



# Brownsville Independent School District

## Board Of Trustees

### Regular Board Meeting June 2, 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 June 2, 2015**, with any corrections/deletions.
- VI. Recommend approving the **minutes** of the **Regular Board Meeting of April 7, 2015** 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. **CLOSED MEETING:** as pursuant to the Texas Government Code Section: 551.071, 551.072, 551.074, 551.082, and 551.084.
  - A. **Level III Board Review and Grievance:**
    1. Discussion, consideration and possible action regarding Level III Grievance No. 013-14/15 on Dr. Sylvia P. Atkinson.

**Please note Trustee Catalina Presas-Garcia will be excluded from Executive Session, 2. a., due to conflict.**

**B. Consultation with Attorney:**

2. 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.

**C. PERSONNEL MATTER(S):**

3. Presentation of **Retirement(s)/Resignation(s)**.
4. Recommend approval to compensate professional employee (M.A.C.) for one (1) year of creditable salary experience earned but not paid in the following fiscal school years: 2010-2011, 2011-2012, 2012-2013 and 2013-2014.
5. Recommend approval to compensate professional employee (M.D.D.) for the Secondary Reading – Certification Stipend earned but not paid in the fiscal school year 2012-2013.
6. Recommend approval to compensate professional employee (R.G.) for the Department Chair stipend earned but not paid in the fiscal school year 2013-2014.
7. Recommend approval to compensate professional employee (Z.C.S.) for the Special Education All Levels Stipend earned but not paid in the fiscal school year 2013-2014.
8. Recommend approval to compensate professional employee (S.C.D.) for eleven (11) years of creditable salary experience earned but not paid for the 2013-2014 fiscal school year.
9. Recommend approval to compensate professional employee (E.E.M.) for two (2) years of creditable salary experience earned but not paid in the following fiscal school years: 2011-2012, 2012-2013, and 2013-2014.
10. Recommend approval to compensate classified employee (S.C.) for prior years of experience earned but not paid for the following fiscal school years: 2012-2013 and 2013-2014.
11. Recommend approval to compensate professional employee (R.L.C.R.) for underpayment of wages earned but not paid in the following fiscal school years: 2012-2013 and 2013-2014.
12. Recommend approval to compensate professional employee (R.A.R.) for the Master’s Degree Stipend earned but not paid in the following fiscal school years: 2012-2013 and 2013-2014.
13. Recommend approval for a six (6) month term contract for professional employee (C.V.B.) for the 2015-2016 fiscal school year.
14. Recommend approval of professional employee (R.H.) to a Non-Chapter 21 contract for the 2015-2016 fiscal school year.

15. Recommend to approve compensation for professional employee (E.O.) on interim assignment to be commensurate with the department administrator salary until such time that a permanent administrator is selected.
16. Recommend approval to adjust the working days and daily rate of a professional employee (R.L.C.R.) for the 2014-2015 school year.
17. Discussion and consideration regarding administrators' level salaries frozen for 2015-2016 school year based on Board approved Compensation Plan: DM, SS, KT, PSG, BL, FO, JP, PV, MMF, JV, VC, RT, YR, LJD, JM, LC, NCC, RM, CDLS, GR, LRH, IS, KM, SC, DH, DRA, RL, HH, AG, CP, NG, JG, MAT, CC, MG, CG, SC, RF, JC, AR, BG, KL, KW, MP, SA, BP.
18. Discussion and consideration to amend Interim Superintendents Contract to reflect an extension to existing contract.
19. Board Self Evaluation.
20. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Interim Superintendent.

**D. Consultation with Attorney:**

21. Consultation with Attorney regarding pending or threatened litigation matters: "status of lawsuits".
  - a. Discussion and consideration regarding Case No.: 1:14-cv-00240; *Terri L. Spellane, et. al. vs. Brownsville Independent School District, et. al.*; In the U.S. District Court for the Southern District of Texas, Brownsville Division.
  - b. Discussion and consideration regarding (Employee M.F.)

**Board Reconvenes to Open Session at 5:30 p.m.**

**IX. Superintendent's Report**

**A. Conference Presentations:**

22. Recognition of the 9<sup>th</sup> Annual Johnny N. & Nena S. Cavazos Scholarship Endowment.
23. Presentation of Proclamation for Palmer Drug Abuse Program.
24. Certificate of Achievement for Excellence in Financial Reporting.
25. Presentation of the Brownsville Independent School District Financial Report for the period ended April 30, 2015.
26. Presentation of proposed vehicle purchases for the Maintenance Department for Fiscal Year 2014-2015.
27. Progress update on District's Strategic Action Plan.

**B. Standing Board Agenda Items:**

28. 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):**

29. Recommend approval of Resolution #030/14-15 of Senate Bill 149.
30. Discussion, consideration and possible action rescinding the hiring of a Superintendent Search Consultant and appointment of a Community Search Committee.
31. Discussion, consideration and possible action to recommend approval to give 21 days of public notice of the Superintendent finalist, Dr. Esperanza Zendejas, being considered for the Superintendent of Schools under Tex. Gov. Code Sec. 552.126.
32. Discussion, consideration and possible action to endorse Ms. Gloria Casas to the TASB Board of Directors.

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

33. Recommend approval for payment of annual renewal and software maintenance fees not to exceed \$850,000.00 for Sungard K-12 Education, Sungard Business PLUS, and Sungard Public Sector for the 2015-2016 school year.
34. Recommend approval of Payment #4 as partial payment in the amount of \$363,470.00 to Rio Roofing, Inc. (Contractor) for work completed on the Rivera High School Re-Roofing Project to be paid from Capital Project Fund 634.
35. Recommend approval of Payment #6 as partial payment in the amount of \$4,286.40 to Amtech Building Sciences, Inc. (Architect) for the Rivera High School Re-Roofing to be paid from Local Fund 199.

36. Recommend approval for payment of \$6,075.11 to Walsh, Anderson, Gallegos, Green and Trevino, P.C.
37. Recommend approval for payment of up to \$22,500.00 to Aguilar & Zabarte, LLC.
38. Recommend approval for payment of \$3,675.58 to Thompson & Horton, LLP.
39. Recommend approval for payment of \$55,888.64 to Hartline, Dacus, Barger, Dreyer, LLP.
40. Recommend approval for payment of \$15,092.15 to the Hudgins Law Firm, PC.

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

41. Recommend approval of Budget Amendment #038 in the amount of \$18,032.00 for Fund 199 – Local Maintenance as requested by campuses/departments. (Reallocation)

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

42. Recommend approval to amend the agreement between the Brownsville Independent School District and the University of Texas Rio Grande Valley-UT-RGV. This agreement will assist and support a cohort of eligible teacher applicants to earn a Master's degree at a cost of \$155,520.00. Services will be subject to needs and funding of the district.
43. Recommend approval to hire Marcus C. Barrera, to serve as the Hearing Officer designated by the School District Board as per DFBB (LOCAL).

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

44. Recommend to exercise the option to renew RFQ #14-077 for Architectural Services District-wide for FY 2014-2015 and FY 2015-2016 to Gomez Mendez Saenz, Brownsville, Texas, Gignac Architects, Inc., Harlingen, Texas and Mata Garcia Architects, McAllen, Texas.
45. Recommend to exercise the option to renew RFQ #14-101 for Civil Engineering Services for FY 2014-2015 and FY 2015-2016 to Plagar Engineering, LLC, Brownsville, Texas, Ambiotec Civil Engineering Group, Inc., Brownsville, Texas, and M Garcia Engineering, LLC, McAllen, Texas.
46. Recommend to exercise the option to renew RFQ #14-102 for Mechanical/Electrical Plumbing (MEP) Engineering Services District-wide for FY 2014-2015 and FY 2015-2016 to ACR Engineering, Inc., Harlingen, Texas, Half Associates, Inc., McAllen, Texas, and DBR, Inc., McAllen, Texas.
47. Recommend awarding RFP #15-117 for Depository Bank and Investment Services District-wide to Wells Fargo Bank, Brownsville, Texas, for a two year term from July 1, 2015 to June 30, 2017 with the option to renew for two (2) additional two year terms.
48. Recommend awarding CSP #15-115 Lopez High School Chiller Replacement Project to Central Air and Heating Services, Inc., Harlingen, Texas in the amount not to exceed \$290,000.00 to be paid from Local Fund 197.
49. Recommend awarding Bid #15-116 Crane Services District-wide to several vendors for the 2015-2016 fiscal year. (Annual Bid)

50. Recommend renewal of CSP #15-023 Professional Educators and School Board Legal Liability Insurance to Montalvo Insurance Agency/Illinois National Insurance Company for the 2015-2016 policy period in the amount of \$100,089.00.
51. Recommend renewal of CSP #15-024 Student Athletic, UIL and Accident Insurance to Alamo Insurance Group/Texas Monarch Management Corporation for the 2015-2016 plan year in the amount of \$716,602.00.

**Closed Meeting – Action Items**

- A 1. Discussion, consideration and possible action regarding Level III Grievance No. 013-14/15 on Dr. Sylvia P. Atkinson.
- B 2a. Discussion, consideration and possible action 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.
- C 4-16. Recommend approval on personnel matters discussed in Closed Meeting.
  17. Discussion, consideration and possible action regarding administrators’ level salaries frozen for 2015-2016 school year based on Board approved Compensation Plan: DM, SS, KT, PSG, BL, FO, JP, PV, MMF, JV, VC, RT, YR, LJD, JM, LC, NCC, RM, CDLS, GR, LRH, IS, KM, SC, DH, DRA, RL, HH, AG, CP, NG, JG, MAT, CC, MG, CG, SC, RF, JC, AR, BG, KL, KW, MP, SA, BP.
  18. Discussion, consideration and possible action to amend Interim Superintendents Contract to reflect an extension to contract.
  19. Board Self Evaluation.
  20. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Interim Superintendent.
- D 21. Recommend approval regarding pending or threatened litigation matters: “status of lawsuit(s)”
  - a. Discussion, consideration and possible action regarding Case No.: 1:14-cv-00240; *Terri L. Spellane, et. al. vs. Brownsville Independent School District, et. al.*; In the U.S. District Court for the Southern District of Texas, Brownsville Division.
  - b. Discussion, consideration and possible action regarding (employee M.F.)

**XII. Announcement(s):**

52. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, July 14, 2015**, at the Administration Building at 5:30 p.m.

**XIII. Adjournment.**