

No. _____



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC _____ Board Minutes _____

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

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____ June 17, 2009 _____

RECOMMENDATION:

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

Regular Board Meeting – May 19, 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

May 19, 2009

In Attendance

Roberto J. Santos, Superintendent of Schools

Board of Trustees

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

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

II. Pledge of Allegiance

III. A Regular Meeting of the Board of Trustees of United ISD was held Tuesday, May 19, 2009, in the Student Activity Complex, Fine Arts Building, 5208 Santa Claudia Lane, Laredo TX 78043. An announcement was made by the Board President calling the meeting of the United Independent School District to order at 6:38 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.

Before entering into Public Comments, Ms. Campos thanked the Coordinators from the Instructional Department who had assisted in working with the teachers at Newman Elementary in order to allow them to attend the funeral for Ms. Zulema Gutierrez, Principal of Newman Elementary.

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. When a speaker comes to the podium, please indicate what agenda item you

will be addressing. Furthermore, please refrain from mentioning any employee's name and any complaint about any employee's duties or responsibilities should be channeled through the appropriate grievance policy.

Rene De La Vina. Mr. De La Vina introduced himself as the NEA/TSTA consultant. He asked that the Board change the Public Comments back to the way they used to be. He said there are issues but parents won't come because the comments must be agenda-related. Mr. De La Vina then mentioned that we were getting in a lot of money from the Obama administration and asked that we please take care of the employees as far as salaries are concerned. The speaker then advised the Board that as a Board member of Laredo Community College, he would be willing to assist our students any way he could. Mr. De La Vina then commented on the Dual Enrollment Program and asked why the only high school campus participating at Laredo Community College – South was L. B. Johnson High School.

Mr. Santos clarified that United South High School was also participating in the Dual Enrollment Program.

Steve Sianez. Mr. Sianez said that, on behalf of TSTA member, he felt that if the Board would approve Item VIII-F, it would solve many of the problems at the Food Production Center.

Yolanda Varela. Ms. Varela addressed the Board saying hopefully the Board would approve raising the cost of the food so the department would improve.

Araceli Cadena. Ms. Cadena introduced herself as the associate representative for TSTA. She asked that the Board consider pay raises for the teachers. She said she was speaking out for all school employees regarding the raises.

Mr. Santos said this was the portion of the agenda that they truly enjoy in recognizing outstanding students and employees. Ms. Pamela Juarez, Associate Superintendent, introduced those being recognized.

V. Recognitions

A. Adopt a Beach Program's Treasures of the Texas Coast - Children's Art Contest

B. TXDOT World Air Games Contest

C. 28th Annual Blick Linoleum Block Print Contest

D. Region One ESC and Congressmen Ruben Hinojosa's "My Librarian Rocks Contest" Winner

E. LBI Chess Club - First High School Team to participate in the Super National Chess Tournament

F. United High School- Presidential Award for Excellence in Mathematics and Science Teaching

G. United High School- Tennis State Semi-Finalist

H. 2009 HEB Excellence in Education Award - Statewide Semi-Finalists

I. United South Middle School

2. Washington Middle School

VI. Closed Session: Board adjourned into closed session at 7:05 p. m. pursuant to the following sections of the Texas Open Meetings Act:

A. 551.071 Consultation with Board's Attorney

1. Consultation with Legal Counsel re: Legal Issues of Bank Depository Agreement

B. 551.071 - Personnel

**551.074 - Consultation with Board's Attorney
Discussion of Personnel or to Hear Complaints against Personnel**

1. Consider Appointment of Principal for Newman Elementary School

2. Consider Appointment of Principal for Ruiz Elementary School

3. Conduct Annual Evaluation of Internal Auditor

4. Discussion re: Duties and Responsibilities of Chief of Police, including proposed Reorganization Plan of District's Police Department, as submitted by the Chief of Police

C. 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. Report on and discussion of possible action and approval of Third Amendment to the Settlement Agreement extending the closing deadlines as stated on the Settlement Agreement and Release of All Claims in Cause No. 2006-CVQ-001884-CI, styled United Independent School District vs. Killam Ranch Properties, Ltd., a Texas Limited Partnership, et. aI., in the County Court at Law No.1, Webb County, Texas.

2. Report and possible action with respect to status of negotiations for the purchase for an approximate 33-acre tract of land, in the Cielito Lindo Subdivision in Webb County, from Cielito Lindo, Ltd., and a 14-acre tract of land, in the Cielito Lindo Subdivision in Webb County, Texas from c.L. Commercial Investment, Ltd., in appraisal and survey incident to sending an offer of purchase. The tracts are more particularly described in Exhibits A-I and A-2.

D. 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

I. Discussion re: Status Report from Internal Auditor on Duties re: the following matters:

a. Newman Elementary School - Student Activity Fund

VII. The Board reconvened from Closed Session at 8:48 p.m., the Board will take appropriate action on items, if necessary, as discussed in Closed Session.

A. Appointment of Principal for Newman Elementary School

Mr. Santos addressed the Board saying his recommendation for the Principal of Newman Elementary School was Ms. Leticia Garcia.

Motion: Move to accept.

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

B. Appointment of Principal for Ruiz Elementary School

Mr. Santos addressed the Board saying his recommendation for the Principal of Ruiz Elementary was Ms. Caryn Fox.

Motion: Move to accept.

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

Mr. Juan Cruz, UISD General Counsel, advised the Board that Ms. Garcia's appointment would be effective immediately, and that of Ms. Caryn Fox would be for the 2009-2010 school year for the record and for compensation.

C. Consideration and Possible Action pertaining to Approval of Third Settlement Agreement pertaining to extending the closing deadlines as stated on the Settlement Agreement and Release of All Claims in Cause No. 2006-CVQ-00I884-CI, styled United Independent School District vs. Killam Ranch Properties, Ltd., a Texas Limited Partnership, et. aI., in the County Court at Law No. 1, Webb County, Texas.

Mr. Cruz said the recommendation was to direct legal counsel to proceed with negotiation of the Third Settlement Agreement pertaining to extending the closing deadlines as stated on the Settlement Agreement and Release of All Claims in Cause No. 2006-CVQ-00I884-CI, styled United Independent

School District vs. Killam Ranch Properties, Ltd., a Texas Limited Partnership, et. aI., in the County Court at Law No. I, Webb County, Texas as discussed in Closed Session.

Motion: So move.

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

D. Approval of Internal Audit Annual Evaluation

Mr. Cruz addressed the Board saying the recommendation was to approve the Internal Audit Annual Evaluation as discussed in Closed Session.

Motion: So move.

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

E. Discussion and possible action concerning executing an Earnest Money Contract for an approximate 33-acre tract of land, in the *Cielito Lindo* Subdivision in Webb County, from *Cielito Lindo, Ltd.*, and a 14-acre tract of land, in the *Cielito Lindo* Subdivision in Webb County, Texas from C.L. Commercial Investment, Ltd., in obtaining an appraisal and survey incident to sending an offer of purchase. The tracts are more particularly described in Exhibits A-1 and A-2.

Mr. Cruz advised the Board saying the recommendation was to authorize legal counsel to proceed to obtain an appraisal and survey for a purchase of an approximate 33-acre tract of land, in the *Cielito Lindo* Subdivision in Webb County, from *Cielito Lindo, Ltd.*, and a 14-acre tract of land, in the *Cielito Lindo* Subdivision in Webb County, Texas from C.L. Commercial Investment, Ltd., as discussed in Closed Session.

Motion: So move.

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

VIII. Consent Agenda Items

Mr. Johnson said that the Business and Instructional Committees had met the week before and were recommending approval of the following items.

A. Approval of Monthly Disbursements

B. Approval of Budget Amendments

C. Approval of Awarding Bids, Proposals and Qualifications

D. Award of the District Paid Life Insurance Program

E. Approval of Partner Resolution/Proclamation Affirming United ISD Support of an Partnership with the 2010 Census

F. Discussion and Possible Action to Approve the Increase in Price of Paid Meals starting the 2009-2010 School Year

G. Approval of Application for Low Attendance Day for Gonzalez Middle School for April 20, 2009

H. Resolution regarding Extra Curricular Status of 4H Organization

I. Second Reading of Policy DCD (LOCAL): Employment Practices At-Will Employment

Motion: So move.

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

IX. Items for Individual Consideration

A. Proposed Naming of ROTC Building at the New United High School in Honor of Sgt. Roberto Arizola, Jr.

Motion: So move.

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

B. Board Minutes

1. Special Called Meeting - March 10, 2009

2. Regular Board Meeting - April 22, 2009

3. Special Called Meeting - May 4, 2009

4. Special Called Meeting - May 12, 2009

Motion: So move.

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

C. Donations

Mr. Santos read the donations totaling \$3,859.75 into the record. He thanked all donors for their generous donations.

Motion: So move.
Moved by: J. Molina
Seconded by: Ramirez
Discussion: None
In Favor: Unanimous

D. Approval of CSP 022-2009 Traffic Safety & Drainage Improvements at LBJ High School

Ms. Cordelia Jackson, Director of Purchasing, advised the Board that the recommendation was to award CSP 022-2009 Traffic Safety & Drainage Improvements at LBJ High School to Matias Paving in the amount of \$627,162.31.

Motion: So move.
Moved by: Ramirez
Seconded by: J. Molina
Discussion:

Mr. Johnson asked if there had been any coordination with the soccer project. Mr. Santos responded that both contractors would coordinate their work.

In Favor: Unanimous

E. Approval of CSP 023-2009 Removal of Existing Under-Ground Fuel Storage Tanks and Installments of Above-Ground Fuel Storage Tanks at UISD North Transportation Complex

Ms. Jackson advised the Board that the recommendation was to approve CSP 023-2009 and award to Leyendecker Construction in the amount of \$443,000.

Motion: So move.
Moved by: J. Molina
Seconded by: R. Molina
Discussion:

Mr. Ramirez asked if they would be checking the soil once the tanks were raised above the ground. He said he felt the fuel would have leaked into the ground and asked if they were bringing new soil into the area. The response by Mr. Cesar Trevino, Director of Energy and Environmental Management, was that the soil would be checked and if it needed to be removed, it would be. Mr. Ramirez asked where the above-ground storage tanks would be located. Mr. Trevino said they would be on the south side of the location and that all safety requirements would be met.

F. Approval of CSP 024-2009 Krueger Stadium ADAITAS Improvements

Ms. Jackson said the recommendation was to award CSP 024-2009 - Improvements to Krueger Stadium to Leyendecker Construction in the amount of \$463,600.

Motion: So move.

Moved by: J. Molina
Seconded by: Rodriguez
Discussion:

Mr. Johnson asked what type of ADA (Americans with Disabilities Act) improvements were going to be made to the restrooms and dressing rooms that had been there for fifty years. Ignacio Alaniz, Director of Construction Management, said they would be addressing the issue of abating the asbestos and the showers again and that money was being allocated for the locker rooms. Mr. Ramirez asked that they pay attention to the area where the trees are as people had been using that area for the restroom. Mr. Alaniz said that area would also be addressed

Mr. Zuniga addressed the Board saying that they had received a letter from TEA regarding improvement in ADA, but they had not addressed the field house. Mr. Johnson said his comment was to ask if it would not be better to tear the whole thing down and start over because the building is so old instead of spending \$75,000.

The motion was amended to "accept administration's recommendation with the exception of the field house."

In Favor: Unanimous

G. Approval of RFP 028-2009 Band Equipment

Ms. Jackson said administration was recommending the following Primary Vendors and Secondary Vendors:

Section I:

PRIMARY VENDORS

BROOK MAYS MUSIC
CASCIO INTERSTATE MUSIC
HILLJE MUSIC
MUSIC MAN INC.
NEMC
WASHINGTON MUSIC CENTER
F.J. WEINER MUSIC
STEVE WEISS
WOODWIND & BRASS WIND

SECONDARY VENDORS

ELMO MUSIC CO
LONE STAR PERCUSSION
NORTHEAST MUSIC INC.
PERIPOLE - BERGERAULT
HILLJE MUSIC CENTER
SOUTH WEST STRINGS

SUZUKI CORP
TAYOR MUSIC
THE BAND SHOPPE

Section II – United High School

<u>VENDORS</u>	<u>AMOUNT</u>
CASCIO INTERSTATE MUSIC	\$8,211.01
MMI	\$14,731.00
MUSIC MAN	\$5,158.00
NEMC	\$34,319.75
WASHINGTON MUSIC CENTER	\$51,818.00
STEVE WEISS MUSIC INC.	\$18,092.00
THE WOODWIND & BRASSWIND	\$12,200.00

Motion: So move.

Moved by: Ramirez
Seconded by: R. Molina
Discussion:

Mr. J. Molina asked if we have any vendors for mariachi band? Ms. Jackson responded that they were working with Mr. Vera to find vendors who specialize in mariachi band equipment. She said they were starting to get feedback from the high school mariachi bands.

In Favor: Unanimous

H. Approval of Resolution to Extend Depository Contract for the 2009-2011 Biennium or in the Alternative Seek Competitive Bids or request for Proposals for Bank Depository Contract

Mr. Sam Flores, Director of Accounting, advised the Board that management was recommending UISD the approval of Resolution to Extend Depository Contract to BVDA Compass Bank for the 2009-2011 biennium

Motion: I'd like to make a motion to seek an alternative to the bank depository contract.

Moved by: Gilpin
Seconded by:
Discussion: None
In Favor: Campos, Gilpin, J. Molina, R. Molina, Ramirez, Rodríguez
Abstain: Johnson

Mr. Mike Garza, Executive Director or Support Services, clarified that they would be going out for requests for proposals (RFPs).

I. Approval of Determination of Acute Teacher Shortage Areas

Motion: So move.

Moved by: Ramirez
Seconded by: J. Molina
Discussion:

Mr. Johnson asked what the acute shortages areas were. Mr. Garcia said they were the secondary areas recommended by the state including Mathematics, English, Science, Special Ed, Language Other than English, Technology Applications, Bilingual English, and Special Ed – All Levels. He commented that these were the same areas we had last year.

Mr. Johnson said the Business Committee had discussed the fact that we make sure that we go to our new teacher pool first before going to our retired teachers because of the extra expense. Mr. Garcia said they were working very hard to ensure that non-retirees were considered first. He said the administrators would have to sign an attestation if recommending a retiree.

Mr. Johnson commented that if hiring a retiree, we have to pay 12.98% penalty for hiring certain of the retirees. He said the other effect on the District is that the retired teacher's starting pay would be based on where they ended when they retired which would be about a \$20,000 spread between the retiree and the new teacher.

In Favor: Unanimous

**J. Approval of Application for Low Attendance Day (May 11, 2009)
to Texas Education Agency**

Ms. Gloria Rendon, Assistant to the Superintendent, said Administration recommends the approval of the application to the Texas Education Agency for the low attendance day which occurred on Monday, May 11, 2009. She said on May 1st, the Laredo Health Department recommended the closing of our schools through May 18th due to the flu outbreak in our community. However, on May 8th after not receiving a confirmation of a case recommended the reopening of our campuses. Ms. Rendon said that even though we had the assistance of the media, not all homes received the information.

The criteria for low attendance had to have a 10% variance from the previous year on that particular day. The campuses who met this criteria were Bonnie Garcia Elementary, Zaffirini Elementary, Kennedy-Zapata Elementary, Perez Elementary and STEP Academy. The other campuses were at 8% or 9%. Ms. Rendon was told to submit two waivers which would be the five campuses that met the criteria and all the other campuses.

Motion: So move.

Moved by: J. Molina

Seconded by: Ramirez

Discussion: None

In Favor: Unanimous

X. Adjournment

There being no further business before the Board, the Regular Meeting of May 19, 2009 was adjourned at 9:14 p.m.

Pat Campos – President

Juan Roberto Ramirez - Secretary