



# Brownsville Independent School District

## Board Of Trustees

### Regular Board Meeting December 4, 2012 4:30 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 December 4, 2012**, with any corrections/deletions.
- VI. Recommend approval to **canvass returns** following a recount for **Board of Trustee Position 7 – Election** held on **November 6, 2012** and recount completed on November 21, 2012.
- 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. 2012 College Readiness Award from the ACT Council for Hanna/Rivera High Schools.
    2. The Early Development Instrument (EDI) Data Driven Results for Community Change by Brownsville Independent School District and United Way of Southern Cameron County.
    3. Presentation of Eminent Domain Authority in Texas.
    4. Review and discuss important monitoring information 031901 2012-2013 written notification to the Brownsville Independent School District of an on-site visit from the

Texas Education Agency that will occur January 7-11, 2013. **(Board Member Request – CPG)**

5. Presentation of the BAC Campus student enrollment and school capacity. **(Board Member Request – CPG)**
6. Presentation and discussion regarding Comprehensive Annual Financial Report for the year ended June 30, 2012. **(Board Member Request – LBL)**

**B. Standing Board Agenda Items:**

7. 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.

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

**X. Consent Agenda:**

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

8. Recommend approval to align with various IRS amendments on changes that are required for 403(b) Plans as recommended by Mid America, Administrative & Retirement Solutions, Inc., Third Party Administrator (TPA) for the BISD 403(b) Plan.
9. Recommend approval to purchase after-school curriculum, material kits and other related materials for the Texas 21<sup>st</sup> CCLC, Cycle 6, Year 4 program. Items to be purchased are subject to District's needs and funding. (Sole Source)
10. Recommend approval to purchase PK-8 Math, Science, and ELA, site license for all registered students and other related materials for the Texas 21<sup>st</sup> Century Community Learning Centers, Cycle 7, Year 2 Program. Items to be purchased are subject to the District's needs and funding. (Sole Source)
11. Recommend approval to purchase after-school curriculum, material kits and other related materials for the Texas 21<sup>st</sup> CCLC, Cycle 7, Year 2 Program. Items to be purchased are subject to the District's needs and funding. (Sole Source)

12. Recommend approval to cancel the Regular Board Meeting of January 1, 2013 due to scheduled holidays.
13. Recommend approval of the Internal Audit Plan for the year 2013.
14. Recommend approval to receive the reimbursement funds from Workforce Solutions CCMS for Daycare Services at Lincoln Park School in the amount up to \$79,000.00. Reimbursement funds will be received subject to the provision of daycare services provided to infants at Lincoln Park School.
15. Discussion, consideration and possible action regarding protocol in contacting Board Attorney. **(Board Member Request – EE)**
16. Discussion, consideration and possible action to reconsider sale or in-kind negotiations regarding Madison Properties. **(Board Member Request – EE)**
17. Discussion, consideration and possible action on protocol and procedures concerning contracts and agreements affecting the District. **(Board Member Request – LBL)**
18. Discussion, consideration and possible action on protocol and procedures regarding Policy CH **(Local/Legal)**. **(Board Member Request – LBL)**
19. Discussion, consideration and possible action regarding issues concerning pending delinquent taxes-Rick Pena.

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

20. Recommend approval to pay Region One Education Service Center for annual membership fees in the approximate amount of \$42,931.49 for the 2012-2013 school year.
21. Recommend approval to pay the U.S. Department of Labor Wage-Hour Division the total amount of \$22,970.00.
22. Recommend approval to pay Peacock General Contractors, Inc. \$163,319.50 to be paid from Science Laboratory Grant Program/Local Maintenance Fund 199.
23. Recommend approval to pay Rike Ogden Figueroa Alex Architects \$33,075.00 (Brownsville Academic Center) to be paid from Qualified School Construction Bond Fund 190/Local Maintenance Fund 199.
24. Recommend approval to pay Gignac & Associates Architects, LLP \$68,517.28 (Palo Alto Support Service Center) to be paid from Local Maintenance Fund 199.
25. Recommend approval to pay Texas School Alliance for annual membership fees in the approximate amount of \$16,200.00 for the 2012-2013 school year.
26. Recommend approval to renew our annual 2013 TASB Membership and TASB Legal Assistance Fund and pay dues in the amount of \$11,500.00 for 2013 calendar year.

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

27. Recommend approval of Budget Amendment #052 in the amount of \$2,700.00 for Fund 429 – Other Special Revenue – HEB Award. (New Funding)
28. Recommend approval of Budget Amendment #053 in the amount of \$4,000.00 for Fund 498 – Local Funded Special Revenue Fund for Brownsville Learning Academy. (Carryover Funding)
29. Recommend approval of Budget Amendment #054 in the amount of \$6,000.00 for Fund 429 – Other State Special Revenue University of Texas Medical Branch. (New Funding)
30. Recommend approval of Budget Amendment #055 in the amount of \$345,000.00 for Fund 199 – Local Maintenance Fund. (Designated Fund Balance)
31. Recommend approval of Budget Amendment #056 in the amount of \$21,000.00 for Fund 265 – Texas 21<sup>st</sup> Century Community Learning Centers. (Reallocation).
32. Recommend approval of Budget Amendment #057 in the amount of \$120,000.00 for Fund 163 – State Bilingual. (Reallocation)
33. Recommend approval of Budget Amendment #058 in the amount of \$126,582.00 for Fund 404-2012-2014 Online College and Preparation Technical Assistance Program. (Reallocation)

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

34. Recommend approval to enter into a contract with TimeClock Plus for an automated time and attendance system to include hardware, software, maintenance and training.
35. Recommend approval to enter into an Interlocal Agreement with Region One Education Service Center to implement the Safe Schools Project with BISD for the 2012-2013 School Year at a cost of \$59,392.00. Services are to be rendered subject to the District's needs and funding.
36. Recommend approval for the Administration to continue collaborative service agreements with the Historic Brownsville Museum, Gladys Porter Zoo, Brownsville Historical Association (Stillman House Museum), Brownsville Museum of Fine Art and the Brownsville Barnstormers Flying Museum in the amount not to exceed \$92,880.00 from Budgeted Local Maintenance Funds. (Annual Agreement)
37. Recommend approval of Change Order #01 to amend the Owner/Contractor Agreement with Peacock General Contractors, Harlingen, Texas, for the Lopez and Rivera High School Science Laboratory Addition Projects.
38. Recommend approval to enter into an agreement with the Reliant Energy, Corpus Christi, Texas for Electricity Supply and Related Services for El Jardin Elementary School, Vela Middle School, Lucio Middle School, and the BISD Encampment.
39. Recommend approval to enter into a Memorandum of Understanding with the City of Brownsville, Texas Public Utilities Board and the University of Texas at Brownsville.

40. Recommend approval to renew the AVID Implementation Agreement for Hanna and Brownsville Early College High Schools in the amount of \$6,630.00 from campus budgeted local and categorical funds for the 2012-2013 school year. Services to be rendered and items to be purchased are subject to the District's needs and funding.
41. Recommend approval to enter into a Memorandum of Understanding between Brownsville I.S.D. and Rio Grande Valley Council, Inc., Brownsville, Texas, for implementation of "Positive Action" program in the BISD 2012-2013 school year. Services are to be rendered at no cost to the District.
42. Recommend approval to enter into a Memorandum of Understanding between Texas A&M University and the Brownsville Independent School District to implement the Advise Texas College Advising Corps at Pace, Porter, Lopez and Rivera High Schools for the 2012-2013 school year.
43. Recommend approval to enter into an agreement with the Meadows Foundation and APQC Education for Professional Development sessions listed under the Brownsville Leadership Alliance Project for the 2012-2013 school year.

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

44. Recommend awarding Bid #13-038 Music Supplies and Accessories District-wide to several vendors and cast lots for item #23 of said bid. (Annual Bid)
45. Recommend awarding Bid #13-039 Printed Music District-wide to several vendors. (Annual Bid)
46. Recommend awarding Bid #13-041 Aquatic Center Chemical Services and Maintenance Equipment District-wide to several vendors. (Annual Bid)
47. Recommend awarding Bid #13-042 Furniture District-wide to several vendors. (Annual Bid)
48. Recommend awarding Bid #13-043 Awards for Honors and Graduation Students District-wide to several vendors. (Annual Bid)
49. Recommend awarding Bid #13-044 Medical Supplies and Equipment District-wide to several vendors and cast lots for items #130 and #143 of said bid. (Annual Bid)
50. Recommend awarding Bid #13-045 Art Supplies and Equipment District-wide to several vendors. (Annual Bid)
51. Recommend awarding Bid #13-046 Charter Bus Services District-wide to several vendors. (Annual Bid)
52. Recommend awarding Bid #13-047 Inspection of Exhaust Hood Suppression System for Food and Nutrition Services Cafeterias to Extinguishers Inc., Hidalgo, Texas.
53. Recommend awarding Bid #13-048 Weight Training Room Equipment District-wide to several vendors. (Annual Bid)

54. Recommend awarding Bid #13-049 Energy Management Systems District-wide to several vendors. (Annual Bid)
55. Recommend awarding Bid #13-050 Glazing Supplies and Materials District-wide to several vendors and cast lots for item #28 of said bid. (Annual Bid)
56. Recommend awarding Bid #13-051 Irrigation and Landscaping Service, Supplies and Materials District-wide to several vendors. (Annual Bid)
57. Recommend awarding Bid #13-052 Paving Service Work District-wide to several vendors. (Annual Bid)
58. Recommend awarding Bid #13-053 Roofing Maintenance District-wide to several vendors. (Annual Bid)
59. Recommend awarding Bid #13-054 Roofing Supplies and Materials District-wide to several vendors. (Annual Bid)
60. Recommend awarding Bid #13-055 Oxygen, Acetylene and Welding Supplies District-wide to several vendors. (Annual Bid)
61. Recommend approval to accept the negotiated fee for RFP #13-033 HVAC Upgrades to Aiken Elementary School from Texair Company, Inc., McAllen, Texas, in the amount not to exceed \$312,500.00 to be paid from Capital Project Funds.
62. Recommend awarding RFP #13-040 Reconditioning of Helmets and Shoulder Pads Repair District-wide to several vendors. (Annual Bid)

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

**A. PERSONNEL MATTERS:**

63. Presentation of **Retirements/Resignations**.
64. Recommend approval of **probationary contractual personnel** for the 2012-2013 school year – **ABE Instructor**. Subject to receipt of all outstanding documentation.
65. Recommend approval of **probationary contractual personnel** for the 2012-2013 school year – **Administrator for Food & Nutrition Services**. Subject to receipt of all outstanding documentation.
66. Recommend approval of **probationary contractual personnel** for the 2012-2013 school year – **Assistant Principals**. Subject to receipt of all outstanding documentation.
67. Recommend approval of **probationary contractual personnel** for the 2012-2013 school year – **Counselor**. Subject to receipt of all outstanding documentation.

68. Recommend approval of **probationary contractual personnel** for the 2012-2013 school year – **Teachers**. Subject to receipt of all outstanding documentation.
69. Recommend approval of **probationary contractual personnel** for the 2012-2013 school year – **Specialists**. Subject to receipt of all outstanding documentation.
70. Recommend approval of **probationary contractual personnel** for the 2012-2013 school year – **Supervisor - Marketing**. Subject to receipt of all outstanding documentation.
71. Recommend approval of **probationary contractual personnel** for the 2012-2013 school year – **Supervisor Electrician/HVAC**. Subject to receipt of all outstanding documentation.
72. Recommend approval of **term – chapter 21 contractual personnel** for the 2012-2013 school year – **Teacher Specialists: Texas Literacy Grant**. Subject to receipt of all outstanding documentation.
73. Recommend approval to correct a professional employee’s contractual days from 187 to 226 for the 2012-2013 school year. (G.D.)
74. Recommend approval to compensate a professional employee (A.O.P.) for four (4) years of creditable salary experience earned but not paid in 2011-2012 fiscal school year.
75. Recommend approval to compensate a professional employee’s working days from 196 to 201 days for the 2011-2013 school year. (J.A.R.)
76. Discussion, consideration and possible action regarding former teacher payment request. **(Board Member Request–CPG)**
77. Board Self Evaluation.
78. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

**B. Consultation with Attorney:**

79. Consultation with attorney regarding confidential and privileged matters.
80. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.

**C. Real Property:**

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

**(BOARD RECONVENES AFTER CLOSED MEETING)**

- A64–76. Recommend approval on personnel matters discussed in Closed Meeting.
78. Discussion, consideration, and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.

79. Recommend approval regarding confidential and privileged matters.

80. Recommend approval regarding pending or threatened litigation matters: “status of lawsuits”

C81. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

**XII. Announcement(s):**

82. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, December 18, 2012**, at the Administration Building at 5:30 p.m.

**XIII. Adjournment:**