



Brownsville Independent School District

Board Of Trustees

Rescheduled Regular Board Meeting
December 8, 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 **Rescheduled Regular Board Meeting of December 8, 2009**, with any corrections/deletions.
- VI.** Recommend approving the **minutes** of the **Regular Board Meeting of October 20, 2009**, with any corrections.
- VII. Superintendent's Report**
 - A. Conference Presentations:**
 1. Recognition of 2009-2010 State Coordinated Approach to Child Health (CATCH) Champion award.
 2. Recognition of High School Marching Bands for UIL Pigskin Success.
 3. Recognition of Texas Association of Gifted and Talented Advocates of the Year.
 4. Recognition of BISD's 2009 Alliance/Merck Ciencia Scholar.
 5. Recognition of Texas BISD Bilingual Department Best Practices Award.
 6. Presentation on Public Reporting of Progress in Meeting Highly Qualified Teacher Requirements.

7. Review and discuss yearly fees and expenses for the use and assignment of district cell phones. **(Board Member Request)**
8. Presentation and discussion of Bi-Tech and Bio Metric Software Programs, include the participation of Human Resource Certified/Classified, Insurance and Payroll Departments. **(Board Member Request)**

B. Standing Board Agenda Items:

9. 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.

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

- IX.** 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.

X. General Function:

10. Consideration and approval of an order by the Board of Trustees of the Brownsville Independent School District appointing and confirming the Board of Directors to the Brownsville Independent School District Public Facility Corporation; authorizing the execution and delivery of a purchase contract and a lease agreement and related documents regarding the lease/purchase of certain school facilities from the Brownsville Independent School District Public Facility Corporation; authorizing the sale of certain land and improvements to such Corporation for the site of these school facilities; approving the contribution of School District funds relating to the sale of this land and improvements, consenting to the execution and delivery by the Corporation of a mortgage, a security agreement, and a trust agreement and the delivery of bonds pursuant thereto; approving the distribution of an Official Statement pertaining to the Corporation's bonds; and containing provisions necessary and incidental to the purposes hereof.

- XI.** Recess the Brownsville Independent School District Board of Trustees Rescheduled Regular Board Meeting for the Brownsville Independent School District Public Facility Corporation Board of Directors Meeting.

(Board Reconvenes After Brownsville Independent School District Facility Corporation Board of Directors Meeting)

A. Recommend approval of the following General Function Items:

11. Recommend approval for two students, Luis Garcia and Richard Benavides, and one sponsor, Andy Miller, from Porter High School, to participate in the Arecibo Remote Command Center (ARCC), in Washington, D.C., from January 4-8, 2010, so they may present a research project.
12. Recommend approval for the BISD choir students to travel to Denver, CO to perform with the SWCDA Honors Chorus on February 23-28, 2010, in the amount not to exceed \$1,180.00 from local funds for the 2009-2010 school year.
13. Recommend approval to add an Audio Visual Technology Lab Aide position at Lopez High School to assist in instruction for the 2009-2010 school year. Services to be rendered are subject to the District's needs and funding.
14. Recommend approval of the Internal Audit Plan for the year 2010.
15. Recommend approval of Change Order #1 to amend the Owner/Contractor agreement with Metro Electric, McAllen, Texas, for the Fire Alarm Upgrades Phase II-Package 2 at Burns, Cromack, El Jardin, Garden Park, Longoria, Martin, Perez, Southmost and Clearwater Elementary Schools.
16. Recommend approval to authorize administration to accept the Roof Replacement and Repairs Project at Hanna High School, Faulk and Stell Middle Schools and El Jardin Elementary School as substantially complete.
17. Recommend approval of seven (7) certified and two (2) classified positions for Veterans Memorial High School for the 2009-2010 school year.
18. Recommend appointing the Superintendent, a Representative, and an Alternative Representative to serve on the Imagine Brownsville Executive Committee.
19. Recommend adopting the organizational documents of the newly formed Ad hoc Insurance Committee with recommended changes.

B. Recommend approval of the following Payment:

20. Recommend approval to pay ACR Engineering, Inc. \$1,452.56; Gignac Associates Architects, LLP \$28,997.93; Raba-Kistner Consultants, Inc. \$695.04; Rike Ogden Figueroa Alex Architects \$14,493.00; CAS Companies, LP \$97,787.10 for a grand total of \$143,425.63 to be paid from Local Maintenance Fund 199.
21. Recommend approval to pay Raba-Kistner Consultants, Inc. \$6,072.43; Terracon Consultants, Inc. \$6,077.50; American Contracting USA, Inc. \$203,485.36 for a grand total of \$215,635.29 to be paid from Capital project Funds 631, 632, 633, and 634.

C. Recommend approval of the following Budget Amendments:

22. Recommend approval of Budget Amendment #067 in the amount of \$64,998.00 for Fund 427 – State Funded Special Revenue Fund for Security Services Department. (New Funding)

23. Recommend approval of Budget Amendment #068 in the amount of \$5,000,000.00 for Fund 162 – State Compensatory Education. (Categorical Fund Balance)

D. Recommend approval of the following Contracts/Agreements:

24. Recommend approval for the Administration to continue collaborative service agreements with the Historic Brownsville Museum, Gladys Porter Zoo, Brownsville Historical Association (Stillman House Museum), Brownsville Museum of Fine Art and the Brownsville Barnstormers Flying Museum in the amount not to exceed \$129,000.00 from budgeted Local Maintenance Funds. (Annual Agreement)
25. Recommend approval to renew Sungard Public Sector Disaster Recovery Services Addendum as an extension of the current Sungard Bi-tech Annual Support Agreement in the amount of \$8,833.35 from Local Maintenance Funds for the 2009-2010 school year.
26. Recommend approval to renew the support for Student Accounting System with the Pentamation software support agreement in the amount of \$33,891.00 from Local Maintenance Funds for the 2009-2010 school year.

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

27. Recommend awarding RFP #10-073 for ADA and TAS/TDLR Consulting and Inspection Services (Annual Contract) to K + architects, Brownsville, Texas, to provide consulting and inspection services 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.
28. Recommend awarding RFQ #10-077 Civil Engineering Services-Design, Surveying, and Topography Services (Annual Contract) to Ambiotec Civil Engineering, Inc. and Plagar Engineering, LLC, Brownsville, Texas to provide civil engineering services 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.
29. Recommend awarding RFP #10-097 Construction Services for New Elementary School #144-Daniel Breeden Elementary School from the attached list of Contractors submitting proposals. Administration will recommend based on highest ranked contractor, providing the best value to the District.

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:

30. Presentation of **Retirements**.
31. Recommend approval of **probationary contractual personnel** for the 2009-2010 school year – **Teachers**. Subject to receipt of all outstanding documentation.
32. Recommend approval of **term – chapter 21 contractual personnel** for the 2009-2010 school year – **Educational Diagnostician**. Subject to receipt of all outstanding documentation.
33. Recommend approval to pay a professional employee (G.M.) a pro-rated science stipend (\$1,000.00) that was earned during the 2008-2009 school year.

34. Information and discussion on Superintendent's Sole Finalist, Brett Springston's, contract. **(Board Member Request)**

B. Consultation with Attorney:

35. Consultation with attorney regarding pending or threatened litigation matters.
 - a. Consultation with attorney regarding Brownsville ISD vs. Office of the Attorney General of the State of Texas, Cause No. D-1-GN-09-001082, in the District Court 353rd Judicial District, Travis County, Texas. Texas Government Code section 551.071.
 - b. Consultation with Attorney regarding Brownville ISD vs. Office of the Attorney General of the State of Texas, Cause No. D-1-GN-09-001387, in the District Court 200th Judicial District, Travis County, Texas. Texas Government Code section 551.071.

C. Real Property:

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

(BOARD RECONVENES AFTER CLOSED MEETING)

A31–33. Recommend approval on personnel matters discussed in Closed Meeting.

B35. Recommend approval on litigation matters discussed in Closed Meeting.

- a. Discussion and possible action regarding Brownsville ISD vs. Office of the Attorney General of the State of Texas Cause No. D-1-GN-09-001082, in the District Court 353rd Judicial District, Travis County, Texas.
- b. Discussion and possible action regarding Brownsville ISD vs. Office of the Attorney General of the State of Texas Cause No. D-1-GN-09-001387, in the District Court 200th Judicial District, Travis County, Texas.

C36. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

XIII. Announcement(s):

37. **Next scheduled Board Meeting** of the Board of Trustees is on **Tuesday, December 15, 2009**, at the Administration Building at 5:30 p.m.

XIV. Adjournment.