



Brownsville Independent School District

Board Of Trustees

Regular Board Meeting

May 21, 2013

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.

Board policy BE (Local) – limits debate for the two opportunities Robert’s Rules permits a Trustee to speak on a motion to two minutes for the first speaking opportunity and one minute for the second opportunity.

- 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 May 21, 2013**, with any corrections/deletions.
- VI.** Recommend approving the minutes of the **Regular Board Meeting of March 5, 2013**, with any corrections.
- VII.** Recommend approving the minutes of the **Special Called Board Meeting of April 1, 2013**, with any corrections.
- VIII.** 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.

(All presentations limited to five (5) minutes)

IX. Superintendent's Report

A. Conference Presentations:

1. Recognition of the 7th Annual Johnny N. & Nena S. Cavazos Scholarship Endowment Recipients.
2. Recognition of UIL State Track & Field Qualifiers.
3. Recognition of Girls Softball Team Champions.
4. Recognition of Boys Baseball Team Champions.
5. Recognition of Rivera Band Director.
6. Recognition of Duke University Talent Search Identification Student.
7. Presentation of Hanna High School - Newsweek Best High Schools List.
8. Recognition of Career and Technical Education CTE Students.
9. Recognition of Texas General Land Office's Adopt A Beach Treasurers of the Texas Coast Children's Art Contest.
10. Recognition of Congressional Art Competition Recipients 2013.
11. Recognition of 2013 City Math Meet.
12. Recognition of BISD High School and Middle School Science Fair Winners.
13. Recognition of BISD High School and Texas History Day Regional Winners and State Qualifiers.
14. Recognition of State Finalist in the 2013 U.S. Doodle 4 Google Competition.
15. Presentation of Municipal Youth Ambassador Program. **(Board Member Request – CS)**
16. Presentation of the Brownsville Independent School District Financial Report for the period ended March 31, 2013.
17. Presentation of the Brownsville Independent School District Quarterly Consultant Report for the Third Quarter of Fiscal Year 2012-2013.
18. Presentation of the Brownsville Independent School District Quarterly Investment Report for the period ended March 31, 2013. **(Booklet)**
19. Review and discuss the Board Attorney Contract roles and responsibilities including Texas State Bar Attorney Lic. **(Board Member Request – CPG)**
20. Review and discuss Policy DEC Local. **(Board Member Request – CPG)**

21. Review and discuss process of employee termination and/or reassignment. **(Board Member Request – CPG)**
22. Review and discuss process of Employee Policy Violations and State Laws. **(Board Member Request – CPG)**

B. Standing Board Agenda Items:

23. Board Calendars.

X. 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.

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

A. Level III Board Review and Grievance:

24. Level III Grievance #007/12-13 – Laura Salas (CD).

(Board Reconvenes After Closed Meeting)

25. Board action on Level III Grievance #007/12-13 – Laura Salas.

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

XII. Consent Agenda:

A. Recommend approval of the following General Function Items:

26. Recommend approval of Application for Low Attendance Days for the 2012-2013 school year for the District.
27. Recommend approval of Resolution No. #025/12-13 for the Brownsville Independent School District to accept grant award from SCO (State Energy Conservation Office).
28. Recommend approval to declare the three buildings at the BISD Encampment as Surplus/Obsolete and schedule for demolition for a fee not to exceed \$50,000.00 to be paid from Local Maintenance Fund 199.

29. Recommend approval to purchase the Tyler's Versatrans Transportation Management Solution for the Transportation Department in the amount not to exceed \$567,669.00.
30. Recommend approving the Daimler-Benz Financial Services USA tax exempt five year installment financing for the purchase of forty-two regular school buses and paying cash for eighteen special needs school buses with wheelchair lifts from Thomas Bus Gulf Coast using TPASS (Texas Procurement And Support Services – Resolution #R003/12-13). The TPASS contract number is 07-MI and there is no fee for purchase order. Final expenditure not to exceed \$5,227,464.00 plus applicable finance charges at no more than 1.556% interest for five years (for the forty-two regular buses).
31. Recommend approval to cancel the Regular Board Meeting of July 2, 2013 and reschedule the Regular Board Meeting of July 16, 2013 to July 23, 2013, due to abbreviated summer administration work schedule.
32. Board Self Evaluation – discuss and approve to be permanent agenda items. **(Board Member Request – CPG)**
33. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent – discuss and approve to be permanent agenda items. **(Board Member Request – CPG)**

B. Recommend approval of the following Payment:

34. Recommend approval to pay Amtech Building Sciences, Inc. \$3,250.00 (Re-roofing Project at Morningside Elementary School) to be paid from Capital Project Fund 634/Local Maintenance Fund 199.

C. Recommend approval of the following Budget Amendments:

35. Recommend approval of Budget Amendment #094 in the amount of \$265,907.00 for Fund 190-QSCB Lease Revenue Construction Fund. (Reallocation)
36. Recommend approval of Budget Amendment #095 in the amount of \$1,200,000.00 for Fund 198 – SHARS. (Fund Balance)
37. Recommend approval of Budget Amendment #096 in the amount of \$60,000.00 for Fund 164 – State Career and Technical Education. (Restricted Fund Balance)

D. Recommend approval of the following Contracts/Agreements:

38. Recommend approval to accept the attached Standard Form of Agreement between Owner and Contractor for RFP #13-083 HVAC Upgrades at Lucio Middle School to Texair Company, Inc., McAllen, Texas, in the amount not to exceed \$959,550.00 to be paid from Capital Project Funds.
39. Recommend approval to enter into an agreement with the City of Brownsville, Texas, and the University of Texas at Brownsville to construct sidewalks near the Brownsville Early College High School and to pay the City of Brownsville \$2,908.94 from Local Maintenance Fund 199.

40. Recommend approval to enter into an Agreement with the University of Texas at Brownsville to assist and support a cohort of eligible applicants who will earn a Master's degree at the end of the program. Services will be subject to the District's needs and funding.
41. Recommend approval to enter into a Memorandum of Understanding with Texas Southmost College, for Dual Enrollment/Dual Credit opportunities. This agreement takes effect upon School Board approval and shall continue unless amended mutually or terminated in writing by either party.
42. Recommend approval to enter into a Memorandum of Understanding between County of Cameron and Brownsville Independent School district Food and Nutrition Service to provide meals free of charge to children 18 years and under during the summer months beginning June 10, 2013 and ending August 16, 2013.
43. Recommend the passage of a Resolution authorizing a Health Care Panel as authorized by Labor Code Section 504.053 and approving amendments to Tristar Agreement to create a Section 504 Health Care Panel.

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

44. Recommend awarding Bid #13-089 Instructional/Curriculum/Software Supplies and Materials District-wide to several vendors. (Annual Bid)
45. Recommend awarding Bid #13-091 Audio Visual Equipment District-wide to several vendors. (Annual Bid)
46. Recommend awarding Bid #13-092 Chess Materials, Supplies, Software and Training Services District-wide to several vendors. (Annual Bid)
47. Recommend awarding Bid #13-093 Office Supplies, Equipment and Accessories District-wide to several vendors. (Annual Bid)
48. Recommend awarding Bid #13-096 Student Uniforms for Career and Technology and Instructional Programs District-wide to several vendors. (Annual Bid)
49. Recommend awarding Bid #13-101 Portable Building Relocation and Related Services District-wide to several vendors. (Annual Bid)
50. Recommend awarding Bid #13-102 Disposal of Hazardous and Non-Hazardous Waste District-wide to several vendors. (Annual Bid)
51. Recommend awarding Bid #13-103 Intercom Repair Services, Supplies, and Materials District-wide to Circle Industries, Harlingen, Texas. (Annual Bid)
52. Recommend awarding Bid #13-104 Repair Parts for Kitchen Equipment and Walk-In Freezer/Cooler for Food and Nutrition Services District-wide to several vendors. (Annual Bid)

53. Recommend awarding Bid #13-105 Police/Security Uniforms and Accessories District-wide to several vendors. (Annual Bid)
54. Recommend awarding Bid #13-107 Construction Supplies and Materials District-wide to several vendors. (Annual Bid)
55. Recommend awarding Bid #13-108 Fencing Services, Supplies and Materials District-wide to several vendors. (Annual Bid)
56. Recommend awarding Bid #13-109 Fire Alarm and Sprinkler System Services District-wide to several vendors and cast lots for Items #2, #3, #6 and #7 of said bid. (Annual Bid)
57. Recommend awarding Bid #13-110 Preventive Maintenance for Generators District-wide to several vendors. (Annual Bid)
58. Recommend awarding RFP #13-088 for Consultant/Presenter Services/Training Supplies and Materials District-wide to several vendors. (Annual Proposal)
59. Recommend awarding RFP #13-094 for Athletic Supplies for Golf, Swimming and Tennis District-wide (Catalog) to several vendors. (Annual Proposal)
60. Recommend awarding RFP #13-095 for Athletic Supplies, Football, Volleyball and Girls/Boys Basketball District-wide (Catalog) to several vendors. (Annual Proposal)
61. Recommend awarding RFP #13-097 for Athletic Shoes District-wide (Catalog) to several vendors. (Annual Proposal)
62. Recommend awarding RFP #13-098 for Athletic Supplies, Cross Country, Soccer and Track District-wide (Catalog) to several vendors. (Annual Proposal)
63. Recommend awarding RFP #13-099 for Athletic Supplies, Baseball and Softball District-wide (Catalog Bid) to several vendors. (Annual Proposal)
64. Recommend awarding RFP #13-100 Marching Band Show Writing Services for High Schools District-wide to several vendors. (Annual Bid)
65. Recommend awarding RFP #13-106 to Provide Supplemental Reading, Dyslexia, Writing, Mathematics, Middle School & High School Subject, Test Preparation and Homework Support for Private Schools (Federally Funded) to several vendors. (Annual Proposal)
66. Recommend awarding RFP #13-113 Procure Professional Educators and School Board Legal Liability Insurance to Montalvo Insurance Agency.
67. Recommend awarding RFQ #13-112 for Comprehensive Annual Financial Report for FY 2012-2013 and FY 2013-2014 to Patillo, Brown & Hill, LLP, Brownsville, Texas.

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

A. PERSONNEL MATTERS:

68. Presentation of **Retirements/Resignations**.
69. Recommend approval of **non-chapter 21 contractual personnel** for the 2012-2013 and the 2013-2014 school years – **Compensation Manager**. Subject to receipt of all outstanding documentation.
70. Recommend approval of **non-chapter 21 contractual personnel** for the 2012-2013 and the 2013-2014 school years – **Administrator for Grants**. Subject to receipt of all outstanding documentation.
71. Recommend approval of **non-chapter 21 contractual personnel** for the 2012-2013 and the 2013-2014 school years – **Administrator for Health Services**. Subject to receipt of all outstanding documentation.
72. Recommend approval of **term-chapter 21 contractual personnel** for the 2013-2014 school year – **Project Director for 21st Century Community Learning Center**. Subject to receipt of all outstanding documentation.
73. Recommend approval of adjustment for C.G., M.Z.P., C.R., M.G., V.M., and D.M., for an estimated total amount of \$49,321.86.
74. Board Self Evaluation. (**Board Member Request – CPG/CS**)
75. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent. (**Board Member Request – CPG/CS**)

B. Consultation with Attorney:

76. Consultation with attorney regarding confidential and privileged matters.
 - a. Discussion, consideration and possible action regarding individual Board Member(s) directing Board Counsel to contact outside attorney to review Healthsmart Insurance legal documents without Board action as per Policy BBE (Local) & (Legal). (**Board Member Request – LL**)
77. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.
 - a. Discussion and consideration regarding Claudia Gonzalez b/n/f J.G. vs. BISD.

(BOARD RECONVENES AFTER CLOSED MEETING)

- A69-73. Recommend approval on personnel matters discussed in Closed Meeting.
75. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent. (**Board Member Request – CPG/CS**)
- B76. Recommend approval regarding confidential and privileged matters.

- a. Discussion, consideration and possible action regarding individual Board Member(s) directing Board Counsel to contact outside attorney to review Healthsmart Insurance legal documents without Board action as per Policy BBE (Local) & (Legal). (**Board Member Request – LL**)
77. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.
- a. Discussion, consideration and possible action regarding Claudia Gonzalez b/n/f J.G. vs. BISD.

XIV. Announcement(s):

78. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, June 4, 2013**, at the Administration Building at 5:30 p.m.

XV. Adjournment.