



Brownsville Independent School District

Board of Trustees

Regular Board Meeting

November 7, 2017

5:30 PM

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 November 7, 2017** with any corrections/deletions.
- VI. Recommend approving the **minutes** of the **Regular Board Meeting of May 2, 2017, Special Called Board Meeting of June 6, 2017 and Special Called Board Meeting of June 13, 2017**, 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. Superintendent's Report

A. Conference Presentations:

1. Superintendent's Life Saving Award Presentation.
2. Brownsville Independent School District Financial Report and the Health Care Plan cash flow for the period ending September 30, 2017.
3. Brownsville Independent School District Quarterly Investment Report for the period ended September 30, 2017.

B. Standing Board Agenda Items:

1. Board Calendars: Board Activity Calendar and District Calendar

IX. PUBLIC AUDIENCE:

Persons who want to address the Board of Trustees during the Public Audience portion of today's meeting shall print their names on the form provided. According to BISD Policy BED (Local), only those persons on the form who request to address the Board shall be heard. The speaker shall limit comments to five minutes or the allotted time. The Board shall allot no more than 30 minutes for Public Audience. Complaints or grievances on the following subjects; employee complaints, termination of employment, student complaints, removal to alternative education program, and expulsion, shall be directed to the appropriate policy for attempted resolution before bringing the matter to the Board as authorized by the Texas Government Code Title 5-Section: 551.074 (1) and (2). The Board President shall determine if the topic shall be redirected to the appropriate policy or redirected to Administration. Public comments on issues shall be constructive and courteous.

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.

X. Consent Agenda:

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

1. Recommend approval to adopt TASB Policy Update 107 Local and Administrative recommended Miscellaneous policies.
2. Recommend approval to adopt TASB Policy Update 108 Local and Administrative recommended Miscellaneous policies.
3. Recommend approval to continue the implementation of Project Lead The Way proprietary curriculum and professional development in the amount of \$1,000,000.00 from State Categorical CTE Funds for all 6 comprehensive high schools.
4. Recommend approval of Change Order #002 and #003 to the Owner/Contractor Agreement with NM Contracting for the Hanna ECHS Construction Technology Building. The change orders reflect a credit back to the district totaling \$46,937.66 as stated on change order #002 and #003.
5. Recommend the one-time incentive pay for BISD employees (qualified) who submit their letter of resignation/separation for the end of the 2017-2018 school year.

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

1. Recommend approval of Payment #8 for \$2,402.40 as partial payment to PBK for Architectural Service work completed on the Pace ECHS Fine Arts Facility to be paid from Fund 197 (TRE).
2. Recommend approval of Payment #12 for \$120,974.43 as partial payment to Ziwa Corporation for Construction Services work completed on the Pace ECHS Fine Arts Building to be paid from Fund 197 (TRE).

3. Recommend approval of Payment #3 for \$5,535.00 as payment to PBK Architects for Architectural Services work completed at the Porter ECHS Fine Arts Building to be paid from Fund 197 (TRE).
4. Recommend approval of Payment #8 for \$23,839.67 as Final payment to NM Contracting for work completed at the Hanna ECHS Construction Technology Building to be paid from Local Fund 192.
5. Recommend approval for payment in the amount of \$169.00 to Colvin, Saenz, Rodriguez & Kennamer, L.L.P. for ongoing board approved legal services.
6. Recommend approval for payment in the amount of \$1,890.50 to Walsh Gallegos Trevino Russo & Kyle, P.C. for ongoing board approved legal services.

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

1. Recommend approval of Budget Amendment #015 in the amount of \$88,250.00 for Local Funds. (Designated Fund Balance of \$51,714.00 and reallocation of 36,536.00 as requested by campuses and departments).

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

1. Recommend approval to continue program efforts by the Barbara Bush Foundation for Family Literacy for Year Three (2017-2018) of the Teen Trendsetters Reading Mentors Program not to exceed \$15,500.00.
2. Recommend to accept and approve the contract from Ethos Engineering, L.L.C., Harlingen, Texas for MEP Engineering Services for the Hanna ECHS HVAC Upgrades project in the amount not to exceed \$278,000.00 to be paid from Fund 197 (Tax Rate increase).
3. Recommend to accept and approve the contract for Gonzalez Engineering & Surveying, Inc., Brownsville, Texas for Civil Engineering Services for the Lopez ECHS Parking Lot project in the amount not to exceed \$24,966.00 to be paid from Fund 197 (Tax Rate Increase).
4. Recommend to accept and approve the contract from M. Garcia Engineering, L.L.C., McAllen, Texas for Civil Engineering Services for the Hanna ECHS New Band Practice Field project in the amount not to exceed \$17,000.00 to be paid from Fund 197 (Tax Rate increase).
5. Recommend to accept and approve the contract from M. Garcia Engineering, L.L.C., McAllen, Texas for Civil Engineering Services for the Hanna ECHS Artificial Turf Soccer Field project in the amount not to exceed \$12,250.00 to be paid from Fund 197 (TRE).
6. Recommend to accept and approve the contract from Gonzalez Engineering & Surveying, Inc., Brownsville, Texas for Civil Engineering Services for the Vela M.S. Parking Lot project in the amount not to exceed \$14,898.00 to be paid from Fund 197 (Tax Rate Increase).
7. Recommend to accept and approve the contract from M. Garcia Engineering, L.L.C., McAllen, Texas for Civil Engineering Services for the Rivera ECHS Artificial Turf Soccer Field project in the amount not to exceed \$12,250.00 to be paid from Fund 197 (TRE).
8. Recommend to accept and approve the contract from M. Garcia Engineering, L.L.C., McAllen, Texas for Civil Engineering Services for the Pace ECHS Artificial Turf Soccer

Field project in the amount not to exceed \$12,250.00 to be paid from Fund 197 (TRE).

9. Recommend to accept and approve the contract from Gomez Mendez Saenz Architects, Brownsville, Texas for the Hanna ECHS New Gymnasium Facility Project in the amount not to exceed \$720,000.00 to be paid from Fund 197 (Tax Rate Increase).
10. Recommend to accept and approve the contract from Amtech Solutions, McAllen, Texas for Architectural design Services for the Rivera ECHS Roof Re-placement project in the amount not to exceed \$110,654.00 (plus reimbursable & additional services) to be paid from Fund 197. (Tax Rate Increase).
11. Recommend approval to continue into Clinical Affiliation Agreement between Valley Regional Hospital and Brownsville ISD commencing on February 1, 2018 and ending on January 31, 2021 for students participating in the health science program at a cost of \$10,000.00.
12. Recommend approval to enter into a Memorandum of Understanding between Brownsville Independent School District and Positive Community Impact (PCI) for implementation of their underage drinking and drug programs expressly for reducing prescription drug abuse among youth and adults during the BISD 2017-2018 school year at no cost to the District.
13. Recommend approval to continue into a clinical Affiliation Agreement between SCC Valley Grande and Brownsville ISD for the 2017-2018 school year at no cost to the District.
14. Recommend approval of Memorandum of Understanding between Nueva Luz Foundation d/b/a Community Alliance and Brownsville Independent School District. The MOU engages district personnel in training to support children and families at no cost to the district.
15. Recommend approval to the BISD Choice Neighborhoods Partnership Certification with HACB/COB contingent on the CN Implementation Grant award to HACB/COB for a term of 7/02/18 to 07/01/2024, at no cost to the District.

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

1. Recommend awarding Bid #18-007 Music Supplies and Accessories District-wide to several vendors. Approximate amount of \$201,109.00 from Local and Categorical Funds. (Annual Bid)
2. Recommend awarding Bid #18-009 Furniture District-wide to several vendors. Approximate amount of \$112,659.00 from Local and Categorical Funds. (Annual Bid)
3. Recommend awarding Bid #18-010 Graduation and Honor Awards District-wide to several vendors. Approximate amount of \$116,413.00 from Local and Categorical Funds. (Annual Bid)
4. Recommend awarding Bid #18-011 Helmet Reconditioning and Shoulder Pad Repair District-wide to Riddell/All American, San Antonio, Texas. Approximate amount of \$69,704.00 from Local and Categorical Funds. (Annual Bid)
5. Recommend awarding Bid #18-012 Weight Training Room Equipment District-wide to several vendors. Approximate amount of \$50,000.00 from Local and Categorical Funds. (Annual Bid)

6. Recommend awarding Bid #18-040 Charter Bus Services District-wide to several vendors. Approximate amount of \$155,574.00 from Local and Categorical Funds. (Annual Bid)
 7. Recommend awarding Bid #18-042 Medical Supplies and Equipment District-wide to several vendors. Approximate amount of \$234,176.00 from Local and Categorical Funds. (Annual Bid)
 8. Recommend awarding Bid #18-043 Inspection Services for Exhaust Hood Suppression Systems District-wide to El Fire & Safety Inc., Mission, Texas. Approximate amount \$50,000.00 from Local Food and Nutrition Service funds. (Annual Bid)
 9. Recommend awarding Bid #18-074 Roofing Supplies and Materials District-wide to several vendors. Approximate amount of \$50,000.00 from Local and Categorical Funds. (Annual Bid)
 10. Recommend awarding Bid #18-075 Oxygen, Acetylene and Welding Supplies District-wide to several vendors. Approximate amount of \$50,000.00 from Local and Categorical Funds. (Annual Bid)
 11. Recommend awarding Bid #18-076 A/C Control Systems District-wide to several vendors. Approximate amount of \$50,000.00 from Local and Categorical Funds. (Annual Bid)
 12. Recommend awarding Bid #18-078 Paving Services Work District-wide to several vendors and cast lots for item #5 of said bid. Approximate amount of \$427,439.00 from Local and Categorical Funds. (Annual Bid)
 13. Recommend awarding Bid #18-079 Roofing Maintenance District-wide to several vendors. Approximate amount of \$320,257.00 from Local and Categorical Funds. (Annual Bid)
 14. Recommend awarding Bid #18-080 Glazing Supplies and Materials District-wide to several vendors and cast lots for items #21, #28, #36 and #37 of said bid. Approximate amount of \$96,097.00 from Local and Categorical Funds. (Annual Bid)
 15. Recommend approval of CSP #18-116 Besteiro Middle School 4 Lane Track project to G & T Paving, Brownsville, Texas in the amount not to exceed \$524,914.47 to be paid from Fund 197 (TRE).
 16. Recommend awarding RFQ #18-053 for Geotechnical Engineering and Construction Materials Testing District-wide to Terracon Consultants, Inc., Pharr, Texas, Raba-Kistner Consultants, Inc., Brownsville, Texas, Professional Services Industries (PSI), Harlingen, Texas and Millennium Engineers Group (MEG), Edinburg, Texas to provide engineering services and to authorize administration to negotiate a fee on a project by project basis. Approximate amount of \$84,366.00 from Local and Categorical Funds. (Annual Contract)
- XI. **CLOSED MEETING:** as pursuant to the Texas Government Code Sections: 551.071, 551.072, 551.074, 551.082, and 551.084.

A. PERSONNEL MATTER(S):

1. Presentation, acceptance and approval of Retirement(s). (1)
2. Presentation, acceptance and approval of Resignation(s). (6)
3. Recommend approval of probationary contractual personnel for the 2017-2018 school year - Bilingual/ESL Specialist. (1)
4. Recommend approval of probationary contractual personnel for the 2017-2018 school year

- Counselor At-Risk. (1)
- 5. Recommend approval of probationary contractual personnel for the 2017-2018 school year
- Dean of Instruction. (2)
- 6. Recommend approval of probationary contractual personnel for the 2017-2018 school year
- Nurse (1)
- 7. Recommend approval of probationary contractual personnel for the 2017-2018 school year
- Teachers. (14)
- 8. Recommend approval of term chapter 21 contractual personnel for the 2017-2018 school
year - Teachers. (3)
- 9. Recommend approval of term non-chapter 21 contractual personnel for the 2017-2018
school year - Human Resource Specialist. (1)
- 10. Recommend approval of term-non-chapter 21 personnel for the 2017-2018 school year -
Administrator for Employee Benefits/Risk Management (Micaela G. Escobar). (1)
- 11. Recommend approval to adjust the working days of a professional employee (B.V.) for the
2017-2018 school year.
- 12. Recommend approval to adjust the working days of a professional (A.D.A.G.) for the
2017-2018 school year.
- 13. Recommend approval to compensate professional employee (M.O.B.) for three (3) years
experience earned but not paid in the following fiscal school years. 2013-2014, 2014-2015,
2015-2016 and 2016-2017.
- 14. Recommend approval to compensate professional employees (K.M.E., A.M.G., C.L., F.M.
and H.L.W.) for the Special Education All Levels stipend earned but not paid in the
following fiscal school years: 2013-2014, 2014-2015, 2015-2016 and 2016-2017.
- 15. Recommend approval to compensate professional employee (I.M.) for five (5) years
experience earned but not paid in the following fiscal school years: 2013-2014, 2014-2015,
2015-2016 and 2016-2017.
- 16. Recommend approval to compensate professional employees (C.N.G., C.H., L.M.D.,
H.G.G., M.C.R., and J.M.) for wage earning experience earned but not paid in the
following fiscal school years: 2013-2014, 2014-2015, 2015-2016 and 2016-2017.
- 17. Board Self Evaluation.
- 18. Discussion, consideration and possible action regarding the appointment, employment,
evaluation and duties of the Superintendent.
 - a. 2017-2018 Superintendent's Performance Benchmarks.

B. ATTORNEY CONSULTATION

- 1. Staff Attorney
 - a. Discussion, consideration and possible action on mediator's proposal regarding Elena
Lozano vs. Brownsville Independent School District.
 - b. Discussion, status and update on Motion for Summary Judgment, regarding Francisco
Rodriguez vs. Brownsville Independent School District.
- 2. Board Attorney

- a. Discussion, consideration and possible action regarding Settlement agreement AG 165-DM-0817, A.G. b/n/f Ernesto and Bertha Galvan.
- b. Discussion, consideration and possible action regarding Settlement agreement AG 159-DM-0717, S.S. b/n/f Yamileth Saldana.
- c. Discussion, consideration and possible action regarding Case 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 v. Brownsville Independent School District; In the United States District Court, Southern District of Texas, Brownsville Division.

C. BOARD MEMBER REQUEST

1. Attorney Consultation regarding ongoing litigation for Veterans Memorial Early College High School and amending attorney's contract to limit scope of representation. (Board Member Request - PC)
2. Attorney Consultation regarding potential litigation regarding TENASKA/PUB; VALCO; Graphic Spot and Board Member intimidation and action to hire attorney to represent district and Board Member(s) interest. (Board Member Request - PC)

XII. BOARD RECONVENES

XIII. Board Member Request(s)

A. Conference Presentation(s)

B. Action Item(s)

1. Discussion, consideration, and possible action to secure an administrative review and recommendation on the possibility of implementing a Telehealth program and/or cluster pilot in the district for the 2018-2019 school year; priority to be given to the clusters with the lowest student attendance and to local doctors who can meet similar requirements. (Board Member Request - SPA)
2. Discussion, consideration and possible action to hire outside legal counsel for Board approved special projects and issues. (Board Member Request - J.R.)
3. Evaluation of Board Attorney. (Board Member Request - P.C.)
4. Discussion, consideration and possible action to recognize and honor our award-winning Fine Arts students with their own recognition night beginning this spring; i.e. from ball room dancers, student artists, and choir members who secured regional and/or state recognition to the band students from all six high school band programs who received a Division 1 rating this Fall, etc. (Board Member Request - SPA)

XIV. Announcement(s):

- A. **Next scheduled Board Meeting** of the Board of Trustees is on Tuesday, December 12, 2017.

XV. Adjournment.