



Brownsville Independent School District

Board Of Trustees

Rescheduled Regular Board Meeting Monday, April 4, 2016 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 **Rescheduled Regular Board Meeting of April 4, 2016**, with any corrections/deletions.
- VI. Recommend approving the following **minutes** with any corrections:
 - Special Called Board Meeting held November 17, 2015
 - Rescheduled Regular Board Meeting held December 8, 2015
 - Special Called Board Meeting held December 17, 2015
 - Rescheduled Regular Board Meeting held January 12, 2016
 - Regular Board Meeting held February 2, 2016
- 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 and consideration regarding **Level III Grievance No. 013/15-16** on **Marie Melendez**.
2. Discussion and consideration regarding **Level III Grievance No. 014/15-16** on **Enrique Garcia**.
3. Discussion and consideration regarding **Level III Grievance No. 015/15-16** on **Edward Ude**.

Please note Trustee Catalina Presas-Garcia will be excluded from Executive Session, 4. a., due to conflict.

B. Consultation with Attorney:

4. 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):

5. Presentation of **Retirement(s)/Resignation(s)**.
6. Recommend approval of Campus Professional Staff for One Year Term contracts for the 2016-2017 school year.
7. Recommend approval of Campus Professional Staff for Probationary contracts for the 2016-2017 school year.
8. Recommend to approve compensation for professional employee (L.G.) on interim assignment to be commensurate with the administrator salary until such time that a permanent administrator is selected for the 2015-2016 fiscal school year.
9. Recommend approval of a third year probationary contract teacher (S.S.) for a fourth year probationary contract for the 2016-2017 school year based on determination that it is doubtful whether the teacher should be given a term contract. TEC§21.102 (c) DCA (Legal)
10. Recommend approval of the termination of the probationary contract of teacher (I.C.) at the end of the 2015-2016 school year. §21.103 (a) TEC.
11. Recommend approval for the proposed non-renewal of a term contract teacher (J.S.) at the end of the 2015-2016 school year.
12. Recommend approval for the proposed non-renewal of a term contract teacher (R.M.) at the end of the 2015-2016 school year.

13. Recommend approval for the proposed non-renewal of a term contract teacher (C.G.) at the end of the 2015-2016 school year.
14. Board Self Evaluation.
15. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

D. Consultation with Attorney:

16. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.
 - a. Discussion and consideration regarding Civil Action No. B-14-CV-179; Petra Ramirez vs. BISD, in the United States District Court for the Southern District of Texas – Brownsville Division.
 - b. Discussion and consideration regarding Civil Action No. 1:16-CV-00040, The Estate of Isis Lucero Esquivel, Deceased, and Gregoria Alvarado, Individually and on behalf of the Heirs of Isis Lucero Esquivel vs. Brownsville Independent School District, In the United States District Court for the Southern District of Texas – Brownsville Division.
 - c. Discussion and consideration regarding Alpha Media Settlement Agreement.

E. Real Estate:

17. Discussion and consideration regarding the purchase, exchange, lease or value of real property (possible purchase of land on W. Alton Gloor Boulevard and Parking for Sams Stadium).

(BOARD RECONVENES AFTER CLOSED MEETING)

1. Discussion, consideration and possible action regarding **Level III Grievance No. 013/15-16 on Marie Melendez.**
 2. Discussion, consideration and possible action regarding **Level III Grievance No. 014/15-16 on Enrique Garcia.**
 3. Discussion, consideration and possible action regarding **Level III Grievance No. 015/15-16 on Edward Ude.**
 - 4a. 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.
 5. Presentation of **Retirement(s)/Resignation(s).**
- 6-13. Recommend approval on personnel matters discussed in Closed Meeting.

14. Board Self Evaluation.
15. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.
16.
 - a. Discussion, consideration and possible action regarding Civil Action No. B-14-CV-179; Petra Ramirez vs. BISD, in the United States District Court for the Southern District of Texas – Brownsville Division.
 - b. Discussion, consideration and possible action regarding Civil Action No. 1:16-CV-00040, The Estate of Isis Lucero Esquivel, Deceased, and Gregoria Alvarado, Individually and on behalf of the Heirs of Isis Lucero Esquivel vs. Brownsville Independent School District, In the United States District Court for the Southern District of Texas – Brownsville Division.
 - c. Discussion, consideration and possible action regarding Alpha Media Settlement Agreement.
17. Discussion, consideration and possible action regarding the purchase, exchange, lease or value of real property (possible purchase of land on W. Alton Gloor Boulevard and Parking for Sams Stadium).

IX. Superintendent’s Report

A. Conference Presentations:

18. Presentation of Abbreviated Summer Administration Work Schedule beginning June 13, 2016 through July 29, 2016 and the closing of Administrative Offices for week of July 4, 2016 to July 8, 2016.
19. Presentation of the Brownsville Independent School District Financial Report for the period ended February 29, 2016.

B. Standing Board Agenda Items:

20. 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):

21. Recommend approval to rename the position of Dance Advisor to Elementary Music Advisor on the Employee Compensation Plan for the 2016-2017 school year.
22. Recommend approval of changes to the BISD Self-Funded Health Insurance Plan Document to reduce and curtail insurance costs. The changes to be retroactive to January 1, 2016 for any procedures completed January 1, 2016 to April 5, 2016.
23. Recommend approval to create two classified full-time equivalent (FTE's) positions for Custodial Operations – MT-4 by closing two existing positions identified as lead Custodial Operations – MT-7 and Custodial Operations Foreman – MT-8 for the 2015-2016 school year.
24. Recommend approval to declare 5 Portable Buildings (Pace ECHS-3, Faulk Middle School-1 and Gallegos Elementary School-1) as Surplus/Obsolete and schedule for Public Auction.
25. Recommend approval to accept the \$25,000.00 grant from The Educate Texas Fund of Communities Foundation of Texas for the development and implementation of a District-wide after school Texas Success initiative (TSI) prep/remediation program.
26. Recommend approval to declare surplus/obsolete furniture, supplies, equipment and out-of-adoption textbooks as needed, to be disposed of in accordance with Board Policy CI (Local) School Properties Disposal and Texas Education Code 31.0211.
27. Recommend approval to submit a Declaration of Instructional Materials Allotment and TEKS certification form to the Texas Education Agency to verify compliance.
28. Recommend approval to reschedule the Regular Board Meeting of June 7, 2016 to June 21, 2016 and cancel the Regular Board Meeting of July 5, 2016.
29. Recommend approval to transfer \$22,157.40 from the Hanna Early College High School Student Council account to a BISD District Account in order to issue funds to students, faculty and staff who are currently undergoing treatment for breast cancer.
30. Recommend approval to add new Career and Technical Education Programs and relocating existing programs from Webb campus to Cummings Middle School for the 2016-2017 school year.
31. Recommend approval of Paragon Sports Constructors for the upgrade of the Porter Early College High School Soccer Field which includes the addition of new synthetic turf. The total cost to be paid to Paragon Sports Constructors is \$850,000.00 from TRE funds.

32. Discussion, consideration and possible action regarding Brownsville Independent School District representation of the MPO (Metropolitan Planning Organization) Board. (**Board Member Request – CL**)

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

33. Recommend approval for payment of \$3,906.76 to Colvin, Chaney, Saenz & Rodriguez, LLP.
34. Recommend approval for payment of \$8,550.53 to Walsh, Gallegos, Trevino, Russo & Kyle, PC.
35. Recommend approval of Final Payment #5 for \$85,927.50 to Highmark Construction Company, LLC for Construction Services for work completed on the Faulk Middle School Weight Room to be paid from Local Fund 197.
36. Recommend approval of Payment #1 for \$398,445.67 as partial payment to Paragon Sports Construction, LLC., Inc. for Construction Services on work completed on the installation of Artificial Turf for Lopez Early College High School to be paid from Local Fund 197.
37. Recommend approval of Payment #1 for \$77,203.65 as partial payment to ZIWA Corporation for Construction Services for work completed on the Rivera ECHS Athletic Facility to be paid from Local Fund 197.

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

38. Recommend approval of Budget Amendment #030 in the amount of \$1,338,324.00 for Local Maintenance. (Reallocation of \$438,324.00 as requested by campuses/departments and Food Service fund balance of \$900,000.00)
39. Recommend approval of Budget Amendment #031 in the amount of \$255,630.00 for Fund 163 – State Bilingual. (Categorical Fund Balance)

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

40. Recommend approval to enter into a Memorandum of Understanding with Texas Southmost College to offer dual enrollment/dual credit opportunities in the amount of \$150,000.00. This agreement takes effect upon School Board approval and shall continue unless amended mutually or terminated in writing by either party.
41. Recommend approval to enter into a Memorandum of Understanding between the International Academy of Emergency Medical Technology and Brownsville ISD in order to submit a registration to the TEXAS FIRE Commission and to declare implementation for the 2016-2017 school year.
42. Recommend approval to enter into a Memorandum of Understanding between Brownsville ISD and Texas State Technical College for the Migrant Academic Achievement Residential Summer Program.
43. Recommend approval of the Project Fit America Grant Award to U.S. Congressman Solomon P. Ortiz Elementary and Raquel Pena Elementary in the amount of \$25,000.00 for each school for two years.

44. Recommend approval to renew the Legal Services Retainer Agreement with Walsh, Gallegos, Trevino, Russo and Kyle, P.C. to provide support for routine legal matters for the time period from May 1, 2016 to April 30, 2017 at an annual cost of \$1,000.00.

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

45. Recommend renewal of CSP #15-023 Professional Educators and School Board Legal Liability Insurance to Montalvo Insurance Agency/Illinois National Insurance Company for the 2016-2017 policy period at a cost of \$114,909.00.
46. Recommend renewal of CSP #15-024 Student Athletic, UIL and Accident Insurance to Alamo Insurance Group/Texas Monarch Management Corporation for the 2016-2017 policy period at a cost of \$716,602.00.
47. Recommend awarding CSP #16-102 Annual Network Cabling Installation and Repair District-wide to Pathway Solutions, Brownsville, Texas for a cost not to exceed \$50,000.00. (Annual Proposal)
48. Recommend approving CSP #16-114 Roof Replacement at Burns Elementary School to Rio Roofing, Inc., Harlingen, Texas, in the amount not to exceed \$1,139,900.00 to be paid from Local Fund 197.
49. Recommend approving CSP #16-119 Hanna Early College High School Construction Technology Facility to NM Contracting, LLC, McAllen, Texas, in the amount not to exceed \$569,000.00 to be paid from Local Fund 192.

XII. Announcement(s):

50. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, May 3, 2016**, at the Administration Building at 5:30 p.m.

XIII. Adjournment.