



Brownsville Independent School District

Board Of Trustees

Rescheduled Regular Board Meeting Friday, November 18, 2016 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 **Rescheduled Regular Board Meeting of Friday, November 18, 2016**, with any corrections/deletions.
- VI. 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)

VII. Board of Trustee Re-Organization:

- A. 1. Discussion, consideration and possible action for Re-Organization of Board of Trustee Officers.

VIII. 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:

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.

B. PERSONNEL MATTER(S):

3. Presentation of **Retirement(s)/Resignation(s)**.
4. Recommend approval of **probationary contractual personnel** for the 2016-2017 school year – **Teachers**. Subject to receipt of all outstanding documentation.
5. Recommend approval of **probationary contractual personnel** for the 2016-2017 school year – **Instructor**. Subject to receipt of all outstanding documentation.
6. Recommend approval of **term–chapter 21 contractual personnel** for the 2016-2017 school year – **Testing Coordinator**. Subject to receipt of all outstanding documentation.
7. Recommend approval of **term-non-chapter 21 contractual personnel** for the 2016-2017 school year – **Athletic Trainer**. Subject to receipt of all outstanding documentation.
8. Recommend approval of **term-non-chapter 21 contractual personnel** for the 2016-2017 school year – **ITV Script Writer**. Subject to receipt of all outstanding documentation.
9. Recommend approval to compensate Professional Employee (J.A.S.) for two (2) years of wage earning experience and one (1) year of creditable years of service earned but not paid in the following fiscal school years: 2012-2013, 2013-2014, 2014-2015 and 2015-2016.
10. Recommend approval to compensate Professional Employee (P.C.J.) on interim assignment to be commensurate with the administrator salary until such time that a permanent administrator is selected for the 2016-2017 fiscal school year.
11. Recommend approval to compensate Professional Employee (B.D.M.) on interim assignment to be commensurate with an athletic coordinator salary until such time that a permanent athletic coordinator is selected for the 2016-2017 fiscal school year.
12. Recommend approval of Campus Professional Employee (A.A.) for change in contract for the 2016-2017 fiscal school year.
13. Recommend approval of Campus Professional Employee (D.W.T.) for change in contract for the 2016-2017 fiscal school year.
14. Recommend approval to compensate Classified Employee (M.J.R.) for job related experience earned but not paid in the following fiscal school years: 2012-2013, 2013-2014, 2014-2015 and 2015-2016.
15. Board Self Evaluation.
16. Discussion and consideration regarding the appointment, employment, evaluation, and duties of the Superintendent.

C. Consultation with Attorney:

17. Consultation with Attorney regarding pending or threatened litigation matters: “status of lawsuits”.
 - a. Discussion and consideration regarding Art Rendon vs. Brownsville Independent School District.
 - b. Discussion and consideration regarding Leticia Cano vs. Brownsville Independent School District.

D. Real Estate:

18. Discussion and consideration regarding the purchase, exchange, lease, or value of real estate properties for the possible purchase of land.

(BOARD RECONVENES AFTER CLOSED MEETING)

2. 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.
 3. Retirements/Resignations.
- A4 - 14. Recommend approval on personnel matters discussed in Closed Meeting.
15. Board Self Evaluation.
 16. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Superintendent.
 17. Recommend approval regarding pending or threatened litigation matters: “status of lawsuit(s)”
 - a. Discussion, consideration and possible action regarding Art Rendon vs. Brownsville Independent School District.
 - b. Discussion, consideration and possible action regarding Leticia Cano vs. Brownsville Independent School District.
 18. Discussion, consideration and possible action regarding the purchase, exchange, lease, or value of real estate properties for the possible purchase of land.

IX. Superintendent’s Report

A. Conference Presentations:

19. Presentation of Brownsville Independent School District Quarterly Investment Report for the period ended September 30, 2016. (Booklet)
20. Presentation of Brownsville Independent School District Financial Report for the period ended September 30, 2016.
21. Presentation of Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2016.

B. Standing Board Agenda Items:

22. 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):

23. Recommend approval of the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2016.
24. Recommend approval of Resolution No. 020/16-17 for the reselling of foreclosed properties to the highest responsible bidder in the amount of \$48,523.40.
25. Recommend approval of Resolution No. 021/16-17 for the Brownsville School District to participate in described purchasing programs of the Education Service Center, Region 20 and the Pace Purchasing Cooperative for the 2016-2017 school year.
26. Recommend approval of 1st Choice Restaurant Equipment Supply in the amount of \$800,000.00 for the construction of a Culinary Arts Lab at Cummings Middle School. Purchase is subject to the District's needs and services.
27. Recommend approval to reinstate the Destination Imagination Supplemental Duty Pay Stipend to Page 39 of the Employee Compensation Plan for the Fiscal Year of 2016-2017.
28. Recommend approval to purchase TSI Testing materials from The College Board Accuplacer in the amount of \$100,000.00. Purchase is subject to the District's needs and funding.
29. Recommend approval to purchase AP Exam materials from The College Board AP Examinations in the amount of \$55,000.00. Purchase is subject to the District's needs and funding.

30. Recommend approval to declare three (3) Portable Buildings (Porter ECHS-1; Faulk Middle School-1 and Gonzalez Elementary School-1) as Surplus/Obsolete and schedule for Public Auction.
31. Recommend approval of Paragon Sports Constructors for the addition of a new synthetic turf indoor soccer field at the Rivera ECHS campus. The total cost to be paid to Paragon Sports Constructors is \$238,694.00 from Local Fund 197.
32. Recommend approval of the purchase of Hatch iStartSmart Learning System.
33. Recommend approval authorizing the Board President to co-sign on all school accounts with the Secretary of the Board and authorize the continued use of present signatures until new signature plates arrive.
34. Recommend adding a \$1,500.00 supplemental pay per semester to all BISD teachers offering dual credit courses. The supplemental pay for teachers offering dual credit courses would begin with the 2016-2017 fall semester.
35. Discussion, consideration and possible action regarding the possible designation of hearing officer(s) to conduct Level III Grievances on behalf of the Board of Trustees.

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

36. Recommend approval for payment in the amount of \$4,210.26 to Colvin, Chaney, Saenz & Rodriguez, L.L.P.
37. Recommend approval for payment in the amount of \$92.09 to Eichelbaum, Wardell, Hansen, Powell & Mehl, P.C.
38. Recommend approval for payment in the amount of \$4,381.98 to Williams, Birnberg & Anderson, L.L.P.
39. Recommend approval for payment in the amount of \$10,037.80 to Guerra & Farah, P.L.L.C.
40. Recommend approval for payment in the amount of \$4,100.48 to Walsh, Gallegos, Trevino, & Russo & Kyle, P.C.
41. Recommend approval of Payment #1 for \$238,854.83 as partial payment to Paragon Sports Constructors, LLC for work completed on the Porter ECHS Synthetic Soccer Field to be paid from TRE Fund 197.
42. Recommend approval of Payment #1 for \$84,378.05 as partial payment to Ziwa Corporation for Construction Services work completed on the Pace ECHS Fine Arts Building to be paid from TRE Fund 197.
43. Recommend approval of Payment #3 for \$103,449.30 as partial payment to NM Contracting for work completed at the Hanna ECHS Construction Technology Building to be paid from Local Fund 192.

44. Recommend approval of Payment #5 for \$47,595.00 as partial payment to Rio Roofing, Inc., for Construction Services work completed on the Roof Replacement at Burns Elementary School to be paid from Local Fund 197.
45. Recommend approval of Payment #8 for \$334,430.40 as partial payment to Ziwa Corporation for Construction Services work completed on the Rivera ECHS Athletic Facility to be paid from Local Fund 197.
46. Recommend approval of Payment #5 for \$2,256.00 as partial payment to Amtech Solutions, Inc. for Architectural Service work completed on the Roof Replacement at Burns Elementary School to be paid from Local Fund 192.
47. Recommend approval of Payment #4 for \$10,448.00 as final payment to Ambiotech Civil Engineering Group, Inc. for Engineering Service work completed on the installation of the Artificial Turf at Lopez ECHS to be paid from Local Fund 197.
48. Recommend approval of Payment #9 for \$3,865.17 to Gomez Mendez Saenz for Architectural Service work completed on the Rivera ECHS Athletic Facility to be paid from Fund 197.
49. Recommend approval to pay Cameron Appraisal District the required amount of \$726,329.00 for appraisal services rendered.

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

50. Recommend approval of Budget Amendment #015 in the amount of \$2,377,942.00 for Local Funds. (Reallocation of \$544,009.00 as requested by campuses/departments and additional funding of \$243,680.00 and Designated Fund Balance of \$1,590,253.00)

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

51. Recommend approval to enter into an MOU with United Way of Southern Cameron County to provide an Online Guided Reading Initiative Program from January 1, 2017 through June 30, 2017 at no cost to the District.
52. Recommend approval to enter into a Memorandum of Understanding with American Institutes for Research (AIR). Memorandum of Understanding period is from September 2016 through August 2020. (There is no cost associated with this MOU)
53. Recommend change of payment term from semi-monthly to weekly based on Texas Insurance Code Sec. 1301.104. (No Fiscal Implications)
54. Recommend acceptance of subrogation settlement offer for medical claim in the amount of \$2,282.88.

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

55. Recommend approval to authorize Administration to negotiate a fee for RFQ #14-101 Civil Engineering Services for a Four (4) Lane Track at Besteiro Middle School with Ambiotech

Civil Engineering Group, Brownsville, Texas to provide engineering services to be paid from TRE Funds.

56. Recommend approval of the negotiated fee of 7% for RFQ #17-112 Architectural Services for a Food & Nutrition Services (freezer & office) Facility and an Instructional TV Studio Facility with Gomez Mendez Saenz, Brownsville, Texas to provide architectural design services to be paid from Local Funds.
57. Recommend to exercise the option to renew RFQ #15-053 for Geotechnical Engineering and Construction Materials Testing District-wide for FY 2016-2017 to MEG Engineers, Edinburg, Texas, Raba-Kistner Consultants, Inc., McAllen, Texas and Terracon Consultants, Inc., Pharr, Texas, to provide engineering services and to authorize administration to negotiate a fee on a project by project basis. Approximate amount of \$52,821.00 from Local and Categorical Funds. (Annual Contract)
58. Recommend awarding of RFQ #17-116 Renovation of the Serving Lines at Rivera and Lopez Early College High Schools to Gomez Mendez Saenz, Inc., Brownsville, Texas to provide architectural services and to authorize administration to negotiate a fee for said services. Approximate amount of \$110,000.00 from Local and Categorical Funds.
59. Recommend awarding RFQ #17-119 Air Conditioning Systems Testing and Air Balance (TAB) Services (Annual Contract) to Campos Engineering, Dallas, Texas and PHI Service Agency, Inc., San Antonio, Texas, to provide engineering services and to authorize administration to negotiate a fee on a project by project basis. Approximate amount of \$49,088.00 from Local and Categorical Funds. (Annual Contract)
60. Recommend awarding Bid #17-007 Music Supplies and Equipment District-wide to several vendors. Approximate amount of \$508,831.00 from Local and Categorical Funds. (Annual Bid)
61. Recommend awarding Bid #17-008 Printed Music District-wide to several vendors. Approximate amount of \$35,241.00 from Local and Categorical Funds. (Annual Bid)
62. Recommend awarding Bid #17-009 Furniture District-wide to several vendors. Approximate amount of \$178,598.00 from Local and Categorical Funds. (Annual Bid)
63. Recommend awarding Bid #17-010 Graduation and Honor Awards District-wide to several vendors. Approximate amount of \$166,711.00 from Local and Categorical Funds. (Annual Bid)
64. Recommend awarding Bid #17-011 Helmet Reconditioning and Shoulder Pad Repair District-wide to Riddell/All American, San Antonio, TX. Approximate amount of \$67,004.00 from Local and Categorical Funds. (Annual Bid)
65. Recommend awarding Bid #17-012 Weight Training Room Equipment District-wide to several vendors. Approximate amount of \$171,138.00 from Local and Categorical Funds. (Annual Bid)
66. Recommend awarding Bid #17-040 Charter Bus Services District-wide to several vendors. Approximate amount of \$197,996.00 from Local and Categorical Funds. (Annual Bid)

67. Recommend awarding Bid #17-041 Art Supplies and Equipment District-wide to several vendors. Approximate amount of \$30,000.00 from Local and Categorical Funds. (Annual Bid)
68. Recommend awarding Bid #17-042 Medical Supplies and Equipment District-wide to several vendors. Approximate amount of \$108,451.00 from Local and Categorical Funds. (Annual Bid)
69. Recommend awarding Bid #17-043 Inspection Services for Exhaust Hood Suppression Systems District-wide to All State Fire Extinguishers, Harlingen, Texas. Approximate amount of \$58,511.00 from Local Food and Nutrition Service Funds. (Annual Bid)
70. Recommend awarding Bid #17-067 Fire System Annual Inspections and Repair on Fire Back Flows, Risers and Fire Pumps District-wide (Rebid) to Western State Fire Protection, Donna, Texas. Approximate amount of \$25,000.00 from Local and Categorical Funds. (Annual Bid)
71. Recommend awarding Bid #17-074 Roofing Supplies and Materials District-wide to several vendors. Approximate amount of \$39,958.00 from Local and Categorical Funds. (Annual Bid)
72. Recommend awarding Bid #17-075 Oxygen, Acetylene and Welding Supplies District-wide to several vendors. Approximate amount of \$32,966.00 from Local and Categorical Funds. (Annual Bid)
73. Recommend awarding Bid #17-076 A/C Control System District-wide to several vendors. Approximate amount of \$103,900.00 from Local and Categorical Funds. (Annual Bid)
74. Recommend awarding Bid #17-078 Paving Services Work District-wide to several vendors and cast lots for items #2, #4, #5, #6, #7, #10, #13, #18 and #20 of said bid. Approximate amount of \$897,135.00 from Local and Categorical Funds. (Annual Bid)
75. Recommend awarding Bid #17-079 Roofing Maintenance District-wide to several vendors. Approximate amount of \$479,795.00 from Local and Categorical Funds. (Annual Bid)
76. Recommend awarding Bid #17-080 Glazing Supplies and Materials District-wide to several vendors and cast lots for items #1, #3 and #11 of said bid. Approximate amount of \$70,859.00 from Local and Categorical Funds. (Annual Bid)
77. Recommend renewal of CSP #16-111 Property, Flood, Windstorm, Hail, Boiler and Machinery Insurance to McGriff, Seibels & Williams of Texas for an additional year based on the approved contract of January 31, 2016. The contract extension period is January 31, 2017 to January 31, 2018. Not to exceed approved Local Maintenance and Categorical Funds of \$2,131,350.00.
78. Recommend awarding CSP #17-025 Consultant/Presenter Services and Training District-wide to several vendors. Approximate amount of \$115,023.00 from Local and Categorical Funds. (Annual Proposal)

XII. Announcement(s):

79. **Next scheduled Board Meeting** of the **Board of Trustees** is on **Tuesday, December 13, 2016**, at the **Administration Building** at **5:30 p.m.**

XIII. Adjournment.