



# Brownsville Independent School District

## Board Of Trustees

**Regular Board Meeting**  
**January 19, 2010**  
**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 January 19, 2010**, with any corrections/deletions.
- VI.** Recommend approving the **minutes** of the **Rescheduled Regular Board Meeting of December 8, 2009**, with any corrections.
- VII.** Recommend approving the **minutes** of the **Regular Board Meeting of December 15, 2009**, with any corrections.
- VIII.** 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.
- IX. Superintendent's Report**
  - A. Conference Presentations:**
    1. Presentation on 2010 School Board Recognition Month.
    2. Presentation of monthly report from the BISD Bond Oversight Committee. The Bond Oversight Committee conducted a Walk Through at Veterans Memorial High School on January 12, 2010.

3. Recognition of Pre-Kindergarten Texas School Ready Certified Teachers and Campus Programs.
4. Recognition of UIL Elementary Academic and Middle School One Act Play Competition Winners.
5. Recognition of Gladys Porter High School Volunteer Income Tax Assistant Project.
6. Presentation of TAKS Changes and their potential impact on Spring 2010 Campus Accountability Ratings.
7. Presentation of the Brownsville Independent School District Financial Report for the period ended November 30, 2009.
8. Presentation of the Brownsville Independent School District Annual Investment Report for the period ended June 30, 2009. (Booklet)
9. Presentation of the Notification of Contingency Fund Change Orders.
10. Presentation of Update 85 Legal, Local and Miscellaneous Policies. (Binder)
11. Presentation of Errors and Omissions Insurance Policy. (**Board Member Request**)
12. Presentation of Dropout Rate and include current programs implemented to decrease the dropout. (**Board Member Request**)

**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.

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

**XI. General Function:**

**A. Recommend approval of the following General Function Items:**

14. Recommend approval to adopt Update 85 Local and Miscellaneous Policies.

15. Recommend approval of policies CL Local, DB Local, DC Local, DCD Local, and DEC Local.
16. Recommend approval of the District's Energy Management Plan.
17. Recommend approval of Applications for Low Attendance Days for the 2009-2010 School year for several campuses on December 4, 2009 and for all district campuses on January 8, 2010.
18. Recommend approval of request to use BISD facilities for the dissemination of Census 2010 information.
19. Recommend approval of the BISD 2010-2011 and 2011-2012 school calendars.
20. Recommend approving purchase of side loader box as a separate component in the amount not to exceed \$115,572.75.
21. Discussion, consideration and possible action to review the current Re-roofing services contract and its application; specifically to Cummings Middle School and other projects. Review whether said application of said contract is in conformity with procurement procedures. **(Board Member Request)**

**B. Recommend approval of the following Payment:**

22. Recommend approval to pay ACR Engineering, Inc. \$4,653.77; Plagar Engineering LLC., \$13,100.00; Clean Air Solutions \$319,077.36; Texas Precisionaire Ltd. \$35,000.00; Texas Descon, L.P. \$31,564.00 for a grand total of \$403,395.13 to be paid from Local Maintenance Fund 199.
23. Recommend approval to pay Amtech Building Sciences \$4,905.00; Gomez Mendez Saenz, Inc. \$16,200.00; D. Wilson Construction \$1,181,609.06; JDS Construction Co., Inc. \$160,303.00; Metro Electric \$47,318.45; PHI Service Agency, Inc. \$35,246.60; Plagar Engineering, LLC., \$4,165.38; Raba-Kistner Consultants \$3,455.20; Scoggins Construction \$995,821.35; Terracon \$2,156.25; Texas Precisionaire \$15,500.00; Texas Descon, L.P., \$18,729.00 for a grand total of \$2,485,409.29 to be paid from Capital Project Funds 631, 632, 633, and 634.

**C. Recommend approval of the following Budget Amendments:**

24. Recommend approval of Budget Amendment #069 in the amount of \$16,564,909.00 for Fund 266 – ARRA State Fiscal Stabilization Funds. (Replacement funding)

**D. Recommend approval of the following Contracts/Agreements:**

25. Recommend approval of Change Order #001 to amend the Owner/Contractor agreement with JDS Construction Co. Inc., Weslaco, Texas for the Classroom Wing Addition at Canales Elementary School.
26. Recommend approval of Change Order #014 to amend the Owner/Contractor agreement with American Contracting U.S.A., Inc., Rio Hondo, Texas, for the Roof Replacement and

Repair at Hanna High School, Faulk & Stell Middle Schools, and El Jardin Elementary School.

27. Recommend approval to continue the contractual agreement for the Renewal and Maintenance of IEP-Plus software, licenses, and annual fees from SunGard Public Sector Inc. for the 2009-2010 school year. Services are to be rendered subject to the District's needs and funding.
28. Recommend approval to enter into an Interlocal Agreement with Region One Education Service Center to implement the Safe Schools Project with BISD for the 2009-2010 School year at a cost of \$59,488.00. Services are to be rendered subject to the District's needs and funding.
29. Recommend approval to renew the AVID Implementation Agreement for all BISD High Schools in the amount of \$18,150.00 from campus budgeted local and categorical funds for the 2009-2010 school year. Services to be rendered and items to be purchased are subject to the District's needs and funding.
30. Recommend approval to enter into this memorandum of understanding with the Cameron County Juvenile Justice Department effective January 2010.
31. Recommend that the district approve the Interlocal Cooperation Agreement which will benefit not only students attending Lucio Middle School and El Jardin Elementary, but other pedestrians as well.
32. Discussion, consideration and possible action regarding the memorandum of understanding for Danny Haro. **(Board Member Request)**
33. Discussion, consideration and possible action to review the District's Property, Windstorm and Hail Insurance for the period January 31, 2010 to January 31, 2011 to McGriff, Seibels and Williams, Inc., Houston, Texas. **(Board Member Request)**

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

34. Recommend approval RFP #10-080 Internet Services District-wide (E-Rate) to SmartCom Telephone, McAllen, TX, Time Warner Cable, Harlingen, TX., Tiagras Networks, McAllen, TX, ATT, McAllen, TX., Cogent, Dallas, TX and Washington D.C., and NetSpan, Richardson, TX. (Annual Proposal)
35. Recommend approval of RFP #10-082 Network Cabling and Equipment District-wide (E-RATE) to Calence, LLC Tempe, AZ, (McAllen, TX) (Annual Proposal)
36. Recommend approval of RFP #10-083 E-Mail Filtering Services Provider for Student Use District-Wide (E-RATE) to Gaggle.Net, Bloomington, IL. (Annual Proposal)
37. Recommend awarding RFP #10-088 Construction Services for the Central Warehouse/Maintenance/Records Management Complex to VCC, LLC, Edinburg, Texas, in the amount not to exceed \$8,150,694.00. Cost to be paid from Local Maintenance Fund 199.

38. Recommend approval of RFQ #10-063 to accept the negotiated fee with Gomez Mendez Saenz, Inc., Brownsville, Texas to provide architectural design services for Hanna and Porter High School Science Laboratory Classroom Renovations and Additions Project in the amount not to exceed 6% of \$4,088,385.00 or \$245,303.10 to be paid from the Science Laboratory Grant Program.
39. Recommend approval to accept the proposed negotiated fee for awarded RFQ #10-079 for Audit Services for the BISD Self-Funded Medical Health Plan to Claim Technologies Inc., of Des Moines, Iowa, for said services, not to exceed \$143,880.00 plus travel and out-of-pocket expenses per BISD Policy.

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

**A. PERSONNEL MATTERS:**

40. Presentation of **Retirements/Resignations.**
41. Recommend approval of probationary contractual personnel for the 2009-2010 school year – **Teachers.** Subject to receipt of all outstanding documentation.
42. Recommend approval of probationary contractual personnel for the 2009-2010 school year – **Dean of Instruction.** Subject to receipt of all outstanding documentation.
43. Recommend to approve the proposed termination of a term contract (2009-2010) and discharge an administrator for good cause. (J.M.)

**B. Consultation with Attorney:**

44. Consultation with attorney regarding pending or threatened litigation matters.
  - a. Discussion, consideration and possible action – Mario Gonzalez.
  - b. Discussion, consideration and possible action – EEOC Charge No.: 451-2008-02363 – Arthur Hayes.
  - c. Discussion, consideration and possible action – TEA Docket No.: 080-SE-1209; A.S. b/n/f Juanita R. vs. BISD.

**C. Real Property:**

45. Discussion of possible acquisition or sale of Real Property.

**(BOARD RECONVENES AFTER CLOSED MEETING)**

A41–43. Recommend approval on personnel matters discussed in Closed Meeting.

B44. Recommend approval on litigation matters discussed in Closed Meeting.

- a. Discussion, consideration and possible action – Mario Gonzalez.
- b. Discussion, consideration and possible action – EEOC Charge No.: 451-2008-02363 – Arthur Hayes.

- c. Discussion, consideration and possible action – TEA Docket No.: 080-SE-1209; A.S. b/n/f Juanita R. vs. BISD.

C45. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

**XIII. Announcement(s):**

- 46. **Next scheduled Board Meeting** of the Board of Trustees is on **February 2, 2010**, at the Administration Building at 5:30 p.m.

**XIV. Adjournment:**