



# Brownsville Independent School District

## Board Of Trustees

**Regular Board Meeting**  
**June 15, 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 June 15, 2010**, 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.
  - VII. Superintendent's Report**
    - A. Conference Presentations:**
      1. Presentation of "The Johnny N. & Nena S. Cavazos Athletic Scholarship Endowment" recipients.
      2. Presentation to board by Mrs. Deleon's students from Ortiz Elementary. (**Board Member Request**)
      3. Recognition of BISD students Kid's Voting Spring Activity Winners.
      4. Presentation on Update of BISD and FDIC "Money Smart" Program.
      5. Presentation on monthly report from the BISD Bond Oversight Committee. Bond Oversight Committee Meeting was held on June 3, 2010.

6. Presentation of the Brownsville Independent School District Financial Report for the period ended April 30, 2010.
7. Presentation on Notification of Contingency Fund Change Orders.

**B. Standing Board Agenda Items:**

8. Board Calendars.

**VIII. 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.

**IX. Closed Meeting: as pursuant to the Texas Government Code Section: 551.074 & 551.082**

**A. Level III Board Review and Grievance:**

9. Level III Grievance #010-09/10 - Rachel Ayala

**(Board Reconvenes After Closed Meeting)**

10. Board action on Level III Grievance #010-09/10 - Rachel Ayala

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

**X. Consent Agenda:**

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

11. Recommend approval of the 2010-2011 School Health Advisory Council Recommendations.
12. Recommend approval of the 2010-2011 Elementary, Middle, and High School Grading Procedures. (C/D)
13. Recommend granting approval for the reselling of foreclosed real property at private sale pursuant to Texas Tax Code §34.05 (i).
14. Recommend approval to accept from Mr. & Mrs. Johnny N. Cavazos, \$50,000.00 for "The Johnny N. & Nena S. Cavazos Athletic Scholarship Endowment."

15. Recommend approval to purchase additional installation, training, and consulting services from Sungard Public Sector for upcoming major upgrade in the estimated amount of \$92,400.00 from approved budgeted local and categorical funds for the 2010-2011 school year. Items and services to be purchased are subject to the district's needs and funding. (Sole Source)
16. Recommend approval to authorize administration to accept the HVAC Upgrades at Faulk and Stell Middle School as substantially complete.
17. Recommend approval of eight (8) certified and eight (8) classified positions for Veterans Memorial High School and Manzano Middle School at the daily rate prior to the start dates for the 2010-2011 school year.
18. Recommend approval to cancel the July 6, 2010, Regular Board Meeting due to scheduled holiday.
19. Presentation of PALL Program; discuss, review and possible action. **(Board Member Request)**
20. Review, discuss and possible action regarding Veterans Memorial High School 2<sup>nd</sup> floor safety issues. **(Board Member Request)**

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

21. Recommend approval to pay Pederson Construction Company Incorporated \$112,685.20; Raba-Kistner Consultants, Inc. \$4,662.80; Roth Construction, Inc. \$135,347.45; VCC, LLC \$404,852.95 for a grand total of \$657,548.40 to be paid from Local Maintenance Fund 199.
22. Recommend approval to pay D. Wilson Construction Company \$168,028.53; PHI Service Agency, Inc. \$9,298.60; Scoggins Construction Co. Inc. \$896,959.90 for a grand total of \$1,074,287.03 to be paid from Capital Project Fund 632 and 633.
23. Recommend approval to pay Gomez Mendez Saenz, Inc. \$183,977.32 for architectural design of 12 science classrooms (4 at Hanna and 8 at Porter High School) to be paid from Science Laboratory Grant Program.
24. Recommend approval to pay Ambiotec Civil Engineering Group, Inc. \$3,450.00; D. Wilson Construction Co. \$140,140.20; Raba-Kistner Consultants, Inc. \$2,642.91 for a grand total of \$146,233.11 to be paid from Local Maintenance Fund 199/Qualified School Construction Bond Fund.
25. Recommend that the Board approve payment of \$3,631.70 to the law firm of Jones, Galligan, Key & Lozano, L.L.P.
26. Recommend that the Board approve payment of \$87.50 to the law firm of Jones, Galligan, Key & Lozano, L.L.P.

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

27. Recommend approval of Budget Amendment #107 in the amount of \$362,000.00 for Fund 190 – QSCB Lease Revenue Construction Fund. (Additional Funding)

28. Recommend approval of Budget Amendment #108 in the amount of \$389,672.00 for Fund 276 – SIP Academy Fund. (Additional Funding)
29. Recommend approval of Budget Amendment #109 in the amount of \$149,988.00 for Fund 409 – Texas Ninth Grade Transition and Intervention Continuation Grant. (New Funding)

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

30. Recommend approval for BISD to enter into a District User License Agreement with the Region One Education Service Center for membership in the Region One Service Center Curriculum Collaborative in the amount not to exceed \$400,000.00 from categorical funds for the 2010-2011 school year. Funding is subject to the District's needs and funding.
31. Recommend approval for the annual software maintenance agreement for SunGard Business Plus Applications, SunGard Student Plus Applications, SunGard IEP PLUS Applications, Disaster Recovery Services for all SunGard Applications for an approximate cost of \$321,937.00.
32. Recommend approval to enter into an agreement with the Brownsville Public Utilities Board, Brownsville, Texas, to grant a Utility and Access Easement as described on the attached document.

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

33. Recommend rejection of Bid #10-132 Painting Supplies and Services District-wide and allow Administration to formulate new specifications and re-bid this service.

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

**A. PERSONNEL MATTERS:**

34. Presentation of **Retirements/Resignations.**
35. Recommend approval of Probationary Contractual Personnel for the 2010-2011 school year – **Teachers.** Subject to receipt of all outstanding documentation.
36. Recommend approval of Probationary Contractual Personnel for the 2010-2011 school year – **Assistant Band Directors.** Subject to receipt of all outstanding documentation.
37. Recommend approval of Probationary Contractual Personnel for the 2009-2010 and 2010-2011 school year – **Assistant Choir Director/Itinerant.** Subject to receipt of all outstanding documentation.
38. Recommend approval of Term – Chapter 21 Contractual Personnel for the 2010-2011 school year – **Counselor.** Subject to receipt of all outstanding documentation.
39. Recommend approval of Probationary Contractual Personnel for the 2010-2011 school year – **Counselor.** Subject to receipt of all outstanding documentation.

40. Recommend approval of Chapter 21 Contractual Professional Personnel for the 2010-2011 school year – **Principal – Stillman Middle School**. Subject to receipt of all outstanding documentation.
41. Recommend approval to pay a professional employee (K.J.) her current daily rate for interim assignment and duties.

**B. Consultation with Attorney:**

42. Consultation with attorney regarding pending or threatened litigation matters.
  - a. Discussion and consideration – Cause No. 2009-03-1648-I; Melvin F. Webb, Jr. vs. Brownsville Independent School District. In the 138<sup>th</sup> Judicial District Court of Cameron, County Texas.
  - b. Discussion and consideration - Joe Rodriguez vs. Brownsville ISD, Docket No. 056-R2-0510 and Docket No. 057-R10-0510.

**C. Real Property:**

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

**(BOARD RECONVENES AFTER CLOSED MEETING)**

- A35–41. Recommend approval on personnel matters discussed in Closed Meeting.
- B42. Recommend approval on litigation matters discussed in Closed Meeting.
  - a. Discussion, consideration and possible action – Cause No.: Cause No. 2009-03-01648-I; Melvin F. Webb, Jr. vs. Brownsville Independent School District. In the 138<sup>th</sup> Judicial District Court of Cameron, County Texas.
  - b. Discussion and possible action regarding Joe Rodriguez vs. Brownsville ISD, Docket No. 056-R2-0510 and Docket No. 057-R10-0510.
- C43. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

**XII. Announcement(s):**

*Note: If Item No. 18 is approved, the next scheduled Board Meeting will be held on July 20, 2010.*

44. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, July 6, 2010**, at the Administration Building at **5:30 p.m.**

**XIII. Adjournment.**