools, and district community

b. Consideration and Possible Action to Approve a Resolution Authorizing the Superintendent to enter and Execute a Contingent Fee Legal Services Agreement with Daly & Black, P.C., (Special Counsel) for Legal Representation in Connection with Building and Related Damage Claims, Including the Pursuit, Negotiation, and Resolution of Such Claims

12. **OFFICE OF HUMAN RESOURCES**
    a. Consider and Take Possible Action on TIA Designation Fees 2026
13. **EXECUTIVE SESSION**

By this Notice, the Board of Trustees determines that a closed or executive meeting or session of the Board of Trustees is required as authorized by the Texas Open Meetings Act, Texas Government Sections 551.001, 551.071, 551.072, 551.073, 551.074, 551.075, 551.076, 551.082, 551.083, and 551.084, for any item on this posted agenda and the items listed below:

a. Discussion on Personnel

b. Discussion on Resignations/Retirements of Existing Personnel

c. Deliberation Regarding the Superintendent's Recommendations Concerning Administrative Personnel, Including but Not Limited to Certified and Non-Certified Administrators and Certain Chief-and Director-Level Positions, Relating to Appointments, Employment, Reassignments, and Contract Recommendations (Texas Gov't Code §551.074)

d. Consultation with legal counsel and discussion of personnel matters related to the proposed mid-year termination of Chapter 21 Term Contract employee F.C. pursuant to Texas Government Code§§ 551.071

14. **RECONVENE INTO OPEN SESSION & ACTION ITEMS**
    a. Discussion and Possible Action on Personnel
    b. Discussion and Possible Action on Resignations/Retirements of Existing Personnel
    c. Consider and Take Possible Action on the Superintendent's Recommendations Concerning Administrative Personnel, Including but Not Limited to Certified and Non-Certified Administrators and Certain Chief-and Directors-Level Positions
    d. Discussion and possible action to propose mid-year termination of Chapter 21 Term Contract employee F.C. pursuant to Texas Government Code§§ 551.071
15. **CLOSING BUSINESS & ADJOURNMENT**
    a. Announcements for upcoming events
    b. Adjournment

 # NOTICE OF COMPLIANCE TO FOLLOW #

NOTICE OF COMPLIANCE

This Notice for this meeting was posted in compliance with the Texas Open Meetings Act on:

Month: November
Day: 5th
Year: 2026
Time: 8:00pm

At the bulletin board in the School District Administration Building and the RGCGISD website.

Ms. Guadalupe Garza, Superintendent
Rio Grande City Grulla Independent