



Brownsville Independent School District

Board Of Trustees

Regular Board Meeting

Tuesday, May 5, 2015

4:00 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 5, 2015**, with any corrections/deletions.

Please note Trustee Catalina Presas-Garcia will be excluded from Executive Session, 1a, due to conflict of interest.

- VI. 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:**
 - 1. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuit(s).”
 - 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.

- B. PERSONNEL MATTER(S):**

2. Presentation of **Retirement(s)/Resignation(s)**.
3. Recommend approval of **probationary contractual personnel for the 2014-2015 school year - Supervisor for Choral Activities**. Subject to receipt of all outstanding documentation.
4. Recommend approval of Campus Professional Staff for One Year Term contracts for the 2015-2016 school year.
5. Recommend approval of Department Professional Staff for Non-Chapter 21 Term Contracts for the 2015-2016 school year.
6. Recommend approval of Department Professional Staff for Chapter 21 Term Contracts for the 2015-2016 school year.
7. Recommend approval of Campus Professional Staff for Probationary contracts for the 2015-2016 school year.
8. Recommend approval of Department Professional Staff for Probationary Contacts for the 2015-2016 school year.
9. Recommend approval of Campus Professional Employee (A.B.L.) for change in contract for the 2015-2016 fiscal school year.
10. Recommend approval of Campus Professional Employee (S.S.J.) for change in contract for the 2015-2016 fiscal school year.
11. Recommend to approve the proposed termination of a continuing contract and discharge a teacher (M.C.) for good cause for the 2014-2015 school year.
12. Recommend approval of a third year probationary contract employee (A.L.) for a fourth year probationary contract for the 2015-2016 school year based on determination that it is doubtful whether the employee should be given a term contract. (TEC) §21.102 (c), DCA (Legal).
13. Recommend approval of a third year probationary contract employee (D.G.) for a fourth year probationary contract for the 2015-2016 school year based on determination that it is doubtful whether the employee should be given a term contract. (TEC) §21.102 (c), DCA (Legal).
14. Recommend that retired/rehired employees who began work after 2005 be responsible for their own TRS surcharges and benefits starting with the 2015-2016 contract year. The district will continue to pay the same benefits to retired/rehired employees offered to all other district employees.
15. Recommend approval not to offer new employment contract to (R.T.) terminating employment contract at end of contract term.
16. Recommend to approve the proposed termination of a continuing contract and discharge a teacher (J.A.C.) for good cause for the 2014-2015 school year.

17. Recommend approval of the termination of the probationary contract of employee (F.C.) at the end of the 2014-2015 school year §21.103 (a) TEC.
18. Recommend approval of the termination of the probationary contract of employee (A.P.) at the end of the 2014-2015 school year. §21.103 (a) TEC.
19. Recommend approval for the proposed non-renewal of a term contract employee (E.L.) at the end of the 2014-2015 school year.
20. Recommend approval for the proposed non-renewal of a term contract employee (S.P.A.) at the end of the 2014-2015 school year.
21. Board Self Evaluation.
22. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

C. Consultation with Attorney:

23. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.
 - a. Discussion and consideration regarding Y.I. b/n/f Maria Ibarra vs. Brownsville ISD; TEA Docket No. 193-SE-0315.
 - b. Discussion and consideration regarding the status of pending or anticipated gender discrimination claims.

(BOARD RECONVENES AFTER CLOSED MEETING)

- 1a. Discussion, consideration and possible action regarding 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.
- B3 - 20. Recommend approval on personnel matters discussed in Closed Meeting.
21. Board self-evaluation.
 22. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.
- C23. Recommend approval regarding pending or threatened litigation matters: “status of lawsuit(s)”
- a. Discussion, consideration and possible action regarding Y.I. b/n/f Maria Ibarra vs. Brownsville ISD; TEA Docket No. 193-SE-0315.
 - b. Discussion, consideration and possible action regarding the status of pending or anticipated gender discrimination claims.

VII. Recommend approving the following minutes with any corrections:

- **Special Called Board Meeting held February 16, 2015**
- **Regular Board Meeting held March 3, 2015**
- **Special Called Board Meeting held March 24, 2015**

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:

24. Recognition of Rivera High School Raider Boys State Soccer Champions.
25. Recognition of Brownsville Independent School District Nurse of the Year.
26. Update regarding "Project Playground". **(Board Member Request – CL)**
27. Presentation of the Brownsville Independent School District Quarterly Consultant Report for the period ended March 31, 2015.
28. Presentation of the Brownsville Independent School District Financial Report for the period ended March 31, 2015.
29. Presentation by Purchasing Department of the Co-Op Quarterly Expense Report May, 2015.
30. Presentation of the Brownsville Independent School District Quarterly Investment Report for the period ended March 31, 2015 with total investments of \$151,647,044.79 and interest earned of \$32,342.90.

B. Standing Board Agenda Items:

31. 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.

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):

32. Recommend approval to reschedule the Regular Board Meeting of July 7, 2015 to be held on July 14, 2015.
33. Recommend the approval of eleven schools to serve as after-school program schools for the 2015-2016 school year. The schools include Breeden, Canales, Cromack, Egly, Garden Park, Hudson, Martin, Palm Grove, Paredes, Skinner and Yturria Elementary Schools.
34. Recommend approval to accept the donation of \$10,000.00 from The Lagunitas Music Foundation.
35. Recommend approval to purchase two new computerized numerical control (CNC) machines from Champion Machine Tool Sales for Hanna High School's Manufacturing Program from budgeted Fund 164 – State Career and Technical Education. Items to be purchased are subject to the Districts' needs and funding.
36. Recommend approval to declare 2 Portable Buildings, Port 00429 and Port 00239, at El Jardin Elementary School as Surplus/Obsolete and schedule for Demolition.
37. Recommend approval to declare Portable Building Port 00378 at Villa Nueva Elementary School as Surplus/Obsolete and schedule for Public Auction.
38. Recommend approval to purchase AP Exam materials from The College Board AP Examinations in the amount of \$50,000.00.
39. Recommend approval of Resolution #028/15-16 for the reselling of foreclosed properties to the highest responsible bidder in the amount of \$66,595.03.
40. Consider Resolution #029/14-15 authorizing the issuance, sale and delivery of Brownsville Independent School District maintenance tax notes; setting certain parameters for the notes; authorizing the Superintendent, Chief Financial Officer and/or President of the Board of Trustees to approve the amount (not to exceed \$3,600,000.00), the interest rate price, including the terms thereof and certain other procedures and provisions related thereto; and containing other matters related thereto.
41. Consider order authorizing the issuance, sale and delivery of Brownsville Independent School District unlimited tax refunding bonds; setting certain parameters for the bonds; authorizing the Superintendent, Chief Financial Officer and/or President of the Board of Trustees to approve the amount, the interest rate, price, including the terms thereof and certain other procedures and provisions related thereto; authorizing the redemption prior to maturity of certain outstanding bonds; and containing other matters related thereto.

42. Recommend a salary increase to all teachers and classified employees starting in August 2015 for the 2015-2016 school year.
43. Recommend approval of Lorenzo Sanchez as a consultant to support the continued development of the proposed compensation plan and subsequent implementation during the months of June and July 2015 in the amount of \$5,000 per month.

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

44. Recommend approval for Payment #6 Final in the amount of \$52,279.76 CAHS, Inc. for work completed on the Rivera High School HVAC Renovations Project to be paid from Capital Project Fund 634.
45. Recommend approval of Payment #5 as partial payment in the amount of \$1,353.60 to Amtech Building Sciences, Inc. for the Rivera High School Re-Roofing Project to be paid from Local Fund 199.
46. Recommend approval of Payment #3 as partial payment in the amount of \$203,015.00 to Rio Roofing, Inc., for work completed on the Rivera High School Re-Roofing Project to be paid from Capital Project Fund 634.
47. Recommend approval of Payment #3 as partial payment in the amount of \$123,618.75 to HighMark Construction Company, LLC for the Faulk Middle School Weight Room Project to be paid from Local Fund 197.
48. Recommend approval for payment of \$2,124.02 to Hartline, Dacus, Barger, Dreyer, LLP.
49. Recommend approval for payment of \$2,111.20 to The Hudgins Law Firm, PC.
50. Recommend approval for payment of \$912.50 to Thompson & Horton, LLP.
51. Recommend approval for payment of \$903.85 to Walsh, Anderson, Gallegos, Green and Trevino, P.C.
52. Recommend approval for payment of up to \$19.50 to Colvin, Chaney, Saenz, & Rodriguez, LLP.
53. Recommend approval for payment of up to \$24,441.60 to Aguilar & Zabarte, LLC.
54. 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.
55. Recommend approval for payment in the amount of \$21,546.50 to The College Board, for the purchase of TSI Testing Units.

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

56. Recommend approval of Budget Amendment #035 in the amount of \$322,228.00 for Fund 199 – Local Maintenance. (Undesignated Fund Balance of \$111,380.00 and Reallocation of \$210,848.00).

57. Recommend approval of Budget Amendment #036 in the amount of \$257,674.00 for Fund 163 – State Bilingual. (Reallocation)
58. Recommend approval of Budget Amendment #037 in the amount of \$527,639.00 for Fund 197 – Projects. (Reallocation)

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

59. Recommend approval to enter into an agreement with the Reliant Energy Retail Services, LLC, Corpus Christi, Texas for Electricity Supply and Related Services for El Jardin Elementary School, Vela Middle School, Lucio Middle School and the BISD Encampment.
60. Recommend approval of the Memorandum of Understanding between the City of Brownsville and the Brownsville Independent School District Police Department for the use of 800 MHz Public Safety Radio System (MOU will expire in 5 years).
61. Recommend to ratify the renewal of the Leadership Support Continuation Contract for Year 4, January 1, 2015 to August 31, 2016 with University of Texas Health Science Center in Houston in the amount of \$619,538.00 from Fund 289 – Texas Literacy Initiative. (New Funding)
62. Recommend approval to enter into a memorandum of understanding (MOU) with the Texas State University NASA School District Alliance and Brownsville Independent School District effective July 1, 2015 and shall terminate on July 1, 2019. Services to be rendered subject to the District’s needs and funding.
63. Recommend approval to enter into an agreement with the University of Texas Rio Grande Valley-UT-RGV to assist and support a cohort of eligible applicants who will earn a Master’s degree at the end of the program at a total cost of \$155,520.00. Services will be subject to needs and funding of the District.

E. Recommend approval of the following Bid(s)/Proposal(s)/Purchase(s)

64. Recommend awarding CSP #15-085 Football, Volleyball and Girls/Boys Basketball Supplies District-wide to several vendors and cast lots for items #296 and #315 of said bid. (Annual Proposal)
65. Recommend awarding CSP #15-086 Cross Country, Soccer and Track Supplies District-wide to several vendors and cast lots for items #46 and #92 of said bid. (Annual Proposal)
66. Recommend awarding CSP #15-087 Baseball and Softball Supplies District-wide to several vendors and cast lots for items #38, #44, #79, #80 and #92 of said bid. (Annual Proposal)
67. Recommend awarding CSP #15-088 Golf, Swimming and Tennis Supplies, District-wide to several vendors and cast lots for items #34, #45, #78, #79, #96, #111, #147, #148, #184, #193, #235 and #258 of said bid. (Annual Proposal)
68. Recommend awarding CSP #15-089 Athletic Shoes District-wide to several vendors. (Annual Proposal)

69. Recommend awarding Bid #15-090 Curriculum and Instruction Supplies, Materials and Software District-wide to several vendors. (Annual Bid)
70. Recommend awarding Bid #15-092 Student Uniforms for Career/Technology and Instructional Program/District-wide to several vendors and cast lots for item #2 of said bid. (Annual Bid)
71. Recommend awarding CSP #15-093 High School Marching Band Show Writing Services District wide to several vendors. (Annual Proposal)
72. Recommend awarding Bid #15-094 Audio Visual Equipment District-wide to several vendors. (Annual Bid)
73. Recommend awarding Bid #15-095 Office Supplies, Equipment and Accessories District-wide to several vendors. (Annual Bid)
74. Recommend awarding Bid #15-096 Repair Parts for Kitchen Equipment and Walk-In Freezer for FNS District wide to several vendors. (Annual Bid)
75. Recommend awarding Bid #15-097 Chess Materials, Supplies, Software and Training Services District-wide to several vendors and cast lots for item #30 of said bid. (Annual Bid)
76. Recommend awarding Bid #15-098 Police/Security Uniforms, Supplies, Materials and Equipment District-wide to several vendors. (Annual Bid)
77. Recommend awarding Bid #15-101 Portable Building Relocation and Related Services District-wide to several vendors. (Annual Bid)
78. Recommend awarding Bid #15-102 Disposal of Hazardous and Non-Hazardous Waste District-wide to several vendors. (Annual Bid)
79. Recommend awarding Bid #15-103 Construction Supplies and Materials District-wide to several vendors. (Annual Bid)
80. Recommend awarding Bid #15-104 Intercom Repair Services, Supplies and Materials District-wide to Circle Industries, Inc., Harlingen, Texas. (Annual Bid)
81. Recommend awarding Bid #15-107 Fencing Services, Supplies and Materials District-wide to several vendors. (Annual Bid)
82. Recommend awarding Bid #15-108 Preventive Maintenance for Generators District-wide to several vendors. (Annual Bid)
83. Recommend awarding Bid #15-109 Fire Alarm Systems District-wide to several vendors. (Annual Bid)

XII. Announcement(s):

84. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, June 2, 2015**, at the Administration Building at 5:30 p.m.

XIII. Adjournment.