

**BOARD RESOLUTION DECLARING
EMERGENCY EXCEPTION TO PROCUREMENT REQUIREMENTS
A.W. BROWN LEADERSHIP ACADEMY**

WHEREAS, in order to investigate and resolve potential issues related to the engagement of a general contractor that was hired by the prior administration to perform work at the Quest and Genesis campuses, the Board and new school administration directed that all work be halted;

WHEREAS, the general contractor and subcontractors have attempted to perfect liens against the School's real property, and disputes have arisen with respect to the completion of the project;

WHEREAS, the Board, having investigated such matters, has determined that the halted work and incomplete status of the project constitutes an unforeseen operational failure of the School's facilities;

WHEREAS, the Board has further determined that the School now needs to take every effort to make necessary repairs to finish the project, and to do so as expeditiously as possible in order to allow the School's operations to continue in the affected areas with the least disruption possible for the school children;

WHEREAS, the Board and general contractor have reached an understanding as to the issues in dispute and expect to negotiate a compromise and settlement in order to protect the public's and the School's property and assets; and

WHEREAS, given the present condition and unavoidable circumstances caused by the unforeseen operational failure, continuing this project necessitates the application of Section 44.031(h) of the Texas Education Code for emergency procurements necessary to address and remedy the matters herein;

NOW, THEREFORE, the Board of Directors of A.W. Brown Leadership Academy at a lawfully called meeting of the Board, held in compliance with the Texas Open Meetings Act, do hereby adopt the following Resolutions:

BE IT HEREBY RESOLVED THAT the Board of Directors determines and declares that:

- (1) the foregoing recitals are hereby found to be true and correct and are adopted and incorporated herein by reference as findings of fact;
- (2) the delay imposed by use of the contract methods that a charter school may elect to follow under Section 44.031 of the Texas Education Code and Chapter 2269 of the Texas Government Code would prevent or substantially impair the conduct of classes and other essential school activities, including causing unnecessary waste of the public and school's assets and property that can be avoided and safeguarded against through this resolution; and

- (3) the delay imposed by use of the purchasing procedures required in existing local policies would prevent or substantially impair the conduct of classes and other essential school activities;

BE IT FURTHER RESOLVED THAT, pursuant to Section 44.031(h) of the Texas Education Code, the Board of Directors directs and authorizes the administration to procure necessary goods and services to complete the necessary repairs, without regard to the otherwise applicable purchasing requirements of the Texas Education Code and of the local School policy, and

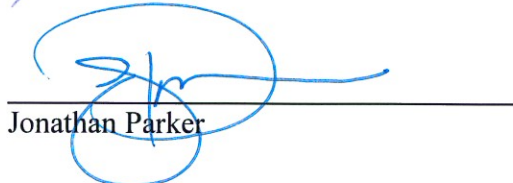
BE IT FURTHER RESOLVED THAT, the new administration is directed to review the attached board policy template labeled **"EXHIBIT A"**, to consult with legal counsel regarding the same, and to make recommendations to the Board of Directors regarding adaptations that should be made to this policy for the purpose of adopting a new purchasing policy for the A.W. Brown Leadership Academy at an upcoming meeting of the Board of Directors not later than April 30, 2019.

PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF DIRECTORS OF A.W. BROWN LEADERSHIP ACADEMY ON THE 8th DAY OF FEBRUARY, 2019.

Members Voting in Favor:

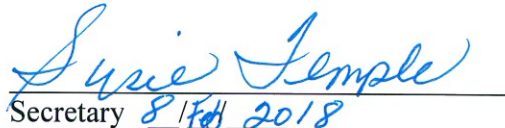

Lou Ann Phillips


LaAndra Peterson


Jonathan Parker


Susie Temple

The undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of a Resolution of the Directors of the Corporation, duly held on Feb 8, 2019, 2019, which Resolution is in full force and effect and has not been revoked or amended.


Secretary 8 Feb 2018