



# Brownsville Independent School District

## Board Of Trustees

### Regular Board Meeting April 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 April 17, 2012**, with any corrections/deletions.
- VI. Recommend approving the **minutes** of the **Regular Board Meeting of February 21, 2012**, with any corrections.
- VII. 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.
- VIII. **Superintendent's Report**
  - A. **Conference Presentations:**
    1. Wellness presentation by the Brownsville Biggest Loser Initiative. (**Board Member Request – EE**)
    2. Recognition of State Visual Art Scholastic Event (VASE) Qualifiers.
    3. Recognition of Porter High School Recycling Team. (**Board Member Request – CPG**)
    4. Recognition of all CTE Students for participation at the State Conference (**Board Member Request – CPG**)

5. Recognition of Rivera High School Golf students and Coach Baldo Ramos. **(Board Member Request – CPG)**
6. Presentation of 2011 University of Texas at Austin Exemplary Migrant Students.
7. Presentation of Middle School STEM Magnet Initiative.
8. Presentation of University of Texas MOU/Master Program.
9. Presentation by Legal Firms in response to RFQ #12-092 for Legal Services.
10. Presentation of Brownsville Independent School District Financial Report for the period ended February 29, 2012.
11. Presentation by Staff Attorney and Insurance Department regarding all legal fees, court costs for hearings and motions incurred on Rendon's, Juarez' and Gonzales lawsuits with authorizations for each billing. **(Board Member Request – LL)**
12. Presentation by Staff Attorney and Insurance Department regarding Errors and Omissions Policy coverage, deductibles and balance. **(Board Member Request – LL)**

**B. Standing Board Agenda Items:**

13. Board Calendars.

**IX. 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.

**X. 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 #008-11/12 – Tom Campos.

**(Board Reconvenes After Closed Meeting)**

15. Board action on Level III Grievance #008-11/12 - Tom Campos.

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

**XI. Consent Agenda:**

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

16. Recommend approval to donate obsolete video tapes valued at under \$250 to area Title I (Private Schools).
17. Recommend approval of Local Policy FFE on Response to Intervention.

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

18. Recommend approval to pay Gomez Mendez Saenz, Inc. \$4,036.62 (Brownsville Early College High School); PHI Service Agency, Inc. \$4,772.25 (Brownsville Academic Center); Terracon Consultants, Inc. \$12,464.80 (Brownsville Early College High School and Porter High School Instructional Facility); Spawglass Contractors, Inc. \$307,458.00 (Hanna High School Performing Arts Instructional Facility); Texas Descon, L.P. \$555,139.00 (Brownsville Academic Center and the Brownsville Early College High School) for a grand total of \$883,870.67 to be paid from Qualified School Construction Bond Fund 190/Local Maintenance Fund 199.
19. Recommend approval to pay Gomez Mendez Saenz, Inc. \$9,546.13 (Hanna and Porter High School Science Laboratory Additions and Lopez and Rivera High School Science Laboratory Additions); Terracon Consultants, Inc. \$4,712.60 (Lopez and Rivera High School Science Laboratory Additions); Peacock General Contractors, Inc. \$472,151.90 (Lopez and Rivera High School Science Laboratory Classroom Wing Additions) for a grand total \$486,410.63 to be paid from Science Laboratory Grant Program/Local Maintenance Fund 199.
20. Recommend approval to pay G & T Paving, LLC \$31,765.81 (Transportation Parking Lot Project, Phase 2) to be paid from Local Maintenance Fund 199.
21. Recommend approval for payment of \$390.00 to Hartline Dacus Barger Dreyer LLP.

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

22. Recommend approval of Budget Amendment #109 in the amount of \$30,900.00 for Fund 199 – Local Maintenance. (Reallocation)
23. Recommend approval of Budget Amendment #110 in the amount of \$700.00 for Fund 498 – Local Funded Special Revenue Fund for Vermillion Elementary. (New Funding)
24. Recommend approval of Budget Amendment #111 in the amount of \$4,000.00 for Fund 498 – Local Funded Special Revenue Fund for Brownsville Learning Academy. (New Funding)
25. Recommend approval of Budget Amendment #112 in the amount of \$7,675.00 for Fund 274 – GEAR UP. (Reallocation)

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

26. Recommend approval of Kelly Wilk, Junction of Function, Inc., to provide contract occupational therapy services to eligible special education students. This agreement is subject to the district's needs and funding.
27. Recommend approval to update information to current agreement with Texas Department of Public Safety for release of applicant and/or employee driving records at no cost to the District.

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

28. Recommend awarding RFQ#12-120 for Stand-by Geotechnical Engineering and Construction Materials Testing (Annual Contract), to Raba-Kistner Consultants, McAllen, Texas, Terracon Consultants, Inc., Pharr, Texas, and Millennium Engineers Group, Inc. (MEG), Edinburg, 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.
29. Recommend awarding RFQ#12-121 for Architectural/Engineering Design Services for Roof Replacement at Morningside Elementary School to Amtech Building Sciences, Inc. McAllen, Texas to provide engineering services and to authorize administration to negotiate a fee for said services to be paid from Local and Categorical Funds.
30. Recommend awarding RFQ#12-122 for Air Conditioning System Test and Air Balance (TAB) Services (Annual Contract) to PHI Service Agency, Alamo, Texas, Aerodynamics, Weslaco, Texas, and Campos Engineering, Inc., Dallas, 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.

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

**A. PERSONNEL MATTERS:**

31. Presentation of **Resignations**.
32. Recommend approval of **probationary contractual personnel** for the 2011-2012 and the 2012-2013 school years – **Teachers**. Subject to receipt of all outstanding documentation.
33. Recommend approval of Campus Professional Staff for One Year Term contracts for the 2012-2013 school year.
34. Recommend approval of Department Professional Staff for One Year Term contracts for the 2012-2013 school year.
35. Recommend approval of Department Professional Staff for Non-Chapter 21 Term contracts for the 2012-2013 school year.
36. Board Self Evaluation.
37. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

**B. Consultation with Attorney:**

38. Consultation with attorney regarding pending or threatened litigation matters.
  - a. Consultation with Attorney regarding agenda item (Discussion and possible action on recommended approval not to offer new employment contract to (F.A.F) terminating employment contract at the end of contract term). **(Board Member Request – MP)**
  - b. Discussion and consideration regarding Michael Alex vs. BISD.
  - c. Discussion and consider potential claims on behalf of A.R. for alleged injuries as student at Oliveira MS. In 2009-2010 school year.

**C. Real Property:**

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

**(BOARD RECONVENES AFTER CLOSED MEETING)**

**A32 - 35. Recommend approval on personnel matters discussed in Closed Meeting.**

37. Discussion, consideration, and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.

**B38. Recommend approval on litigation matters discussed in Closed Meeting.**

- a. Discussion, consideration and possible action regarding agenda item (Discussion and possible action on recommended approval not to offer new employment contract to (F.A.F) terminating employment contract at the end of contract term). **(Board Member Request – MP)**
- b. Discussion, consideration and possible action regarding Michael Alex vs. BISD.
- c. Discussion, consideration and potential action regarding potential claims on behalf of A.R. for alleged injuries as student at Oliveira M.S. in 2009-2010 school year.

**C39. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.**

**XIII. Announcement(s):**

40. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, May 1, 2012**, at the Administration Building at 5:30 p.m.

**XIV. Adjournment.**