



flooding, posed a threat of imminent disaster, including widespread and severe property damage, injury, or loss of life, and declaring a state of disaster, pursuant to Section 418.014 of the Texas Government Code, in sixty (60) Texas counties, including expressly Wilson County; and

**WHEREAS**, the Proclamation constitutes a declaration by the Governor of the State of Texas under Chapter 418 of the Texas Government Code within the meaning of TEC § 11.184(b-1), and the November 3, 2026 VATRE will be held during the two-year period following July 14, 2026; and

**WHEREAS**, the District has obtained a written legal opinion from its legal counsel confirming the District's eligibility to invoke the disaster exemption under TEC § 11.184(b-1) based upon the Proclamation and the applicability of the exemption to the November 3, 2026 VATRE; and

**WHEREAS**, the Board finds it to be in the best interest of the District and its taxpayers to formally invoke the disaster exemption under TEC § 11.184(b-1) in order to (i) cure any noncompliance with the three-month completion deadline under TEC § 11.184(g) that expired on September 22, 2026, (ii) relieve the District from the 30-day website posting requirement under TEC § 11.184(h) that expired on October 4, 2026, and (iii) protect the validity of the November 3, 2026 VATRE from any election contest premised on compliance with TEC § 11.184; and

**WHEREAS**, notwithstanding its invocation of the disaster exemption, the District has elected, in the interest of transparency and community engagement, to complete the efficiency audit, publicly present and discuss the audit findings at this open meeting of the Board, and voluntarily post the audit results on the District's Internet website.

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

Section 1. Findings Incorporated. The findings and recitals set forth in the preamble of this Resolution are hereby found to be true and correct and are adopted as findings of fact by the Board and incorporated herein for all purposes.

Section 2. Disaster Eligibility Confirmed. The Board hereby finds and confirms that the District is located within an area declared a disaster area by the Governor of the State of Texas under Chapter 418 of the Texas Government Code, as evidenced by the July 14, 2026 Proclamation of Governor Greg Abbott attached hereto as Exhibit A, which expressly includes Wilson County among the sixty (60) counties for which a state of disaster was declared. The November 3, 2026 VATRE will be held during the two-year period following July 14, 2026, and the District is therefore eligible to invoke the exemption provided under TEC § 11.184(b-1).

Section 3. Invocation of Disaster Exemption. The Board hereby formally invokes the disaster exemption under TEC § 11.184(b-1) and declares that, pursuant to such exemption and based upon the Proclamation, the District may hold the November 3, 2026 VATRE without conducting an efficiency audit otherwise required under TEC § 11.184.

Section 4. Effect of Exemption. By operation of TEC § 11.184(b-1), the invocation of the disaster exemption under this Resolution relieves the District of the efficiency audit requirements of TEC § 11.184 in connection with the November 3, 2026 VATRE, including, without limitation:

- a) the three-month completion deadline under TEC § 11.184(g);
- b) the open-meeting and 30-day website posting requirements under TEC § 11.184(h); and
- c) the general prohibition under TEC § 11.184(b) against holding the election without complying with Section 11.184.

Section 5. Voluntary Completion and Public Discussion of Audit. Notwithstanding the invocation of the disaster exemption, the Board, in the interest of transparency and good governance, has received a public presentation of, and conducted public discussion regarding, the findings of the 2026 District Efficiency Audit at this duly noticed open meeting. The District shall voluntarily post the completed audit on the District's Internet website. Such voluntary actions are not, and shall not be construed as, a waiver of the disaster exemption invoked by this Resolution.

Section 6. Reliance on Legal Opinion. The Board hereby acknowledges and accepts the written legal opinion of the District's legal counsel confirming the District's disaster eligibility and the applicability of TEC § 11.184(b-1) to the November 3, 2026 VATRE, and directs that a copy of such opinion be maintained in the District's official records.

Section 7. Further Action. The Superintendent and the Board President, and their respective designees, are hereby authorized and directed to take any and all actions necessary or appropriate to carry out the purposes of this Resolution, including filing, posting, and maintaining documentation evidencing the Proclamation and the District's invocation of the disaster exemption.

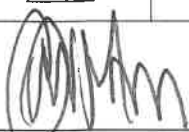
Section 8. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

Section 9. Effective Date. This Resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by the Board of Trustees of the Poth Independent School District on this the 26 day of October, 2026 by the following vote:

| <u>Board Members</u> | <u>Aye</u> | <u>No</u> | <u>Abstain</u> | <u>Absent</u> |
|----------------------|------------|-----------|----------------|---------------|
| Clint Garza          | <u>✓</u>   | _____     | _____          | _____         |
| Scott Lyssy          | <u>✓</u>   | _____     | _____          | _____         |
| Erika Urbanczyk      | <u>✓</u>   | _____     | _____          | _____         |
| William Eckel        | <u>✓</u>   | _____     | _____          | _____         |
| Tami Ramzinski       | <u>✓</u>   | _____     | _____          | _____         |

|               |          |   |   |   |
|---------------|----------|---|---|---|
| Ben Pruski    | <u>✓</u> | — | — | — |
| Byron Pfeifer | <u>✓</u> | — | — | — |

  
 \_\_\_\_\_  
 Clint Garza  
 President, Board of Trustees  
 Poth Independent School District

ATTEST:

  
 \_\_\_\_\_  
 Erika Urbanczyk  
 Secretary, Board of Trustees  
 Poth Independent School District