

No. _____



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC _____ Board Minutes _____

SUBMITTED BY: _____ Karen Winch _____ **OF:** _____ Board Secretary _____

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____ April 22, 2009 _____

RECOMMENDATION:

It is recommended that the United ISD Board of Trustees take action to approve Board Meeting minutes:

Regular Board Meeting – March 25, 2009

RATIONALE:

State law requires the Board to prepare and keep minutes of its open meeting.

Govt. Code §551.021. The minutes are public records available for public inspection and copying upon request to the Superintendent or his designee. Govt. Code § 551.022.

BUDGETARY INFORMATION:

No Budget Impact

BOARD POLICY REFERENCE AND COMPLIANCE:

This is in compliance and in accordance with Board Policy BE and BE (LOCAL).

Regular Meeting
The State of Texas
United Independent School District
The County of Webb

March 25, 2009

In Attendance

Roberto J. Santos, Superintendent of Schools

Board of Trustees

Pat Campos – President
Juan A. Molina, Jr. – Vice President – absent
Juan Roberto Ramirez – Secretary
Ricardo Molina, Sr. – Parliamentarian
Judd Gilpin – Member-absent
William "Bill" Johnson – Member
Ricardo "Rick" Rodriguez – Member

I. Roll Call, Establish Quorum. Call to Order.

II. Pledge of Allegiance

III. An announcement was made by the Board President calling the meeting of the United Independent School District to order at 6:31 p.m. The record showed that a quorum of Board members was present, that the meeting had been duly called, and that notice of the meeting had been posted in accordance with the Texas Open Meeting Act, Texas Government Code Chapter 551.

IV. Recognitions

Ms. Leticia Leal, Coordinator – Fine Arts Coordinator introduced several students and teachers who had garnered honors in various areas of competition.

A. Gutierrez Elementary School – "Mi Mexico" Calendar Contest hosted by Mexican/American Consulate

Yunnuen Olmedo 5th grade student at Gutierrez won the "Mi Mexico" Calendar Contest. Ms. Cindy Sherwood, Art teacher was also recognized.

B. Trautmann Middle School – 5th Place Chair – High School All Region Band Competition

Ji Eun (Kelly Lee) was recognized. It was noted that this was the first time that a middle school student received this honor. Mr. Jorge Garcia, Band Director was also recognized.

C. Clark Middle School – UIL’s One Act Play – 1st place District Winners
Cast Members of the Clark Middle School UIL’s One Act Play were recognized along with director Jodie Palacios.

D. Lyndon B. Johnson High School Dance Team – Showmakers of America Texas State Competition Ranked 1st place in Region and 2nd place in State

The Lyndon B. Johnson High School Dance Team, Dream Catchers, and their sponsor, Ms. Jennifer Brewster were recognized.

E. Lyndon B. Johnson High School Cheerleaders – 2nd Place Varsity Co-Ed Division and Showmanship Award

The Lyndon B. Johnson High School Cheerleaders and their sponsors, Diana Benavides and Ilse Benavides were recognized.

V. Public Comments. Ms. Campos read the following statement.

Comments are limited to three minutes per speaker. The Board Parliamentarian will be the timekeeper and will inform the speaker when they have one (1) remaining minute. No more than three (3) persons will be allowed to speak on any side of an issue. Should there be more than three (3) people who wish to speak on a particular issue they need to select not more than three (3) representatives to speak for them. Comments must address items listed on the agenda. The presiding officer or designee shall determine whether a person who wishes to address the Board has attempted to solve a matter administratively. If not, the person shall be directed to the appropriate policy, as noted in BED (LOCAL), to seek resolution before bringing the matter to the Board at a subsequent meeting. Pursuant to 551.042 of the Texas Government Code., no Board Member or Administrator may respond to a member of the public, unless such response is a recitation of District policy or a statement of specific factual information.

VI. Closed Session. The Board adjourned into closed session at 6:48 p.m., pursuant to the following sections of the Texas Open Meetings Act:

A. 551.071 Consultation with Board's Attorney

551.074 Discussion of Personnel or to Hear Complaints against Personnel

1. Discussion, including consultation with legal counsel, re: proposed non-renewal of term contract classroom teacher(s).

2. Appeal Hearing of Mario Hinojosa

3. Discussion re: Superintendent Duties and Responsibilities; update on pending personnel investigations

B. 551.071 Consultation with Board's Attorney

551.072 Discussion on the Purchase, Exchange, Lease or Value of Real Property

Discussion of Proposals for Sale and/or Acquisition of real Property

- 1. Discussion, including consultation with legal counsel, re: possible purchase of real property located at Emerald Riverview Development, which said real property is 90 Acres +/- Out of 1,319.40 Acres of Emerald Riverview Development, LTD., (VOL. 2557, PGS. 823-838, W.C.D.R.)**
 - 2. Report on the offer of donation of 10 acres from one of two sites from San Isidro Northeast, Ltd. in the San Isidro Northeast area north of Bob Bullock Loop 20 and part of International Boulevard North of Loop 20 as set forth in Exhibit "A".**
 - 3. Report on and discussion of possible action pertaining to Four Winds, Ltd. as to the completion of street improvements as called for by the Contract dated March 21, 2007 pertaining to the street identified in Exhibit "B".**
 - 4. Report on status of negotiations by and between United Independent School District and Jacaman Investment Group, Ltd., et al pertaining to the extension of the road along the northerly portion of Tracts e25 and e26 commencing at the Loop 20 and proceeding eastward on the east side of the creek, and being more particularly described on the attached Exhibit "C".**
 - 5. Report on status of negotiations and consideration of terms for Earnest Money Contract and discussion of possible action pertaining to the purchase of approximately 95 acres to be acquired as three non-contiguous separate tracts from Verde Corporation as Trustee of the N.D. Hachar Trust located off of FM-1472 (Mines Road) East of Pico Road of Mines Road north approximately 900 lineal feet Southwest of IH-35 identified as T-Q by Verde Corporation.**
 - 6. Report on and discussion of possible action and approval of Second Amendment to the Settlement Agreement pertaining to extending the closing deadlines as stated on the Settlement Agreement and Release of All Claims in Cause No. 2006-CVQ-001884-C1, styled United Independent School District vs. Killam Ranch Properties, Ltd., a Texas Limited Partnership, et. al., in the County Court at Law No. 1, Webb County, Texas.**
- C. 551.074 Discussion of Personnel or to Hear Complaints against Personnel**
- 551.076 Considering the deployment, specific occasions for, or implementation of, security personnel or devices**

1. Discussion re: Status Report on all Pending Audits being conducted by the Internal Auditor.

VII. The Board reconvened from Closed Session at 9:33 pm. The Board took appropriate action on items, as necessary, as discussed in Closed Session.

A. Action re: proposed non-renewal of term contract classroom teacher(s), and authorization to Superintendent to send notice of proposed non-renewal and approval to have Board of Trustees conduct requested hearings

Mr. Santos recommended that the Board accept the proposed non-renewal of term contract for Arturo Martinez at the end of the 2008-2009 school year for reasons discussed in closed session. Additionally, Mr. Santos asked for the Board to authorize the Superintendent to send the notice of the proposed non-renewal to Arturo Martinez and to have the Board of Trustees conduct a hearing if requested by Arturo Martinez.

Moved by: Johnson
Seconded by: Ramirez
Discussion: None
In Favor: Unanimous

B. Action re: Appeal Hearing of Mario Hinojosa

Motion: I move to uphold administration's decision to terminate Mario Hinojosa's employment with the district.

Moved by: Ramirez
Seconded by: Johnson
Discussion: None
In Favor: Unanimous

C. Discussion and possible action with pertaining to the acceptance of the donation from San Isidro Northeast, Ltd. of an approximate 10 are tract of land north of Bob Bullock Loop 20 and east of International Boulevard North of Loop 20 as set forth in Exhibit "A".

Motion: Recommend to the board to authorize negotiations and a development agreement as discussed in closed session and to accept the donation pursuant to the development agreement as discussed in closed session.

Moved by: Johnson
Seconded by: Ramirez
Discussion: None
In Favor: Unanimous

D. Consideration and possible action with respect to Four Winds, Ltd. As to the completion of street improvements as called for by the Contact dated March 21, 2007 and request for final drew and payment pertaining to the street identified in Exhibit "B".

No Action necessary.

E. Discussion and possible action pertaining to United Independent School District and Jacaman Investment Group, Ltd., et al pertaining to the extension of the road along the northerly portion of Tracts e25 and e26 commencing at Loop 20 and proceeding eastward on the east side of the creek, more particularly described on the attached Exhibit "C".

Motion: Recommend to the Board to authorize negotiations and to authorize a survey as discussed in closed session.

Moved by: Johnson
Seconded by: R. Molina
Discussion: None
In Favor: Unanimous

F. Discussion and possible action concerning the execution of an Earnest Money Contract and possible purchase of approximately 95 acres to be acquired as three non-contiguous separate tracts from Verde Corporation as Trustees of the N.D. Hachar Trust located off of FM 1472 (Mines Road) East of Pico Road and West of IH-35 identified as T-Q by Verde Corporation.

Motion: Recommend to the Board to authorize negotiations and terms for an Earnest Money Contract and pertaining to the purchase of property as discussed in closed session.

Moved by: R. Molina
Seconded by: Johnson
Discussion: None
In Favor: Unanimous

G. Consideration and possible action pertaining to approval of Second Amendment to the Settlement Agreement pertaining to extending the closing deadlines as stated on the Settlement Agreement and Release of All Claims in Cause No. 2006 –CVQ-001884-C1, styled United Independent School District vs. Killam Ranch Properties, Ltd. a Texas Limited Partnership, et. Al., in the County Court at Law No. 1, Webb County, Texas.

Motion: Recommend to the Board to authorize negotiation of Second Amendment to Settlement Agreement pursuant to the terms discussed in closed session.

Moved by: R. Molina
Seconded by: Johnson
Discussion: None
In Favor: Unanimous

VIII. Consent Agenda Items

Mr. Johnson addressed the Board saying the Business and Instructional Committees met the previous Tuesday and recommended the approval of the following items.

A. Approval of Monthly Disbursement

- B. Approval of Tax Refunds**
- C. Approval of Awarding Bids, Proposals and Qualifications**
- D. Second Reading of Policy CFB (LOCAL): Accounting Inventories**
- E. Second Reading of Policy DEAA (LOCAL): Compensation and Benefits – Incentives and Stipends**
- F. Second Reading of Revised Policy DGBA (LOCAL): Personnel Management Relations-Employee Complaints/Grievances**
- G. Second Reading of Policy EEJB (LOCAL): Individualized Learning-Credit By Examination without Prior Instruction**
- H. Approval of Request from Pat Campos for Use of Board of Trustees Discretionary Funds for Newman Elementary School for \$8,721.20**
- I. Approval of Request from Juan Roberto Ramirez for Use of Board Discretionary Funds for Finley Elementary School for \$17,700.00**
- J. Approval of Request from Ricardo Molina for Use of Board Discretionary Funds for Juarez-Lincoln Elementary School for \$7,000.00**
- K. Approval of Request for Competitive Sealed Proposals (CSP) as the solicitation method of procurement for the Removal of Existing Fuel Storage Tanks and Installation of Above-Ground Fuel Storage Tanks at the North Transportation Complex, Traffic Safety and Drainage Improvements at LBJ High School, and Handicap Accessibility Improvements at Krueger Stadium**
- L. Request for Approval of Income Tax Accounting Course**
- M. Request for Approval of E-Commerce Marketing Course**

Moved by: Johnson
 Seconded by: Ramirez
 Discussion: None
 In Favor: Unanimous

IX. Items for Individual Consideration

Ms. Campos addressed the Board to recommend approval of the following items:

- A. Board Minutes**
 - 1. Board Workshop – February 10, 2009**
 - 2. Special Called Meeting – February 12, 2009**
 - 3. Regular Board Meeting – February 16, 2009**

4. Board Workshop – February 24, 2009

5. Special Called Meeting – February 24, 2009

Motion: Approve the minutes for the aforementioned dates.

Moved by: R. Molina
Seconded by: Ramirez
Discussion: None
In Favor: Unanimous

B. Donations

Mr. Santos read the donations totaling \$5,209.30 into the record and thanked all for their generous donations.

Motion: So move.

Moved by: Ramirez
Seconded by: Johnson
Discussion: None
In Favor: Unanimous

C. Approval of CSP 006-2009 Soccer Field for LBJ High School and related Budget Amendment to Cover Costs

Motion: I move to table Items IX-C and IX-D.

Moved by: R. Molina
Seconded by: Johnson
Discussion: None
In Favor: Unanimous

D. Approval of Option I or 2 of Board Policy CH (LOCAL) – Purchasing and Acquisition

Motion: Tabled

Moved by: R. Molina
Seconded by: Johnson
Discussion: None
In Favor: Unanimous

E. First and Final Reading of Policy DC (LOCAL) –Employment Practices

Motion: Accept as presented.

Moved by: Johnson
Seconded by: Ramirez
Discussion: None
In Favor: Unanimous

**F. First Reading of Policy FNF (LOCAL)- Student Rights and Responsibilities:
Interrogations and Searches**

**G. First Reading of Policy GKD (LOCAL) – Community Relations- NonSchool
Use of School Facilities**

**H. First Reading of GKDA (LOCAL) – NonSchool Use of School Facilities –
Distribution of Non School Literature**

Items IX-F, IX-G and IX-H were first readings and did not require action.

X. Adjournment

There being no further business before the Board of Trustees, the Regular Meeting of March 25, 2009 was adjourned at 9:47 p.m.

Moved by: Johnson
Seconded by: Ramirez
Discussion: None
In Favor: Unanimous

Pat Campos – President

Juan Roberto Ramirez, Secretary