



Brownsville Independent School District

Board Of Trustees

Regular Board Meeting
February 17, 2009
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 **Regular Board Meeting of February 17, 2009**, with any corrections/deletions.
- VI.** Recommend approving the **minutes** of the **Regular Board Meeting of December 16, 2008**, with any corrections.
- VII.** Recommend approving the **minutes** of the **Special Called Board Meeting of January 6, 2009**, with any corrections.
- VIII.** Recommend approving the **minutes** of the **Special Called Board Meeting of January 16, 2009**, with any corrections.
- IX. Superintendent's Report**
 - A. Conference Presentations:**
 1. Presentation of Texas Music Education Association (TMEA) Qualifiers.
 2. Presentation of Project Lead The Way (PLTW) Certification for Porter High School Engineering Professions Magnet.

3. Presentation of the Brownsville Independent School District Financial Report for the period ended December 31, 2008.
4. Presentation of the Brownsville Independent School District Quarterly Investment Report for the period ended September 30, 2008.
5. Presentation of the Brownsville Independent School District Quarterly Investment Report for the period ended December 31, 2008.
6. Presentation of the Brownsville Independent School District expenditure report of all categorical funds for fiscal year 2008-2009.
7. Presentation of the Brownsville Independent School District Quarterly Consultant Report for the Second Quarter of Fiscal Year 2008-2009.
8. Presentation on Report from BISD Bond Oversight Committee.
9. Presentation of Notification of Contingency Fund Change Orders.
10. Feasibility of pre-kinder services provided by the district including: (Board Member Request)
 - a. Amount of children calculated to use said service;
 - b. Cost to the district to provide said services; and
 - c. Availability of funds to provide for said services.
11. Presentation on Board Members' fiduciary duty to the district and discussion of possible breaches of said duty by disclosing executive session information. (Board Member Request)
12. Presentation of the specifics of the BROAD Award received by the district including the following information: (Board Member Request)
 - a. Years included in the study which led to the Broad Prize;
 - b. specific findings published by the BROAD Foundation which forms their basis to award said prize to our district;
 - c. instructional, curriculum and management strategies used by the district during the years included in the study;
 - d. how the findings published by the Broad Foundation compare to the district's current numbers;
 - e. the change (if any) of the instructional, curriculum and management strategies used by the district today.

B. Standing Board Agenda Items:

13. 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.

XI. Open Hearing: Grievant has requested an open hearing pursuant to Board Policy DGBA Local.

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 and consult with their attorney.

A. Level III Board Review and Grievance:

14. Board Action on Level III Grievance – Micaela Guzman (#010/08-09)

The Board may deliberate or take action regarding the following agenda items.

**XII. Consent Agenda
General Function:**

A. Recommend approval of the following General Function Items:

15. Recommend approval for one student and one sponsor from Hanna High School to travel to and attend the National Officer Pre-conference Meeting in Kansas City, Missouri from February 28 through March 3, 2009 to plan the 2009 SkillsUSA Championships Conference.
16. Recommend approval to amend the 2008-2009 Compensation Plan to include supplementary compensation for Occupational Therapists and Physical Therapists at an hourly rate of \$75.00 in order to provide student services from February 18, 2009 through June 30, 2009.
17. Recommend approval for five migrant high school students, one from each high school, and three sponsors to attend the Michigan State University CAMP Program Orientation on April 1-3, 2009. In the amount not to exceed \$7,440.00 for the 2008-2009 school year.
18. Recommend approval for Ismael Villarreal, Lopez High School Fine Arts Academy dance teacher to travel to Saltillo, Mexico to participate in the 52nd Asociacion Nacional de Maestros de Danza Popular Mexicana April 5-10, 2009 at no cost to the District.
19. Recommend the Board of Trustees to declare the items listed in the attachment as surplus and/or obsolete.
20. Recommend approval to have public auction(s) on March 7, 2009 to dispose of the District's surplus and/or obsolete items.

21. Recommend that Heritage Plan properties be granted exemption from taxation in the amount of \$43,890.92.
22. Record closed session meetings. (Board Member Request)
23. Recommend approval of Change Order #04 to amend the Owner/Contractor agreement with D. Wilson Construction Co., McAllen, Texas, for the Veterans Memorial High School Project.
24. Recommend approval to cancel the March 17, 2009 Regular Board Meeting due to scheduled holidays.

B. Recommend approval of the following Payment:

25. Recommend approval to pay Gignac Associates Architects, LLP \$63,360.00; Gomez Mendez Saenz, Inc. \$4,627.13; PBK Architects, Inc. \$23,725.00; JDS Construction Co., Inc. \$356,499.00; Roth Construction, Inc. \$171,332.50; Texas Descon L.P. \$1,201,628.00; W. Murray Thompson Construction Co., Inc. \$394,707.90; ZIWA Corporation \$175,551.45 for a grand total of \$2,391,430.98 from Local Maintenance Fund 199.
26. Recommend approval to pay ACR Engineering, Inc. \$13,380.00; Amtech Building Sciences, Inc. \$12,262.50; Gignac and Associates \$17,086.05; Gomez Mendez Saenz, Inc. \$81,000.00; Mata Villarreal Garcia Design Group, LLP \$18,874.50; Plagar Engineering, Inc. \$24,147.13; Raba-Kistner Consultants, Inc. \$14,398.24; Stanford Knowles Architect & Planner, Inc. \$9,411.18; American Contracting, USA, Inc. \$62,919.92; Central Air and Heating Service, Inc. \$175,750.00; D. Wilson Construction Company \$6,020,627.07; JDS Construction Co., Inc. \$275,350.85; Metro Electric, Inc. \$22,976.48; Scoggins Construction \$2,120,997.55; Texas Descon L.P. \$1,200,336.00; and W. Murray Thompson Construction Co., Inc. \$455,753.00, for a grand total of \$10,525,270.47 to be paid from Capital Project Funds 631, 632, 633 and 634.

C. Recommend approval of the following Budget Amendment:

27. Recommend approval of Budget Amendment #067 in the amount of \$357,313.00 for Fund 429 – Texas Fitness Now Grant. (New Funding)
28. Recommend approval of Budget Amendment #068 in the amount of \$5,000.00 for Fund 429 – Community Research Partnership Grant – Cromack Elementary. (New Funding)
29. Recommend approval of Budget Amendment #069 in the amount of \$1,392,695.00 for Fund 216 – Title I School Improvement. (New Funding)
30. Recommend approval of Budget Amendment #070 in the amount of \$721,120.00 for Fund 276 – Title I School Improvement SIP Academy Grant. (Additional Funding)

D. Recommend approval of the following Contracts/Agreements:

31. Discussion, consideration and possible action on a memorandum of understanding between the Brownsville Independent School District and Brownsville Doctors Hospital pertaining to Hospital Services. (Board Member Request)
32. Recommend approval of the Academic Leadership Alliance participation in accordance with the MOU between the Brownsville Chamber of Commerce, the Region One Educational Service Center, TechPrep of the Rio Grande Valley, and Brownsville

Independent School District in the amount not to exceed \$45,740.00 for the 2008-2009 school year.

33. Recommend approval for the Brownsville Independent School District Police Department to enter into a Memorandum of Understanding with PDAP for the 2009-2010 school year.
34. Recommend approval to enter into an Interlocal Agreement with Region One Education Service Center to Implement the Safe Schools Project with BISD for the 2008-2009 School Year at a cost of \$58,584.00 (\$8.00 x 7,323 FTE's)
35. Recommend approval to enter into agreements with the Brownsville Public Utilities Board, Brownsville, Texas, to grant Utility Easements on the Central Annex Property, on the Pace High School Property, and on the Porter High School Property, as described on the utility easement document's metes and bounds and legal descriptions.
36. Recommend approval to submit the Class Size Waiver petition to the Texas Education Agency for grades K through 4th for the Spring Semester of the 2008-2009 school year.
37. Recommend approval of the Business Associate Agreement and the Clinical Affiliation Agreement between Valley Baptist Medical Center and Brownsville ISD for the 2008-2009 through 2011-2012 school years.

E. Recommend approval of the following Bids/Proposals/Purchases:

38. Recommend to extend Bid #08-060 Bottle Water and Related Services to expire on March 4, 2010. (Annual Bid)
39. Recommend to extend Bid #08-070 Chess Materials, Supplies, Software, and Services District-wide for three months to expire on May 2009 to several vendors.
40. Recommend to extend Bid #08-076 Fire Alarms and Sprinkler Services District-wide for three months to expire on May 2009 to several vendors.
41. Recommend awarding Bid #09-080 Employee Uniforms District-wide to several vendors. (Annual Bid)
42. Recommend awarding Bid #09-081 Printing Services and Related Items District-wide to several vendors and cast lots of item #17 of said bid. (Annual Bid)
43. Recommend awarding Bid #09-084 Dry Cleaning Services District-wide to several vendors. (Annual Bid)
44. Recommend awarding Bid #09-089 Dance Supplies, Accessories, and Costume Making District-wide to several vendors. (Annual Bid)
45. Recommend awarding Bid #09-090 Choir Supplies and Accessories District-wide to several vendors. (Annual Bid)
46. Recommend awarding Bid #09-091 Media Center Paper and Printing Supplies District-wide to several vendors. (Annual Bid)

47. Recommend awarding Bid #09-092 Career and Technology Education Supplies and Materials District-wide to several vendors. (Annual Bid)
48. Recommend awarding Bid #09-093 Aquatic Center Supplies and Materials District-wide to several vendors and cast lots for item #15 of said bid. (Annual Bid)
49. Recommend awarding Bid #09-094 Two-Way 400 MHZ Radios and Repair District-wide to several vendors. (Annual Bid)
50. Recommend awarding Bid #09-095 Door Repair and Replacements to several vendors. (Annual Bid)
51. Recommend awarding Bid #09-097 Plumbing Supplies District-wide to several vendors. (Annual Bid)
52. Recommend awarding Bid #09-098 Portable Containers District-wide to Valley Containers, Linn, Texas. (Annual Bid)
53. Recommend awarding Bid #09-099 Repair Parts for Buses and Support Vehicles to several vendors and cast lots for item #1 of said bid. (Annual Bid)
54. Recommend awarding Bid #09-100 Trenching and Boring district-wide to Cable Ventures, Donna, Texas. (Annual Bid)
55. Recommend awarding Bid #09-101 Security Equipment and Repair for Alarm and CCTV Surveillance Systems District-wide to several vendors. (Annual Bid)
56. Recommend awarding Bid #09-102 Food Service Equipment for Elementary #141, #142, and #143 to 1st Choice Restaurant & Equipment Supply LLC, San Antonio, Texas.
57. Recommend awarding Bid #09-103 Repair and Parts for Grounds and Heavy Equipment District-wide to several vendors. (Annual Bid)
58. Recommend awarding Bid #09-105 Walk-In Freezer/Cooler For Veterans Memorial High School #6 to Kitchen Resources, Harlingen, Texas.
59. Recommend awarding RFP #09-062 for Travel Agency Services District-wide (Re-Submittal) to several vendors.
60. Recommend approval to accept the negotiated fees for RFQ #09-056 Air Conditioning Systems Test & Air Balance (TAB) Systems from Texas Precisionaire, LTD, Houston, Texas, for the Central Annex Renovations Project and for the Russell, Burns, and Del Castillo Elementary School Library Projects, in the amount not to exceed \$19,650.00 to be paid from Local Maintenance Fund 199.
61. Recommend approval to accept the negotiated fee for RFQ #09-065 Mechanical/Engineering/Plumbing (MEP) Services (Annual Contract) from ACR Engineering, Inc., Harlingen, Texas, in the amount not to exceed \$27,933.75 to be paid from Local Maintenance Fund 199.

62. Recommend approval to accept the negotiated fee for RFQ #09-066 Civil Engineering Services from Ambiotec Civil Engineering Group, Inc., Brownsville, Texas, in the amount not to exceed \$11,213.00 to be paid from Local Maintenance Fund 199.
63. Recommend awarding RFQ #09-086 for Stand-By Geotechnical Engineering and Construction Materials Testing to Raba-Kistner Consultants, Inc., McAllen, Texas, and to authorize administration to negotiate a fee for said services on a project by project basis to be paid from Local Maintenance Fund 199 and Capital Project Fund 633.

XIII. CLOSED MEETING: as pursuant to the Texas Government Code Section: 551.071, 551.072, 551.074, 551.082, and 551.084.

A. PERSONNEL MATTERS:

64. Presentation of **Retirements/Resignations.**
65. Recommend approval of **Probationary Contractual Personnel for the 2008-2009 school year and the 2009-2010 school year - Teachers.** Subject to receipt of all outstanding documentation.
66. Recommend approval of **Term Chapter 21 Contractual Personnel for the 2008-2009 school year and the 2009-2010 school year - Teachers.** Subject to receipt of all outstanding documentation.
67. Recommend approval of **Term Chapter 21 Contractual Personnel for the 2008-2009 school year and the 2009-2010 school year - Educational Diagnostician.** Subject to receipt of all outstanding documentation.
68. Recommend approval of **Term Chapter 21 Contractual Personnel for the 2008-2009 school year and the 2009-2010 school year – Assistant Principal.** Subject to receipt of all outstanding documentation.
69. Recommend approval of **Term Chapter 21 Contractual Personnel for the 2008-2009 school year and the 2009-2010 school year – Coordinator for Student Assessment.** Subject to receipt of all outstanding documentation.
70. Recommend approval of **Campus Professional Staff** for Probationary contracts for the 2009-2010 school year.
71. Recommend approval of **Campus Professional Staff** for One Year Term contracts for the 2009-2010 school year.
72. Recommend approval of the termination of the probationary contract of employee (J.V.) at the end of the 2008-2009 school year. §21.103(a) TEC.
73. Recommend approval of the termination of the probationary contract of employee (N.T.) at the end of the 2008-2009 school year. §21.103(a)TEC

B. Consultation with ATTORNEY:

74. Consultation with attorney regarding pending or threatened litigation matters.

- a. Preliminary report with Denton, Navarro, Rocha & Bernal, P.C. (Board Member Request)

C. Real PROPERTY:

- 75. Discussion of possible acquisition or sale of Real Property.

(BOARD RECONVENES AFTER CLOSED MEETING)

A65–73. Recommend approval on personnel matters discussed in Closed Meeting.

B74. Recommend approval on litigation matters discussed in Closed Meeting.

C75. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

XIV. Announcement(s).

- 76. Next **Regular Board Meeting** of the Board of Trustees is on **Tuesday, March 3, 2009**, at the Administration Building at 5:30 p.m.

XV. Adjournment.