



# Brownsville Independent School District

## Board Of Trustees

**Regular Board Meeting**  
**January 17, 2012**  
**5:30 P.M.**

**Administration Building**  
**1900 Price Road**  
**Brownsville, Texas 78521-2417**

## A G E N D A

**NOTE: The Board of Trustees may go into Closed/Executive Session to deliberate any item on this agenda as authorized by the Texas Open Meetings Act, Texas Government Code Chapter 551.**

- I.** Meeting Called to Order.
- II.** Moment of Silence.
- III.** Pledge of Allegiance.
- IV.** Roll Call:
- V.** Recommend approving the **agenda** of the **Regular Board Meeting of January 17, 2012**, with any corrections/deletions.
- VI.** Recommend approving the **minutes** of the **Regular Board Meeting of November 1, 2011**, with any corrections.
- VII.** Recommend approving the **minutes** of the **Regular Board Meeting of November 15, 2011**, with any corrections.
- VIII.** Recommend approving the **minutes** of the **Special Called Board Meeting of November 16, 2011**, with any corrections.
- IX.** Recommend approving the **minutes** of the **Special Called Board Meeting of November 17, 2011**, with any corrections.
- X.** Recommend approving the **minutes** of the **Regular Board Meeting of December 6, 2011**, with any corrections.
- XI.** Recommend approving the **minutes** of the **Special Called Board Meeting of December 13, 2011**, with any corrections.

**XII.** Recommend approving the **minutes** of the **Special Called Board Meeting of January 10, 2012**, with any corrections.

**XIII.** Recommend approving the **Consent Agenda**. The Board has agreed to discuss the following items. All of the items below that are not called out will be approved by consent.

**XIV. Superintendent's Report**

**A. Conference Presentations:**

1. 2012 School Board Recognition Month.
2. Recognition of Pace High School Football Players Championship; special mention of Kyle Carter – Pace High School Free Safety who was selected for the 2011 Texas 5A All State Football 2<sup>nd</sup> Team. **(Board Member Request – CPG)**
3. Recognition of Perkins Middle School Employee rendering aid. **(Board Member Request – CPG)**
4. Recognition of parental involvement; parents who contributed their time to our students and schools in the district for over 20 years. **(Board Member Request – CPG)**
5. Recognition of Transportation Department employee for rendering aid. **(Board Member Request – CPG)**
6. Presentation from Delinquent Tax attorney, Rick Pena regarding all delinquent ad valorem taxpayers. **(Board Member Request – LL)**
7. Presentation from Special Ed. Ad-hoc Committee. **(Board Member Request - LL)**
8. Presentation by the City of Brownsville Heritage Officer, and discussion regarding the Madison Street Properties.
9. Presentation of 2010 – 2011 Academic Excellence Indicator System (AEIS) District and Campus reports. **(CD)**
10. Presentation of Brownsville Independent School District Financial Report for the period ended September 30, 2011 and October 31, 2011.
11. Presentation of the Brownsville Independent School District Quarterly Investment Report for the period ended June 30, 2011 and September 30, 2011. **(Booklet)**
12. Presentation of the Brownsville Independent School District Quarterly Consultant Report for the First Quarter of Fiscal Year 2011-2012.

**B. Standing Board Agenda Items:**

13. Board Calendars.

**XV. PUBLIC AUDIENCE:**

If you wish to address the Board of Trustees during the Public Audience portion of today's meeting, please print your name on the form provided. According to BISD Policy BED (Local), only those persons (on the list) who request to speak shall be heard. The speaker shall limit remarks to five minutes. The Board shall allot no more than 30 minutes for the Public Audience portion of the meeting. Complaints and concerns for which other resolution channels are provided shall be directed through those channels. These complaints include complaints on the following subjects: employee complaints, termination of employment, student complaints, removal to alternative education program, and expulsion. If the Board President determines that a person has not attempted to resolve a matter administratively, the person shall be directed to the appropriate policy for attempted resolution before bringing the matter to the Board. Complaints against specific employees or officers of BISD shall be heard in Closed Meeting, as authorized by the Texas Government Code Title 5-Section: 551.074 (1) and (2). If your topic concerns complaints against specific employees or officers, please note this on the sign-up sheet. You must make your points on issues in a constructive and courteous fashion pursuant to Robert's Rules of Order.

**XVI. Closed Meeting: as pursuant to the Texas Government Code Section: 551.074 & 551.082**

**A. Level III Board Review and Grievance:**

14. Level III Grievance No. 003-11/12 – Rosemary Vela, as Parent & Next Friend of EWV, a minor.

**(Board Reconvenes After Closed Meeting)**

15. Board action on Level III Grievance No. 003-11/12 – Rosemary Vela, as Parent & Next Friend of EWV, a minor.

**The Board may deliberate or take action regarding the following agenda items.**

**XVII. Consent Agenda:**

**A. Recommend approval of the following General Function Items:**

16. Recommend approval for the Hanna High School Choir to travel to New York City, New York on May 17-20, 2012.
17. Recommend approval to receive the reimbursement funds from the Workforce Solution CCMS for Daycare Services at the Lincoln Park School for the 2011-2012 school year in the amount not to exceed \$79,000.00. Reimbursement funds will be received subject to the provision of daycare services provided to infants at Lincoln Park School.
18. Recommend approval to change the guidelines for determining the hourly rate of a rehired classified employee.
19. Recommend approval to authorize administration to accept the Hanna High School Performing Arts Instructional Facility as substantially complete.
20. Recommend approval authorization for Administration to submit student attendance waivers as needed for the 2011-2012 school year.
21. Recommend approval of Resolution #023/11-12 regarding the Early Notification of Voluntary Resignation Incentive Program for January 23, 2012 through February 22, 2012.

22. Recommend approval for the use of Design Build as a method of procurement.
23. Recommend approval to purchase the Agile Mind Program to be utilized in math and biology classes in accordance with expectations of TTIPS grant implementation of programs/strategies to improve academic progress of students and meet AYP requirements.
24. Request approval for Full-Time Equivalent (FTE's) for Risk Manager and Assistant Athletic Administrator for the 2011-2012 school year.

**B. Recommend approval of the following Payment:**

25. Recommend approval to pay ERO Architects \$22,287.49 (Hanna High School Performing Arts Instructional Facility); Gomez Mendez Saenz, Inc. \$4,613.28 (Brownsville Early College High School); D Wilson Construction \$274,126.30 (Porter High School Instructional Facility); PHI Service Agency Inc. \$16,151.50 (Daniel Breeden Elementary School and Hanna High School Performing Arts Instructional Facility); Professional Service Industries, Inc. \$653.00 (Hanna High School Performing Arts Instructional Facility); Raba-Kistner Consultants, Inc. \$1,508.10 (Brownsville Academic Center); Spawglass Contractors, Inc. \$119,446.00 (Hanna High School Performing Arts Instructional Facility); Terracon Consultants, Inc. \$10,739.70 (Porter High School Instructional Facility and Brownsville Early College High School); Texas Descon, L.P. \$1,036,015.00; (Brownsville Academic Center and Brownsville Early College High School) for a grand total of \$1,485,540.37 to be paid from Qualified School Construction Bond Fund 190/Local Maintenance Fund 199.
26. Recommend approval to pay Gomez Mendez Saenz, Inc. \$7,051.81 (Lopez and Rivera High School Science Laboratory Additions and Hanna and Porter High School Science Laboratory Additions); Peacock General Contractor, Inc. \$210,181.80 (Lopez and Rivera High School Science Laboratory Additions); Terracon Consultants, Inc. \$2,613.40 (Lopez and Rivera High School Science Laboratory Additions) for a grand total of \$219,847.01 to be paid from Science Laboratory Grant Program/Local Maintenance Fund 199.
27. Recommend approval to pay Ambiotec Civil Engineering Group, Inc. \$2,125.00 (Transportation Parking Lot Project, Phase 2); G & T Paving, LLC \$103,386.34 (Transportation Parking Lot Project, Phase 2); Raba-Kistner Consultants, Inc. \$628.43 (Transportation Parking Lot, Phase 2) for a grand total of \$106,139.77 to be paid from Local Maintenance Fund 199.
28. Recommend approval to pay One Stop Service Center the amount of \$4,287.70 for services rendered.
29. Recommend approval to pay Pederson Construction Company, Incorporated \$7,416.46 (Hanna High School Water Loop) to be paid from Qualified School Construction Bond Fund/ Science Laboratory Grant Program.

**C. Recommend approval of the following Budget Amendments:**

30. Recommend approval of Budget Amendment #079 in the amount of \$35,000.00 for Fund 429 – TMEA Grant. (New Funding)

31. Recommend approval of Budget Amendment #080 in the amount of \$4,859.00 for Fund 316 – IDEA Part B-Formula Deaf. (Additional Funding)
32. Recommend approval of Budget Amendment #081 in the amount of \$1,463.00 for Fund 317 – IDEA Part B-Formula Preschool Deaf. (Additional Funding)
33. Recommend approval of Budget Amendment #082 in the amount of \$578.00 for Fund 340 – IDEA Part C – Early Childhood Intervention Deaf. (Additional Funding)
34. Recommend approval of Budget Amendment #083 in the amount of \$4,988,158.00 for Fund 224 – IDEA Part B – Formula. (Additional Funding)
35. Recommend approval of Budget Amendment #084 in the amount of \$207,719.00 for Fund 435 – State Deaf. (Additional Funding)
36. Recommend approval of Budget Amendment #085 in the amount of \$800,000.00 for Fund 198 – Medicare Reimbursement (SHARS). (Categorical Fund Balance)
37. Recommend approval of Budget Amendment #086 in the amount of \$4,120,471.00 for Fund 211 – ESEA Title I-A. (Additional Funding)
38. Recommend approval of Budget Amendment #087 in the amount of \$3,000,000.00 for Fund 634 – Capital Projects 2006 Bond Proceeds Proposition 4. (Capital Projects 2006 Bond Proceeds Proposition 4 Reserved Fund Balance)
39. Recommend approval of Budget Amendment #088 in the amount of \$10,000.00 for Fund 498 – Local Funded Special Revenue Fund Dollar General Literacy Foundation. (New Funding)
40. Recommend approval of Budget Amendment #089 in the amount of \$3,000.00 for Fund 498 – Local Funded Special Revenue Fund – Brownsville Community Health Center Vive tu Vida. (New Funding)
41. Recommend approval of Budget Amendment #090 in the amount of \$24,225.00 for Fund 216 – Title I School Improvement. (New Funding)
42. Recommend approval of Budget Amendment #091 in the amount of \$13,805.00 for Fund 498 – Local Funded Special Revenue Fund – Robotics. (New Funding)
43. Recommend approval of Budget Amendment #092 in the amount of \$2,500.00 for Fund 429 – State Funded Special Revenue Fund – Texas Department of Agriculture Grant. (New Funding)
44. Recommend approval of Budget Amendment #093 in the amount of \$6,500.00 for Fund 274 – GEAR UP. (Reallocation)
45. Recommend approval of Budget Amendment #094 in the amount of \$1,637,169.00 for Fund 286 – TTIPS Cycle 2. (New Funding)

**D. Recommend approval of the following Contracts/Agreements:**

46. Recommend approval of six month software and maintenance agreement with Timeware, Inc. in the amount of \$27,520.00. Services to be rendered subject to the District's needs and funding.

**E. Recommend approval of the following Bids/Proposals/Purchases:**

47. Recommend awarding RFQ #12-072 for Texas Department of Insurance (TDI) Windstorm Inspection and Structural Engineering Services District-Wide (Annual Contract), to AGH Engineering and Surveying, Brownsville, Texas, and EFI Global, Inc., San Antonio, Texas, to provide engineering services and to authorize administration to negotiate a fee for said services on a project by project basis to be paid from Local and Categorical Funds.
48. Recommend awarding RFQ #12-073 for Civil Engineering Services District-Wide (Annual Contract), to Ambiotec Civil Engineering Group, Inc., Brownsville, Texas, Gonzales Engineering & Surveying, Inc., Brownsville, Texas, and PlaGar Engineering, LLC, Brownsville, Texas, to provide engineering services and to authorize administration to negotiate a fee for said services on a project by project basis to be paid from Local and Categorical Funds.
49. Recommend awarding RFQ #12-074 for Mechanical/Engineering/Plumbing (MEP) Engineering Services, District-Wide (Annual Contract), to ACR Engineering, Inc., Harlingen, Texas, Halff Associates, Inc., McAllen, Texas and TAG/The Alex Group, LLC, McAllen, Texas to provide engineering services and to authorize administration to negotiate a fee for said services on a project by project basis to be paid from Local and Categorical Funds.
50. Recommend awarding RFQ #12-083 for Delinquent Ad Valorem Tax Collections to the firm meeting the qualifications and needs of the District. Contract will be for one year beginning January 2012 with the option to renew.
51. Recommend awarding RFP #12-101 Property & Casualty, Flood, Windstorm and Hail, Boiler and Machinery to McGriff, Seibel & Williams with an option to renew for two additional years. (Annual Proposal)

**XVIII. CLOSED MEETING:** as pursuant to the Texas Government Code Section: 551.071, 551.072, 551.074, 551.082, and 551.084.

**A. PERSONNEL MATTERS:**

52. Presentation of **Retirements/Resignations.**
53. Recommend approval of **probationary contractual personnel** for the 2011-2012 school year – **Teachers.** Subject to receipt of all outstanding documentation.
54. Recommend approval of **probationary contractual personnel** for the 2011-2012 school year – **Occupational Therapist.** Subject to receipt of all outstanding documentation.

55. Recommend approval of **term – chapter 21 contractual personnel** for the 2011-2012 school year – **Program Specialist**. Subject to receipt of all outstanding documentation.
56. Recommend approval of term – chapter 21 contractual personnel for the 2011-2012 school year – Athletic Coordinator. Subject to receipt of all outstanding documentation.

**B. Consultation with Attorney:**

57. Consultation with attorney regarding pending or threatened litigation matters.
  - a. Review and discuss all pending litigation matters. **(Board Member Request – CPG)**
  - b. Consultation with attorney and Insurance Agent on updates regarding Hector Gonzales and Antonio Juarez cases. **(Board Member Request – LL)**
  - c. Presentation of Video Equipment and Intercom Equipment used in all BISD schools. **(Board Member Request – MP)**
  - d. Discussion and consideration of forensic audit draft report.
  - e. Discussion and consideration regarding Leonardo Garcia vs. BISD.

**C. Real Property:**

58. Discussion of possible acquisition or sale of Real Property.

**(BOARD RECONVENES AFTER CLOSED MEETING)**

A53–56. Recommend approval on personnel matters discussed in Closed Meeting.

B57. Recommend approval on litigation matters discussed in Closed Meeting.

- a. Discussion, consideration and possible action regarding all pending litigation matters. **(Board Member Request – CPG)**
- b. Discussion, consideration and possible action regarding Hector Gonzales and Antonio Juarez cases. **(Board Member Request – LL)**
- c. Discussion, consideration and possible action regarding Video Equipment and Intercom Equipment used in all BISD schools. **(Board Member Request – MP)**
- d. Discussion, consideration and possible action regarding forensic audit draft report.
- e. Discussion, consideration and possible action regarding Leonardo Garcia vs. BISD.

C58. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

**XIX. Announcement(s):**

59. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, February 7, 2012**, at the Administration Building at **5:30 p.m.**

**Budget Committee Meeting** scheduled to be held on **Monday, January 16, 2012**, at the Administration Building at **1:00 p.m.**

**Curriculum Committee Meeting** scheduled to be held on **Tuesday, January 31, 2012**, at the Administration Building at **5:30 p.m.**

**XX. Adjournment.**