



# Brownsville Independent School District

## Board Of Trustees

**Regular Board Meeting**  
**May 6, 2014**  
**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 May 6, 2014**, with any corrections/deletions.
- VI.** Recommend approving the **minutes** of the **Regular Board Meeting of March 4, 2014** 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.

**(All presentations limited to five (5) minutes)**

### **VIII. Superintendent's Report**

#### **A. Conference Presentations:**

1. Recognition of Representative Eddie Lucio III.
2. Superintendent's Life Saving Award Presentation.
3. Recognition of BISD Music Program Alumni.
4. Presentation on District-wide Attendance Initiatives.
5. District update on Universal Pre-K 4 Proposal for 2014-2015.

6. Special Services update on Campus Support/Classroom Ratios for Special Education Students.
7. Presentation on Food and Nutrition Services – Fund 101 Community Eligibility Provision.
8. Presentation on Food and Nutrition Services – Fund 101 Procurement of Vehicles and Renovation of Dining Areas.
9. Presentation regarding abbreviated summer administration work schedule and closure of administrative offices for week of June 30, 2014 to July 4, 2014.
10. Presentation of the Brownsville Independent School District Quarterly Investment Report for the period ended March 31, 2014. (Booklet)
11. Presentation of the Brownsville Independent School District Financial Report for the period ended March 31, 2014.
12. Presentation of the Brownsville Independent School District Quarterly Consultant Report for the Third Quarter of Fiscal Year 2013-2014.
13. Presentation by Purchasing Department Co-Op Quarterly Expense Report May 2014.
14. Presentation of additional vehicle purchases District-wide for the Fiscal Year 2013-2014.

**B. Standing Board Agenda Items:**

15. 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. Open Hearing: Grievant has requested an open hearing pursuant to Board Policy DGBA Local.**

**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 and consult with their attorney.**

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

16. Discussion, consideration and possible action regarding the Level III Grievance No. 010/13-14 – Guillermo Guillen, Reynaldo Castro, Jr., Jose Heriberto Ramirez, Ruben Pena, Juan Pablo Benavides, and Rudolph M. Ingram.

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

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

**XI. Consent Agenda:**

**A. Recommend approval of the following General Function Item(s):**

17. Recommend approval to declare 18 Maintenance Vehicles and 15 Portable Buildings as Surplus/Obsolete and schedule for Public Auction.
18. Recommend to approve All-American Volleyball Camps to use the district facilities, in accordance with Policy GKD (Local).
19. Recommend approval to select the Competitive Sealed Proposals delivery method in accordance with CV(Local) Policy, Construction Contracts for the Faulk Middle School Weight Room Project.
20. Recommend approval of Resolution No. 026/13-14 for the Brownsville Independent School District to participate in the TASB Energy Cooperative purchasing program.
21. Recommend approval to reschedule the Regular Board Meeting of July 1, 2014 to be held on July 15, 2014.
22. Discussion and possible action to allow BISD to participate with the City of Brownsville in the “All America City” application process. **(Board Member Request – MP)**

**B. Recommend approval of the following Payment(s):**

23. Recommend approval to pay Amtech Building Sciences Inc. \$3,250.00 (Re-roofing Project for Morningside Elementary School), Central Air and Heating Service, Inc., \$383,137.37 (HVAC Upgrades Rivera High School) and Circle Industries, Inc. \$7,125.00 (Fire Alarm Project at Skinner Elementary School) for a grand total of \$393,512.37 to be paid from Capital Projects Fund/Local Maintenance Fund.
24. Recommend approval for payment of \$5,880.28 to The Hudgins Law Firm.
25. Discussion, consideration and possible action to pay annual membership dues to the Brownsville Chamber of Commerce in the amount not to exceed \$5,000.00 from budgeted Local Maintenance Funds.
26. Recommend approval for payment of up to \$20,299.71 to Williams, Birnberg & Andersen, LLP.
27. Recommend approval for payment of up to \$18,914.66 to Colvin, Chaney, Saenz & Rodriguez, LLP.

**C. Recommend approval of the following Budget Amendment(s):**

28. Recommend approval of Budget Amendment #086 in the amount of \$900,000.00 for Fund 101 – Food Service. (Fund Balance)
29. Recommend approval of Budget Amendment #089 in the amount of \$300,000.00 for Fund 166 – State Special Education Fund. (Reallocation)
30. Recommend approval of Budget Amendment #090 in the amount of \$96,720.00 for Fund 163 – State Bilingual. (Reallocation)

**D. Recommend approval of the following Contract/Agreement(s):**

31. Recommend approval to enter into an MOU with the University of Texas at Brownsville for mentorship and training for all STAMP-Medical Profession students, advisors and teachers.

**E. Recommend approval of the following Bid(s)/RFQ(s)/RFP(s):**

32. Recommend awarding Bid #14-084 Student Uniforms for Career and Technology and Instructional Programs District-wide to several vendors. (Annual Bid)
33. Recommend awarding Bid #14-086 Office Supplies, Equipment and Accessories District-wide to several vendors. (Annual Bid)
34. Recommend awarding Bid #14-087 Chess Materials, Supplies, Software and Training Services District-wide to several vendors. (Annual Bid)
35. Recommend awarding Bid #14-088 Repair Parts for Kitchen Equipment and Walk-In Freezer/Cooler for Food and Nutrition Service District-wide to several vendors. (Annual Bid)
36. Recommend awarding Bid #14-090 Instructional/Curriculum Software Supplies and Materials District-wide to several vendors. (Annual Bid)
37. Recommend awarding Bid #14-091 Police/Security Uniforms and Accessories District-wide to several vendors. (Annual Bid)
38. Recommend awarding Bid #14-092 Audio Visual Equipment District-wide to several vendors. (Annual Bid)
39. Recommend awarding Bid #14-094 Disposal of Hazardous and Non-Hazardous Waste District-wide to several vendors. (Annual Bid)
40. Recommend awarding Bid #14-095 Construction Supplies and Materials District-wide to several vendors. (Annual Bid)
41. Recommend awarding Bid #14-096 Portable Building Relocations and Related Services District-wide to several vendors. (Annual Bid)

42. Recommend awarding Bid #14-097 Fencing Services, Supplies and Materials District-wide to Hurricane Fence Company, Harlingen, Texas. (Annual Bid)
43. Recommend awarding Bid #14-098 Preventive Maintenance for Generators District-wide to several vendors. (Annual Bid)
44. Recommend awarding Bid #14-099 Fire Alarms and Sprinkler System Services District-wide to Circle Industries, Inc., Harlingen, Texas. (Annual Bid)
45. Recommend awarding Bid #14-100 Intercom Repair Services, Supplies and Materials District-wide to Circle Industries, Inc., Harlingen, Texas. (Annual Bid)
46. Recommend awarding RFP #14-078 for Consultant/Presenter Services/Training Supplies and Materials District-wide to several vendors. (Annual Proposal)
47. Recommend awarding RFP #14-079 for Athletic Supplies Football, Volleyball and Girls/Boys Basketball District-wide (Catalog) to several vendors. (Annual Proposal)
48. Recommend awarding RFP #14-080 for Athletic Supplies Cross Country, Soccer and Track District-wide (Catalog) to several vendors. (Annual Proposal)
49. Recommend awarding RFP #14-081 for Athletic Supplies Baseball and Softball District-wide (Catalog) to several vendors. (Annual Proposal)
50. Recommend awarding RFP #14-082 for Athletic Supplies for Golf, Swimming and Tennis District-wide (Catalog) to several vendors. (Annual Proposal)
51. Recommend awarding RFP #14-083 for Athletic Shoes District-wide (Catalog) to several vendors. (Annual Proposal)
52. Recommend awarding RFP #14-085 Marching Band Show Writing Services for High Schools District-wide to several vendors. (Annual Proposal)
53. Recommend awarding RFP #14-093 to provide Supplemental Educational Support Services in the Area of Reading, Writing, Language Arts, Dyslexia, Mathematics, Middle School and High School Subjects, Test Preparation and Homework Support Services for Private Schools (Title I-A Funded) to several vendors. (Annual Proposal)
54. Recommend awarding RFQ #14-101 for Civil Engineering Services to PlaGar Engineering, LLC, Brownsville, Texas, Ambiotec Civil Engineering Group, Inc., Brownsville, Texas and M. Garcia Engineering, LLC, McAllen, Texas and to authorize administration to negotiate a fee for said services on a project by project basis to be paid for Local and Categorical Funds.
55. Recommend awarding RFQ #14-102 for Mechanical/Electrical/Plumbing (MEP) Engineering Services to ACR Engineering, Inc. Harlingen, Texas, Half Associates, Inc.

McAllen, Texas and DBR, Inc., McAllen, Texas 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.

56. Recommend awarding RFQ #14-103 for ADA and TAS/TDLR Consulting and Inspection Services to PlaGar Engineering LLC, Brownsville, Texas and K+ Architect, Los Fresnos, Texas to provide consulting and inspection 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.

**Please note Trustees Lucila B. Longoria and Catalina Presas-Garcia will be excluded from Executive Session, 57. a., due to conflict.**

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

**A. Consultation with Attorney:**

57. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits.”
  - a. Discussion and consideration in Lucila B. Longoria and Catalina Presas-Garcia vs. Brownsville Independent School District, et. al, Civil Action Number 1:14-CV-00010 pending in the United States District Court for the Southern District of Texas Brownsville Division.

**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:**

58. Presentation of **Retirements/Resignations.**
59. Recommend approval of **probationary contractual personnel** for the 2013-2014 and the 2014-2015 school year(s) – **Teachers.** Subject to receipt of all outstanding documentation.
60. Recommend approval of **term-chapter 21 contractual personnel** for the 2013-2014 and the 2014-2015 school year(s) – **Assistant Principal.** Subject to receipt of all outstanding documentation.
61. Recommend approval of **term-non chapter 21 contractual personnel** for the 2013-2014 and the 2014-2015 school year(s) – **Computer Systems Operator.** Subject to receipt of all outstanding documentation.
62. Recommend approval of **term-non chapter 21 contractual personnel** for the 2013-2014 and the 2014-2015 school year(s) – **Computer Programmers.** Subject to receipt of all outstanding documentation.
63. Recommend approval of **term-non chapter 21 contractual personnel** for the 2013-2014 and the 2014-2015 school year(s) – **Social Worker-Special Education.** Subject to receipt of all outstanding documentation.

64. Recommend approval of **term-non chapter 21 contractual personnel** for the 2013-2014 and the 2014-2015 school year(s) – **Staff Attorney**. Subject to receipt of all outstanding documentation.
65. Recommend approval to reclassify the position of Policy/Records Manager from a Pay Grade 4 to a Pay Grade 5.
66. Recommend approval of Campus Professional Staff for One Year Term contracts for the 2014-2015 school year.
67. Recommend approval of Campus Professional Staff for Probationary contracts for the 2014-2015 school year.
68. Recommend approval of Campus Professional Employee (G.P.R.) for change in contract for the 2013-2014 and 2014-2015 Fiscal School Years.
69. Recommend approval to compensate professional employee (J.DLG.) for one (1) year of creditable salary experience earned but not paid in fiscal years 2009-2010, 2010-2011, 2011-2012, and 2012-2013.
70. Recommend approval to compensate professional employee (S.L.M.) for two (2) years of creditable salary experience earned but not paid in fiscal years 2009-2010, 2010-2011, and 2011-2012 as well as one (1) year of creditable salary experience earned but not paid in fiscal year 2012-2013.
71. Recommend approval of Campus Professional Employee (J.D.S.) for change in contract for the 2014-2015 Fiscal School Year.
72. Recommend approval of Department Professional Employee (F.V.) for Chapter 21 Term contract for the 2014-2015 Fiscal School Year.
73. Recommend approval for rescinding the proposed non-renewal of a term contract employee (E.U.) at the end of the 2013-2014 School Year.
74. Board Self Evaluation.
75. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

**B. Consultation with Attorney:**

76. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.
  - a. Discussion and consideration regarding P.C. vs. BISD.
  - b. Discussion and consideration regarding F.A. Fuller. vs. BISD.
  - c. Discussion and consideration regarding BISD vs. Healthsmart.
  - d. Discussion and consideration regarding A. Sobrevilla. vs. BISD.

- e. Discussion and consideration in BISS vs. Texas Windstorm Insurance Association, et. al, pending in the 107<sup>th</sup> Judicial District Court of Cameron County, Cause No. 2012-DCL-8605-A, Cameron County Texas.
- f. Discussion and consideration regarding US of America EX REL Rene Shupe vs. CISCO Systems, Inc.; and Calence, LLC, AKA Insight Enterprises, Inc.

**(BOARD RECONVENES AFTER CLOSED MEETING)**

A59-73. Recommend approval on personnel matters discussed in Closed Meeting.

74. Board Self-Evaluation.

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

B76. Recommend approval regarding pending or threatened litigation matters: “status of lawsuits”

a. Discussion and consideration regarding P.C. vs. BISS.

b. Discussion and consideration regarding F.A. Fuller. vs. BISS.

c. Discussion and consideration regarding BISS vs. Healthsmart.

d. Discussion, consideration and possible action regarding A.Sobrevilla. vs. BISS.

e. Discussion, consideration and possible action in BISS vs. Texas Windstorm Insurance Association, et. al, pending in the 107<sup>th</sup> Judicial District Court of Cameron County, Cause No. 2012-DCL-8605-A.

f. Discussion, consideration and possible action regarding US of America EX REL Rene Shupe vs. CISCO Systems, Inc.; and Calence, LLC, AKA Insight Enterprises, Inc.

**XIV. Announcement(s):**

77. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, June 3, 2014**, at the Administration Building at 5:30 p.m.

**XV. Adjournment.**