

**BOARD OF TRUSTEES  
AGENDA**

<input type="checkbox"/> Workshop	<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Special
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(A) ☐ Report Only ☐ Recognition

**Presenter(s):**

**Briefly describe the subject of the report or recognition presentation.**

(B) ☒ Action Item

**Presenter(s):** EDUARDO TREVINO, DEPUTY SUPERINTENDENT FOR DISTRICT OPERATIONS  
HECTOR VIELMA, FOOD SERVICE COORDINATOR

**Briefly describe the action required.**

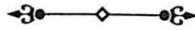
CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO AMEND THE FOOD SERVICE AND MAINTENANCE & OPERATIONS FUND BUDGETS AND APPROVE THE REIMBURSEMENT TO THE TEXAS DEPARTMENT OF AGRICULTURE.

(C) **Funding source: Identify the source of funds if any are required.**

Maintenance & Operations Fund: \$825,236

(D) **Clarification: Explain any question or issues that might be raised regarding this item.**

AS PER ATTACHED INFORMATION.



TEXAS DEPARTMENT OF AGRICULTURE  
COMMISSIONER SID MILLER

First-Class Mail and Certified Mail  
No. 91 7199 9991 7034 4229 8508

July 28, 2015

CE ID 00774

Eagle Pass Independent School District (ISD)  
Attn: Mr. Gilberto Gonzalez, Superintendent  
1420 Eidson Road  
Eagle Pass, Texas 78852-5410

ADDRESS CORRECTION REQUESTED

RE: First Demand Letter  
Amount Due: \$825,235.78

Dear Mr. Gonzalez:

The Texas Department of Agriculture (TDA) has discovered that Eagle Pass ISD was overpaid for claims of reimbursement in the National School Lunch Program. This overpayment was the result of incorrect Provision 2 data. The overpayment started with your November 2013 claim and ended with June 2015 claim. The amount your organization was overpaid totaled \$825,235.78.

TDA is requiring Eagle Pass ISD to remit \$835,235.78 payable to TDA within 30 days of receipt to the below address:

Texas Department of Agriculture  
Food and Nutrition Division  
P.O. Box 12847  
Austin, TX 78711-2847

You may appeal this action pursuant to USDA regulations and Texas Administrative Code, Title 4 Agriculture, Part 1 Texas Department of Agriculture, Chapter 1 General Procedures, Subchapter P Appeals. The following fiscal actions are subject to an administrative review: (1) denial of all or a part of the claim for reimbursement, which includes the recovery of overpayment through direct assessment or offset of future claims, disallowance of over-claims as

Mr. Gilberto Gonzalez  
July 28, 2015  
Page 2

reflected in unpaid claims for reimbursement, submission of a revised claim for reimbursement, and correction of records to ensure that unfiled claims for reimbursement are corrected when filed; and (2) withholding of payment. The withholding of payment is based on the results of an offsite or onsite evaluation or follow-up activity.

With respect to notice provided by certified mail, return receipt requested, in the absence of an official receipt, in any form, from the United States Postal Service reflecting the date of actual or attempted delivery, the notice will be deemed received by the school food authority five (5) days after being sent to the school food authority's last known mailing address.

Your appeal should be sent to:

Food and Nutrition Appeals  
Texas Department of Agriculture  
Legal Division  
Attn: Docket Clerk  
PO Box 12847  
Austin, Texas 78711  
Fax (800) 909-8530

Please note that the rules for appeal are located in Texas Administrative Code, Title 4 Agriculture, Part 1 Texas Department of Agriculture, Chapter 1 General Procedures, Subchapter P Appeals.

The telephone number for the TDA Legal Division is (512) 463-4075. If you have any questions about this determination, please contact Robin Roark in TDA Business Operations at (512) 463-3910. Thank you and your staff for the cooperation in this matter.

Sincerely,



Angela Olige  
Assistant Commissioner  
Food and Nutrition Division

AO/NN/rr

cc: School Nutrition Director  
ESC Region 20



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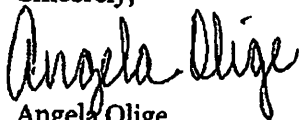
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Assistant Commissioner  
Food and Nutrition Division

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cc: School Nutrition Director  
ESC Region 20

CE#00774	EAGLE PASS ISD	NSLP Nov 2013 Adj #1	(44,469.25)
	EAGLE PASS ISD	NSLP Dec 2013 Adj #1	(40,326.31)
	EAGLE PASS ISD	NSLP Jan 2014 Adj #1	(48,654.85)
	EAGLE PASS ISD	NSLP Feb 2014 Adj #1	(52,257.37)
	EAGLE PASS ISD	NSLP Mar 2014 Adj #1	(41,498.94)
	EAGLE PASS ISD	NSLP Apr 2014 Adj #1	(55,442.28)
	EAGLE PASS ISD	NSLP May 2014 Adj #1	(57,792.02)
	EAGLE PASS ISD	NSLP Jun 2014 Adj #1	(7,320.56)
	EAGLE PASS ISD	NSLP Aug 2014 Adj #1	(12,212.55)
	EAGLE PASS ISD	NSLP Sep 2014 Adj #1	(60,228.60)
	Total 2013-14		(420,202.73)
	EAGLE PASS ISD	NSLP Oct 2014 Adj #1	(62,794.15)
	EAGLE PASS ISD	NSLP Nov 2014 Adj #1	(41,363.50)
	EAGLE PASS ISD	NSLP Dec 2014 Adj #1	(39,985.10)
	EAGLE PASS ISD	NSLP Jan 2015 Adj #2	(49,089.25)
	EAGLE PASS ISD	NSLP Feb 2015 Adj #2	(53,288.75)
	EAGLE PASS ISD	NSLP Mar 2015 Adj #2	(44,326.45)
	EAGLE PASS ISD	NSLP Apr 2015 Adj #1	(52,542.50)
	EAGLE PASS ISD	NSLP May 2015 Adj #1	(54,422.10)
	EAGLE PASS ISD	NSLP Jun 2015 Adj #1	(7,221.25)
	Total 2014-15		(405,033.05)
	TOTAL		(825,235.78)







## BUDGET CHANGE REQUEST

**FUND 199-5**

REFERENCE NO. \_\_\_\_\_

ORIGINATOR JW 8-12-15

DATE

DATE

PROCESSED BY ACCOUNTING: \_\_\_\_\_  
NAME