



# Brownsville Independent School District

## Board Of Trustees

**Regular Board Meeting**  
**October 20, 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 October 20, 2009**, with any corrections/deletions.
- VI.** Recommend approving the **minutes** of the **Regular Board Meeting of September 1, 2009**, with any corrections.
- VII.** Recommend approving the **minutes** of the **Special Called Board Meeting of September 18, 2009**, with any corrections.
- VIII. Superintendent's Report**
  - A. Conference Presentations:**
    1. Recognition of 2009 BISD Exemplary/Recognized Secondary Campuses.
    2. Recognition of 2009 TBEC Honor Roll School.
    3. Recognition of BISD Texas History Day Winner.

4. Presentation on monthly report from the BISD Bond Oversight Committee. Bond Oversight Committee Meeting was held on October 1, 2009.
5. Presentation of Brownsville Public Utilities Board 2009 ARRA Stimulus Funding Project.
6. Presentation of the Brownsville Independent School District Financial Report for the period ended August 31, 2009.
7. Presentation of Public Hearing – School FIRST (Financial Integrity Rating System of Texas)
8. Presentation of purchase of school buses for the Transportation Department.
9. Presentation of Notification of Contingency Fund Change Orders.
10. Presentation on attendance zones for 2010-2011.
11. Presentation on the development of an ADHOC Insurance Committee.
12. Presentation of Pace High School Parent; football tunnel. (Board Member Request)

**B. Standing Board Agenda Items:**

13. Board Calendars.

**IX. 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.

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

**A. Level III Parent Complaint:**

14. Level III Parent Complaint #001-09/10 – Robert and Kim Lee (on behalf of minor child B.L.)

**B. Level III Public Complaint:**

15. Level III Public Complaint #001-09/10 – Juanita Rodriguez (Parent Advocate) Patricia Martinez, Carmen Castillo, Lily Flores, Dora Guerra.

**(Board Reconvenes After Closed Meeting)**

16. Board action on Level III Parent Complaint #001-09/10 – Robert and Kim Lee (on behalf of minor child B.L.)
17. Board action on Level III Public Complaint #001-09/10 – Juanita Rodriguez (Parent Advocate) Patricia Martinez, Carmen Castillo, Lily Flores, Dora Guerra

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

**XI. Recommend approving the Consent Agenda - The Board has agreed upon and will not deliberate on the following agenda items.**

**XII. General Function:**

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

18. Recommend approval for one student, Eduardo Luna, and one sponsor, Daniel Jasso, from Pace High School, to participate in the Mid-America Fall Leadership Conference in Omaha, Nebraska, from October 28 to November 1, 2009. Career & Technology funding, not to exceed \$4,000, will cover all related costs. Services are to be rendered subject to the District's needs and funding.
19. Recommend approval to purchase additional installation, training, consulting services and custom modification programming from Sungard (Bi-tech) Public Sector in the amount not to exceed approved budgeted local and categorical funds for the 2009-2010 school year. Items and services to be purchased are subject to the district's needs and funding. (Sole Source)
20. Review and discuss possible action to ask Administration to allow Palmer Drug Abuse Program to present and ask BISD Employees if they are willing to contribute to the PDAP Organization through a payroll deduction. It will help service our community and student's who struggle with drug abuse. It would serve as an Intervention/Prevention. **(Board Member Request)**
21. Review, discuss, take possible action, and approve for BISD Board Members to dedicate their time and mentor minimum of three (3) students no more than five (5) students during their term as Board Member's to help students during their school years and work closely with Campus Staff to help the students who need mentoring and guidance. Students to mentor will be from all levels Elementary, Middle School and High School District wide including BLA, BAC and Lincoln Park. A vision and mission for success! All students matter and in our district everyone can learn. **(Board Member Request)**
22. Discussion, consideration and possible action to cancel Board Meeting of November 3, 2009, due to Washington Blue Ribbon Presentation for Southmost Elementary. **(Board Member Request)**

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

23. Recommend approval to pay South Texas Association of Schools for annual membership fees in the amount not to exceed \$13,846.15 for the 2009-2010 school year.
24. Recommend that the Board approve payment of \$14,785.85 to the law firm of Adams & Graham, L.L.P.
25. Recommend that the Board approve payment of \$22,522.45 to the law firm of Adams & Graham, L.L.P.
26. Recommend approval to pay ACR Engineering, Inc. \$124.00; Jimmy Closner & Sons Construction Co., Inc. \$65,057.40; Roth Construction, Inc. \$1,157,157.65; Texas Descon, L.P. \$335,007.00; ZIWA Corporation \$88,727.15 for a grand total of \$1,646,073.20 to be paid from Local Maintenance Fund 199.
27. Recommend approval to pay Gomez Mendez Saenz, Inc. \$8,100.00; Plagar Engineering, LLC \$9,417.38; PHI Service Agency, Inc. \$29,652.21; Raba-Kistner Consultants, Inc. \$4,656.53; Terracon Consulting, Inc. \$6,608.50; D. Wilson Construction Company \$2,241,857.50; JDS Construction Co., Inc. \$255,439.80; Pederson Construction Company, Incorporated \$171,266.06; Scoggins Construction Co., Inc. \$1,077,346.55; Texas Descon, LLC \$496,901.00 for a grand total of \$4,301,245.53 to be paid from Capital Project Funds 631, 632, and 633.
28. Recommend approval of payment in the amount of \$40,828.51 to SunGard (Bi-Tech) Public Sector for expenses that were incurred in non-compliance with Board Policy CH (Local).

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

29. Recommend approval of Budget Amendment #060 in the amount of \$4,723,237.00 for Fund 211 – ESEA Title I – Regular. (Additional Funding)
30. Recommend approval of Budget Amendment #061 in the amount of \$1,416,648.00 for Fund 255 – ESEA Title II, Part A-Teacher and Principal Training Recruiting Fund. (Additional Funding)

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

31. Recommend approval of the Clinical Affiliation Agreement between Brownsville Doctor's Hospital and Brownsville ISD to provide High School Health Science Technology students with clinical learning experiences for the 2009-2010, 2010-2011, and 2011-2012 school years. Services to be rendered subject to the District's needs and funding.
32. Recommend approval to enter into a Memorandum of Understanding with UTB/TSC Center of Civic Engagement for Kids voting USA campus and district-wide activities.
33. Recommend approval to enter into a Memorandum of Understanding with the City of Brownsville for the Storm Water Runoff Pollution Awareness Program for the 2009-2010 school year. Services and materials to be purchased are subject to the District's needs and funding.
34. Recommend approval to contract with The College Board for professional development workshops and materials in the amount not to exceed \$47,300.00 from budgeted local and

categorical funds for the 2009-2010 school year. Services to be rendered are subject to the District's needs and funding.

35. Recommend approval to enter into a Memorandum of Understanding between Cameron County Juvenile Justice Department and the Brownsville Independent School District for academic services to court-ordered juveniles from 14-17 years of age from budgeted categorical funds for the 2009-2010 school year in the amount not to exceed \$44,880.00. Services to be rendered subject to the District's needs and funding.
36. Recommend approval for four additional students to participate in the Real Estate License training and certification program with the University of Texas at Brownsville and Texas Southmost College within the limitations of the approved contract in the amount not to exceed \$22,800.00 (\$20,800.00 previously approved). Services to be rendered are subject to the District's needs and funding.
37. Recommend approval to increase the set aside for Supplemental Educational Services in the amount not to exceed \$5,800,000.00 (\$300,000.00 previously approved) from 211 ESEA – Title I, Part A Funds for the 2009-2010 academic school year. Services to be rendered are subject to the District's needs and funding.
38. Recommend approval to enter into a Memorandum of Understanding with Friendship of Women to provide a community awareness program to K-12<sup>th</sup> grade students, parents and school staff to promote respectful behaviors and prevent violent behaviors at school, home and community for the 2009-2010 school year at no cost to the District.
39. Recommend approval to enter into a Memorandum of Understanding between "GO Centers" in Brownsville I.S.D. and the University of Texas at Brownsville and Texas Southmost College "Performing Agency" and participating schools under Brownsville Independent School District for services for the 2009-2010 school year. Services are to be rendered at no cost to the District.
40. Recommend approval to enter into a Memorandum of Understanding between Brownsville I.S.D. and Rio Grande Valley Council, Inc., Brownsville, Texas, for implementation of "Positive Action" program in the BISD 2009-2010 school year. Services are to be rendered at no cost to the District.
41. Recommend approval to enter into a Memorandum of Understanding between Brownsville I.S.D. and Rio Grande Valley Council, Inc., Brownsville, Texas, for implementation of "Al's" Pals: Kids Making Healthy Choices for the 2009-2010 school year. Services are to be rendered at no cost to the District.
42. Recommend approval to enter into a Memorandum of Understanding between Brownsville I.S.D. and Tropical Texas Behavioral Health, Edinburg, Texas, for mental health services for the 2009-2010 school year. Services to be rendered at no cost to the District.

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

43. Recommend awarding Bid #10-075 for the Transportation Parking Lot Addition to Pederson Construction Co., Los Fresnos, Texas, in the amount not to exceed \$680,181.00 to be paid from Local Maintenance Fund 199.
44. Recommend approval to accept the negotiated fee for RFQ #08-034 Geotechnical Materials Testing Engineering Services District-Wide (Annual Contract) from Terracon Consulting Engineers, Inc., Pharr, Texas for the Villa Nueva and Hudson Elementary School New Wing Project in the amount not to exceed \$30,433.00 (\$24,448.00 previously approved) to be paid from Capital Project Fund 634.
45. Recommend awarding RFQ #10-063 Architectural Services for Hanna and Porter High School Science Laboratory Classroom Renovations and Additions Project to Gomez Mendez Saenz, Inc., Brownsville, Texas, to provide architectural services and to authorize administration to negotiate a fee for said services to be paid from Local Maintenance Fund 199.

**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:**

46. Presentation of **Retirements/Resignations.**
47. Recommend approval of **probationary contractual personnel for the 2009-2010** school year – **Teachers.** Subject to receipt of all outstanding documentation.
48. Recommend approval to increase the daily rate for three Adult Continuing Education non-certified full-time instructors.

**B. Consultation with Attorney:**

49. Consultation with attorney regarding pending or threatened litigation matters.
  - a. Discussion, consideration and possible action – EEOC Charge No.: 31C-2009-01487C/TWC Charge No.: 1A90891/Grievance – Hermelinda Gill-Martinez.

**C. Real Property:**

50. Discussion of possible acquisition or sale of Real Property.
  - a. Recommend final approval and adoption of Resolution No. 017-09/10 for the purchase of the real estate described below in the amount of \$72,000.00 (Seventy two Thousand Dollars) and to authorize the Board President to sign the resolution and all other appropriate documentation required for final closing. Commitment for title insurance in the District's favor in the amount of the purchase price is in place issued July 16, 2009 effective June 19, 2009 and reviewed by Counsel.

Lot Number Fifty (50), Block Number Thirty-Four (34), El Valle Grande Subdivision Section X, Cameron County, Texas recorded in Cabinet I, Slot 2248-B, Map Records of Cameron County, Texas.

**(BOARD RECONVENES AFTER CLOSED MEETING)**

- A47-48. Recommend approval on personnel matters discussed in Closed Meeting.

B49a. Recommend approval on litigation matters discussed in Closed Meeting.

C50a. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

**XIV. Announcement(s):**

**If item 22 is approved the next scheduled Regular Board Meeting will be held on Tuesday, November 17, 2009.**

51. **Next scheduled Board Meeting** of the Board of Trustees is on **November 3, 2009**, at the Administration Building at 5:30 p.m.

**XV. Adjournment:**