

No. _____



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC Board Minutes

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

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: March 26, 2008

RECOMMENDATION:

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

February 20, 2008 - Regular Board Meeting

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

February 20, 2008

In Attendance

Roberto J. Santos, Superintendent of Schools

Board of Trustees

John M. Bruce – President
Ricardo Molina – Vice President
Juan Molina – Secretary – arrived 5:04 p.m.
Pat Campos – Parliamentarian
Francisco "Pancho" Gonzalez
William "Bill" Johnson – Member
Juan Roberto Ramirez – Member

A Regular meeting of the Board of Trustees of United ISD will be held Wednesday, February 20, 2008, beginning at 5:03 P.M. in the United ISD -Student Activity Complex, Fine Arts Building, 5208 Santa Claudia Lane, Laredo TX 78043.

- 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. The record showed that a quorum of Board Members was present, that the meeting was been duly called, and that notice of the meeting was posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.**
- IV. Public Comments: 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.

No one came forward to speak during Public Comments.

- V. Closed Session: The Board adjourned into Closed Session at 5:03 p.m. pursuant to the following sections of the Texas Open Meetings Act:**
- A. 551.071 Consultation with Board's Attorney**
 - B. 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. 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 one tract or as several contiguous or noncontiguous separate tracts from Verde Corporation as Trustee of the 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.**
 - 2. Report on status of donation of a 10-acre tract for an elementary school north of Loop 20 and east of McPherson Boulevard and just east of the extension of International Boulevard north of Loop 20 from *San Isidro* Northeast, Ltd.**
 - 3. Report on and discussion of possible action pertaining to the request that the United Independent School District accept Four Winds, Ltd. Letter Agreement for a six-month extension to complete the development called for by the Real Estate Sales Contract and Joint Development Agreement executed by Four Winds, Ltd. and the United Independent School District on or about March 21, 2007.**
 - 4. Report on and discussion of possible action pertaining to the approval of a 20' wide utility easement for the City of Laredo to install a 16" diameter water line to the water tower that is under construction at the Four Winds, Ltd. Property purchased by the United Independent School District by Warranty Deed dated June 26, 2007 and recorded in Volume 2391, pages 646-652, Webb County Official Public Records.**

5. Report and possible action on participation in the construction of the Sinatra Road east of Loop 20 pursuant to an agreement with John S. Jacaman, Ltd. and the United Independent School District dated September 15, 1995.

6. Report and possible action with respect to status of negotiations for the purchase for an approximate 12-acre tract of land, in the *Lomas Del Sur* Subdivision in Webb County, from A & W Real Estate 1, Ltd. and obtaining an appraisal and survey incident to sending an offer of purchase.

7. Deliberate and consult with counsel on legal issues pertaining to a request by Cielito Lindo, Ltd. and its affiliate, CL Commercial Investments, Ltd., to amend a restrictive covenant and reversionary interest set forth in a 1999 deed executed by United ISD to Cielito Lindo, Ltd. for 9.8 acres of land in Webb County, Texas, recorded at Volume 789, Page 747, Webb County Property Records.

B. 551.074 Discussion of Personnel or to Hear Complaints against Personnel

1. Consider Appointment of Principal for Radcliffe and Sue Killam Elementary
2. Consider Appointment of Director of Technology Services
3. Level III Grievance of Roberto Villarreal

VI. The Board reconvened from Closed Session at 6:44 p.m., and took appropriate action on items, as necessary, as discussed in Closed Session.

Mr. Juan Cruz, U.I.S.D. General Counsel, advised the Board that there was no recommendation on Items VI-A and VI-B.

- A. Discussion and Possible Action concerning the execution of an Earnest Money Contract and possible purchase of an approximate 95-acre tract to be acquired as one tract or as contiguous or noncontiguous separate tracts from Verde Corporation as Trustee of the 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.

- B. Discussion and Possible Action concerning the donation of a 10acre tract for an elementary school north of Loop 20 and east of McPherson

Boulevard and just east of the extension of International Boulevard north of Loop 20 from *San Isidro* Northeast, Ltd.

C. Discussion and Possible Action on the request that the United Independent School District accept Four Winds Letter Agreement for a six-month extension to complete the development called for by the Real Estate Sales Contract and Joint Development Agreement executed by Four Winds, Ltd. and the United Independent School District on or about March 21, 2007

Mr. Cruz advised the Board that with respect to agenda Item VI-C, the recommendation was to approve the request from Four Winds Letter Agreement for a six-month extension to complete the development called for by the Real Estate Sales Contract and Joint Development Agreement executed by Four Winds, Ltd. and the United Independent School District on or about March 21, 2007, as discussed in Closed Session.

Motion: So move.

Moved by: Campos

Seconded by: Ramirez

Discussion: None

In Favor: Unanimous

D. Discussion and Possible Action on request that the United Independent School District approve the 20' wide utility easement for the City of Laredo to install a 16" diameter water line to the water tower that is under construction at the Four Winds, Ltd. Property purchased by the United Independent School District by Warranty Deed dated June 26, 2007 and recorded in Volume 2391, pages 646-652, Webb County Official Public Records.

Mr. Cruz advised the Board that with respect to Item VI-D, the recommendation was to approve the request that the United Independent School District approve the 20' wide utility easement for the City of Laredo to install a 16" diameter water line to the water tower that is under construction at the Four Winds, Ltd. Property purchased by the United Independent School District by Warranty Deed dated June 26, 2007 and recorded in Volume 2391, pages 646-652, Webb County Official Public Records, as discussed in Closed Session.

Motion: So move.

Moved by: Gonzalez

Seconded by: Ramirez

Discussion: None

In Favor: Unanimous

E. Discussion and Possible Action concerning executing an Earnest Money Contract for an approximate 12-acre tract of land, in the *Lomas Del Sur* Subdivision in Webb County, from A & W Real Estate 1, Ltd. and obtaining an appraisal and survey incident to sending an offer of purchase.

Mr. Cruz addressed the Board saying with the recommendation was to approve the appraisal and survey incident to the A & W Real Estate 1 Ltd., as discussed in Closed Session.

Motion: So move.

Moved by: Gonzalez
Seconded by: J. Molina
Discussion: None
In Favor: Unanimous

F. Discussion and Possible Action pertaining to the United Independent School District's participation in the construction of the extension of Sinatra Road east of Loop 20 pursuant to an agreement with John S. Jacaman, Ltd. and the United Independent School District dated September 15, 1995.

Mr. Cruz said there was no recommendation with respect to Item VI-F.

G. Discuss and take appropriate action on a request by *Cielito Lindo*, Ltd. and its affiliate, CL Commercial Investments, Ltd., to amend a restrictive covenant and reversionary interest set forth in a 1999 deed executed by United ISD to *Cielito Lindo*, Ltd. for 9.8 acres of land in Webb County, Texas, recorded at Volume 789, Page 747, Webb County Property Records.

Mr. Cruz advised the Board that the recommendation was to approve the request by *Cielito Lindo*, Ltd. and its affiliate, CL Commercial Investments, Ltd., to amend a restrictive covenant and reversionary interest set forth in the 1999 deed executed by United ISD to *Cielito Lindo*, Ltd. for 9.8 acres of land in Webb County, Texas, recorded at Volume 789, Page 747, Webb County Property Records, subject to TEA (Texas Education Agency) approval.

Motion: So move.

Moved by: Campos
Seconded by: Ramirez
Discussion: None
In Favor: In Favor

H. Appointment of Principal for Radcliffe and Sue Killam Elementary

Mr. Santos addressed the Board saying that Ms. Linda Vera, current principal at Clark Elementary, was being reassigned to Killam Elementary. He said she has come from a campus that is Recognized, and she will do very well.

Mr. Gonzalez responded that it was not right that Mr. Santos reassign someone when he proposed to hire someone and requested applications from principals or people interested in becoming principals. Mr. Gonzalez said in his opinion, it is wrong and that it occurred because the person Mr. Santos was recommending was not the person being recommended by the Board.

Mr. Bruce commented that, under statute and under the Superintendent's contract, it is within his authority to take such action. Mr. Gonzalez responded that it was put on the agenda, and the Board received a packet with four persons' names. He said then none of the four were selected. Mr. Gonzalez asked why do we have a double standard? He said he could understand if Mr. Santos had decided to reassign someone from day one, but when you go through the motions and then back off, it's because he didn't get the person he wanted. He asked why it came about so late.

Mr. Bruce again commented that the lateral transfer is within the Superintendent's authority and no action can be taken on the Board's part. Mr. Gonzalez said he would like an Attorney General's opinion because it was posted on the agenda item. Mr. Bruce said they could not do that unless there is an agenda item, and the Board would have to take action because the District will be charged for it. Mr. Gonzalez asked that it be put for the next month's agenda item. Mr. Cruz clarified that the Attorney General's opinion will only come from a novel question of law which is something new and not a specific issue with respect to a personnel employment issue in a school district. Mr. Gonzalez continued by saying it was new because it was an agenda item that had been jumped over an administrative right and that he is an elected official and this (decision) was affecting his district and, therefore, he was requesting this from the Board. Mr. Bruce said they could have it as an agenda item at the next meeting for discussion.

I. Appointment of Director of Technology Services

Mr. Santos addressed the Board saying his recommendation for the Director of Technology Services was Rene Fernando Cruz.

Motion: So move.

Moved by: Gonzalez

Seconded by: R. Molina

Discussion: None

In Favor: Unanimous

J. Action Regarding Level III Grievance of Roberto Villarreal

Mr. Cruz advised the Board that the recommendation was authorize legal counsel to proceed, as discussed in Closed Session.

Motion: So move.

Moved by: Campos

Seconded by: Gonzalez

Discussion: None

In Favor: Unanimous

VII. Superintendent's Report

A. Review of LEGAL Policies in Update 82

Mr. Santos addressed the Board saying these were updates and provided to the Board as an information item.

VIII. Consent Agenda Items

Mr. J. Molina advised the Board saying both committees (Business and Instruction) had met the previous week and recommended approval of the following items A through G:

- A. Approval of Monthly Disbursements**
- B. Approval of Budget Amendments**
- C. Approval of Tax Refunds**
- D. Approval of Awarding of Bids, Proposals, and Qualifications**
- E. Board Travel for the Month of February 2008**
- F. Approval of 20' Wide Utility Easement for Future 16" Diameter Water Line to Water Tower**
- G. Approval to Award remainder of work under RFP 2004-056 Network Equipment & Data Cabling Services (E-Rate 8) from Presidio Corporation to SBC Global Service Incorporated DBA AT&T Global Services**

Motion: So move.

Moved by: Gonzalez

Seconded by: Ramirez

Discussion:

Mr. Johnson advised the Board president that he would be unable to go on the trip. Mr. Santos said they had already removed it.

In Favor: Unanimous

IX. Items for Individual Consideration

A. Board Minutes

- 1. Public Notice 1-23-08**
- 2. Regular Meeting 1-23-08**

Motion: So move.

Moved by: Ramirez

Seconded by: J. Molina

Discussion: A correction was noted on the date needing to be changed to 1-23-08.

Mr. Bruce asked for a motion on the minutes with corrections.

Motion: So move.

Moved by: J. Molina

Seconded by: R. Molina

Discussion: None

In Favor: Bruce, Campos, Johnson, J. Molina, R. Molina, Ramirez

Abstain: Gonzalez

B. Donations

Mr. Santos read the donations totaling \$40,632.61 Into the record and thanked the donors for their generous donations.

Motion: So move.

Moved by: Ramirez

Seconded by: R. Molina

Discussion: None

In Favor: Unanimous

C. Discussion/Action re: Hiring of External Auditor or Personnel from Crime Stoppers of Texas to Audit UISD Crime Stoppers Program

Motion: So move.

Moved by: Gonzalez

Seconded by: R. Molina

Discussion: None

In Favor: Unanimous

Mr. Cruz asked Mr. Bruce to please meet to the Superintendent to clarify what audit he wanted to be conducted.

D. Award of New Three(3) Year Delinquent Tax Contract to the Firm of Ornelas, Castillo and Ornelas

Motion: So move.

Moved by: R. Molina

Seconded by: Ramirez

Discussion: None

In Favor: Unanimous

E. First Reading of LOCAL Policies in Update 81

- 1. BDAE - OFFICERS AND OFFICIALS -DUTIES AND REQUIREMENTS OF DEPOSITORY**
- 2. DGBA – PERSONNEL MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS / GRIEVANCES**
- 3. FD – ADMISSIONS**
- 4. FEA – ATTENDANCE – COMPULSORY ATTENDANCE**
- 5. FEC – ATTENDANCE – ATTENDANCE FOR CREDIT**
- 6. FFH – STUDENT WELFARE – FREEDOM FROM HARASSMENT**
- 7. GKC – COMMUNITY RELATIONS – VISITORS TO THE SCHOOLS**

Mr. Bruce advised the Board that no action was required on these items.

Items IX-E and IX-F were First Reading and required no action.

F. First Reading of LOCAL Policies in Update 82

- 1. BJCF (LOCAL): SUPERINTENDENT - NONRENEWAL**
- 2. DBD (LOCAL): EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
- CONFLICT OF INTEREST**
- 3. DBF(LOCAL): EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
- NONSCHOOL EMPLOYMENT - DELETE**
- 4. FN (LOCAL) - STUDENT RIGHTS AND RESPONSIBILITIES**

X. Adjournment

There being no further business before the Board of Trustees, the regular meeting of February 20, 2008 was adjourned at 6:59 p.m.

John M. Bruce, President

Juan Antonio Molina, Jr., Secretary