



# Brownsville Independent School District

## Board Of Trustees

### Rescheduled Regular Board Meeting

### Tuesday, June 21, 2016

### 3:00 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 **Rescheduled Regular Board Meeting of Tuesday, June 21, 2016**, with any corrections/deletions.
- VI. Recommend approving the **minutes** of the **Regular Board Meeting of May 3, 2016** 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.
- VIII. **CLOSED MEETING:** as pursuant to the Texas Government Code Section: 551.071, 551.072, 551.074, 551.082, and 551.084.

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

- 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 on Retirement/Resignations.
3. Recommend approval of **probationary contractual personnel** for the 2016-2017 school year – **Choir Director**. Subject to receipt of all outstanding documentation
4. Recommend approval of **probationary contractual personnel** for the 2016-2017 school year – **Coordinator – Assessment/Research/Evaluation**. Subject to receipt of all outstanding documentation.
5. Recommend approval of **probationary contractual personnel** for the 2016-2017 school year - **Teacher**. Subject to receipt of all outstanding documentation.
6. Recommend approval of **term-non-chapter 21 contractual personnel** for the 2016-2017 school year – **Co-Lead Internal Auditor**. Subject to receipt of all outstanding documentation.
7. Recommend approval to compensate certified employee (A.J.E.) for the planning period earned but not paid in the following fiscal school year: 2013-2014.
8. Recommend Lorenzo Sanchez as Interim Chief Financial Officer pending the appointment of a full-time CFO for BISD. Salary to be determined based on approved compensation plan.
9. Board Self Evaluation.
10. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent. (Formative Evaluation)

**C. Consultation with Attorney:**

11. Consultation with attorney regarding confidential and privileged matters/pending or threatened litigation matters. “status of lawsuits”.
  - a. Discussion and consideration regarding Fred A. Fuller vs. BISD; et al, (Deffenbaugh & Associates, Inc.).
  - b. Discussion and consideration regarding Edward Ude vs. BISD.
  - c. Discussion and consideration regarding Valco, LLC.

**(BOARD RECONVENES AFTER CLOSED MEETING)**

- 1a. 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.
2. Presentation of Retirements/Resignations.
- 3-8. Recommend approval on personnel matters discussed in Closed Meeting.
9. Board Self Evaluation.
10. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent. (Formative Evaluation)

11. Consultation with Attorney:
  - a. Discussion, consideration and possible action regarding Fred A. Fuller vs. BISD; et al, (Deffenbaugh & Associates, Inc.).
  - b. Discussion, consideration and possible action regarding Edward Ude vs. BISD.
  - c. Discussion, consideration and possible action regarding Valco, LLC.

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

**Budget Hearing at 5:30 p.m.**

**IX. Open Public Hearing to discuss Budget and Proposed Tax Rate:**

12. Presentation of the Brownsville Independent School District 2016-2017 Proposed Budget and Proposed Tax Rate. (Booklet)
13. Public participation to discuss Proposed Budget and Proposed Tax Rate.

**X. Close Public Hearing**

**XI. Superintendent's Report**

**A. Conference Presentations:**

14. Presentation of the Brownsville Independent School District Financial Report for the period ended April 30, 2016.

**B. Standing Board Agenda Items:**

15. Board Calendar.

**XII. 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.**

**XIII. Consent Agenda:**

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

16. Recommend adoption of the Brownsville Independent School District 2016-2017 Budget.
17. Recommend approval to accept the High Quality Pre-Kindergarten Grant Program from the Texas Education Agency for the 2015-2017 school year.
18. Recommend approval of the 2016-2017 District Improvement Plan.
19. Recommend approval of the 2016-2017 Secondary Course Listing guides to include updated information for legislative alignment.
20. Recommend a 2% increase from midpoint for classified employees and a \$1,000.00 increase, inclusive of step, to the certificated employees. In addition, administration recommends adding two steps to the teacher and professional hiring schedule.
21. Recommend approval to add vendor AdvancEd to be used for SACS Accreditation visits for the school district in the amount of \$46,800.00.
22. Recommend approval to adopt Policy Update 103 and Update 104 Local and Miscellaneous policies.
23. Recommend approval to accept the donation of \$10,000.00 to be used at Skinner Elementary with a focus on technology access for students.
24. Recommend approval of the beliefs, mission, parameters, objectives, strategies and action steps developed by the Strategic Planning and Action Teams.
25. Recommend approval to adopt the Student Code of Conduct for 2016-2017 instructional year.
26. Recommend approval to appoint Lorenzo Sanchez, Interim Chief Financial Officer as agent to perform the duties provided by Texas Election Law, Sec. 31.123 for School Trustee Elections, effective immediately.
27. Recommend approval for an Official Notice and Order of the Brownsville Independent School District Trustee Election to be held on Tuesday, November 8, 2016.
28. Recommend approval of Food and Nutrition Service purchases from Region 1 – South Texas Cooperative for 2016-2017. Items to be purchased based on District’s needs and funding.
29. Recommend that the library facility at Gallegos Elementary be named in memory of Mrs. Norma Linda Gallegos.
30. Discussion, consideration and possible action regarding the construction project of CATE Building at Hanna ECHS Building Trade Program. **(Board Member Request)**

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

31. Recommend approval of Payment #4 for \$2,374.25 as partial payment to Gomez, Mendez, Saenz, Inc. for Architectural Services for work completed on the Rivera ECHS Athletic Facility to be paid from Fund 197.

32. Recommend approval of Payment #1 for \$151,368.75 as partial payment to PBK for Architectural Services for work completed on the Pace ECHS Band Hall to be paid from Fund 197.
33. Recommend approval of \$40,957.31 as final payment to Paragon Sports Constructors, LLC, Inc. for work completed on the Installation of Artificial Turf for Lopez ECHS to be paid from Local Fund 197.
34. Recommend approval of Payment #3 for \$210,079.31 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.
35. Recommend approval of Payment #2 for \$3,250.00 as partial payment to Ethos Engineering for Engineering Services for work completed on the Pace and Porter ECHS Chiller Replacement Projects to be paid from Fund 197.
36. Recommend approval of Payment #1 for \$22,135.00 as partial payment to Rio Roofing, Inc. for Construction Services for work completed on the Roof Replacement at Burns Elementary School to be paid from Local Fund 192.
37. Recommend approval to pay South Texas ISD for services provided in the amount of \$130,553.19. Services are rendered based on the needs and services of the District.
38. Recommend approval for payment in the amount of \$9,125.00 to Victor R. Ramirez.
39. Recommend approval for payment in the amount of \$14,540.70 to Walsh, Gallegos, Trevino, Russo & Kyle, P.C.
40. Recommend approval for payment in the amount of \$4,661.20 to Colvin, Chaney, Saenz & Rodriguez, L.L.P.

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

41. Recommend approval of Budget Amendment #037 in the amount of \$2,989,422.00 for Fund 199 – Local Maintenance as requested by campuses/departments. (Reallocation)

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

42. Discussion and possible action regarding Delinquent Tax Collection Attorney Contract (LBG & S). **(Board Member Request)**
43. Discussion and possible action regarding Board Attorney Contract (BS). **(Board Member Request)**
44. Recommend approval to enter into an Inter-Local Corporation Agreement and Memorandum of Understanding between the County Juvenile Board of Cameron County Juvenile Justice Alternative Education Program and the Brownsville Independent School District for 2016-2017 school year.
45. Recommend approval to enter into a Memorandum of Understanding with The Alliance for a Healthier Generation for the purpose of promoting a healthy school program.
46. Recommend approval to enter into agreement with Cameron County Community Service Centers and the School District to provide Adult Basic Education/General Educational

Development and English as Second Language classes for the 2016-2017 school year at no cost to the district.

47. Recommend approval to enter into contractual agreement with Texas Southmost College and the Community Development Corporation of Brownsville Youth Build to continue providing Adult Basic Education/Adult Secondary Education and General Education Development instructional services to adults in the Cameron County area.
48. Recommend approval for the Texas Workforce Solutions Cameron/Texas Rising Star Provider Agreement to receive the reimbursement funds for Daycare Services at Lincoln Park School.
49. Recommend approval to enter into an agreement with TSC-Texas Southmost College to allow educational candidates to observe district classroom instruction during the 2016-2017 school year. Observations will be contingent upon the school principal and classroom teacher's approval.
50. Recommend approval to enter into a Memorandum of Understanding with Texas A&M University-Kingsville to offer dual enrollment/dual credit opportunities in the amount of \$195,700.00.
51. Recommend approval to enter into a Memorandum of Understanding with Region One Education Service Center and the RGV IHEs to share student information and data that is protected under the Family Educational Rights and Privacy Act (FERPA).
52. Recommend approval to enter into a Memorandum of Understanding with the RGV IHEs to develop and provide college preparatory courses. This agreement shall take effect upon School Board approval and shall continue in effect for three (3) years after the effective date.
53. Recommend approval to enter into an agreement with the International Academy of Emergency Medical Technology (IAEMT) to perform Emergency Medical Science (EMS) basic certification training and to establish a Basic Fire Suppression curricula for 32 students with the Brownsville Independent School District. Beginning August 22, 2016 and ending June 1, 2018 in the amount of \$165,000.00 per year. Services will be rendered based on the needs and services of the District.
54. Recommend to ratify the renewal of the Leadership Support Continuation Contract for Year 5, ending on August 31, 2016, with University of Texas Health Science Center in Houston in the amount of \$602,905.00 from Fund 289 – Texas Literacy Initiative. (New Funding)
55. Recommend approval to enter into a Memorandum of Understanding with Texas State Technical College (TSTC), Harlingen, Texas, for dual enrollment courses. This agreement takes effect upon School Board approval and shall continue unless amended mutually or terminated in writing by either party.
56. Recommend approval to renew the Memorandum of Understanding between Cameron County Juvenile Justice Department and the Brownsville Independent School District for the 2016-2017 school year. Services rendered are subject to the District's needs and funding.
57. Recommend approval to renew the Memorandum of Understanding with Communities in Schools Cameron County, Brownsville, Texas, for Case Management Services for At-Risk

and Economically Disadvantaged students for the 2016-2017 school year in the amount not to exceed \$175,000.00 from categorical funds. Services will be rendered subject to the District's needs and funding.

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

58. Recommend to exercise the option to renew RFQ #14-077 for Architectural Services District-wide for FY 2016-2017 to Gomez, Mendez, Saenz, Inc., Brownsville, Texas, Gignac Associates, Inc., Harlingen, Texas, and Mata-Garcia Architects, McAllen, Texas to provide architectural services and to authorize administration to negotiate a fee on a project by project basis. (Annual Contract)
59. Recommend to exercise the option to renew RFQ #14-101 for Civil Engineering Services District-wide for FY 2016-2017 to Plagar Engineering, LLC, Brownsville, Texas, Ambiotec Civil Engineering Group, Inc., Brownsville, Texas, and M Garcia Engineering, LLC, McAllen, Texas, to provide civil engineering services and to authorize administration to negotiate a fee on a project by project basis. (Annual Contract)
60. Recommend to exercise the option to renew RFQ #14-106 Texas Department of Insurance and Structural Engineering Services District-wide for FY 2016-2017 to Green, Rubiano and Associates, Harlingen, Texas and AGH Engineering and Surveying, Brownsville, Texas to authorize administration to negotiate a fee on a project by project basis. (Annual Contract)
61. Recommend awarding RFQ #17-110 Mechanical/Electrical/Plumbing (MEP) Engineering Services to Ethos Engineering, Harlingen, Texas, and Sigma HN Engineering, McAllen, Texas, to provide engineering services and to authorize administration to negotiate a fee for said services on a project by project basis.
62. Recommend awarding RFQ #17-112 Architectural Services for Food and Nutrition Services (Freezer & Office) Facility and an Instructional TV Studio Facility to Gomez Mendez Saenz, Inc., Brownsville, Texas, to provide architectural services and to authorize administration to negotiate a fee for said services to be paid from Local Funds.
63. Recommend approving Competitive Sealed Proposal #17-115 Margaret M. Clark Aquatic Center Pool Improvements contract for Sunbelt Pools, Inc., Dallas, Texas, in the amount not to exceed \$496,612.00 to be paid from Local Fund 197.

**XIV. Announcement(s):**

64. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, August 2, 2016**, at the Administration Building at 5:30 p.m.

**XV. Adjournment.**