

No. \_\_\_\_\_



## UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

**TOPIC** \_\_\_\_\_ Board Minutes

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

**APPROVED FOR TRANSMITTAL TO SCHOOL BOARD:** \_\_\_\_\_ January 21, 2009

**RECOMMENDATION:**

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

Regular Board Meeting – December 17, 2008

**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

December 17, 2008

**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  
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.**

In keeping with the spirit of the holidays, Mr. Ramirez entered the meeting dressed as Santa Claus and offered holiday wishes to the audience.

Ms. Campos then **moved Item VII – A. – Recognitions** to be addressed before Public Comments.

**VII. Recognitions**

The following students were recognized by the U.I.S.D. Board of Trustees for their special accomplishment.

**A. 2008-2009 Young Women's Commission Inductees**

Ms. Pam Juarez, Assistant Superintendent for Curriculum and Instruction, introduced the 2008-09 Young Women's Commission inductees.

Marta A. Cavazos	J. B. Alexander High School
Cassandra Villarreal	L. B. J. High School
April Rene Reinhardt	United South High School
Luz A. Rodriguez	United High School

Ms. Campos then asked that Item **X-C, Approval of Independent Audit Report for the Year ending August 31, 2008** be considered.

Mr. Sam Flores, Director of Accounting, introduced Mr. Eli Mendoza, Independent Auditor from the firm of Garza, Gonzalez, and Associates. Mr. Mendoza advised the Board that they had rendered an unqualified opinion on the financial statements of the United Independent School District for the year ending August 31, 2008. He asked if there were any questions on the reports or conduct of audit. However, there were no questions from the Board.

Ms. Campos called for a motion to approve the audit.

Motion: I move to accept the audit as presented.

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

**IV. 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.**

Rene De La Vina. Mr. De La Vina introduced himself as the Texas State Teachers Association (TSTA)/NEA (National Education Association) consultant. He said he would be addressing two issues: Public Comments and complaints against the District's Chief of Police and Police Department management.

Mr. De La Vina first congratulated the newly-elected Board members, Judd Gilpin and Ricardo "Rick" Rodriguez. He then asked the Board that they change Public Comments back to the way it used to be before the comments had to be agenda-related. He said he is on the board at the college and anyone can speak on any item as long as they don't insult anyone. He said he would like to be able to come before the Board and be able to address concerns that are not on the agenda. Mr. De La Vina said the public has a right to come and talk about issues...not just agenda-related issues. He said that would be fair for all the taxpayers.

The speaker then addressed the issue regarding "at will" employees. He said all paraprofessionals are "at-will" employees and Texas law allows them to be fired for any reason or no reason, and they can't do anything about it because it is law. He asked the Board to look into this as he had information on "just cause," where an employee cannot be fired without a valid reason. He said he would provide literature on "just cause" for the Board.

In addition, Mr. De La Vina said that there are students (coming from the high schools) who have passed TAKS but are having to take 30 hours of remedial classes. His concern was that this was "sucking their financial aid dry."

Hilario Cavazos. Mr. Cavazos introduced himself as TSTA Region I President, proud parent, an alumni of UISD, educator and employee of LISD. He wished the Board a Merry Christmas and thanked the Board and UISD on behalf of his daughter. He said she had a family commitment and was unable to attend the meeting to be recognized (2008-09 Young Women's Commission inductee), but would be present at the January 2009 meeting.

Mr. Cavazos congratulated Judd Gilpin and Ricardo "Rick" Rodriguez on joining the UISD Board of Trustees and Pat Campos as the new President of the Board. He also thanked John Bruce, former board president. Mr. Cavazos said his daughter has been very successful at UISD. In conclusion, Mr. Cavazos thanked Mr. Juan Cruz, UISD General Counsel, for going on record in giving the counselors excellent advice in taking care of our students at UISD.

Mr. Juan Cruz, UISD General Counsel, advised the Board that the recommendation was to table **Item VI-A** as one of the board members was absent. He said they would consider this item at the January 2009 meeting.

**V. Closed Session.** The Board adjourned into closed session at 7:36 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. Superintendent's Duties and Responsibilities**

**2. Internal Auditor's Duties and Responsibilities**

**3. Discussion, including consultation with legal counsel, re: complaints against District's Chief of Police and Police Department Management, including investigative report to be presented to Board of Trustees**

**4. Discussion, including consultation with legal counsel, re: Superintendent's Employment Contract Extension and Modifications to Employment Contract and Addendum**

**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 and discussion of possible action pertaining to the Trautmann Middle School Detention Facilities and Storm Sewer Facilities Design Construction, Maintenance and Monitoring Agreement recorded in Volume 2653, pages 486-502, Webb County Official Public Records as to the progress of Homeland Builders with respect to the completion of improvements as called for by the Agreement and the possible termination of the right of**

**Homeland Builders, L.C. to drain onto the Trautmann Middle School Detention Pond.**

**2. Report on and discussion of possible action pertaining to extending the deadline of Four Winds, Ltd. to obtain final platting of the road on the west side of Lot 1, Block 1 in the Cuatro Vientos subdivision.**

**3. Report on status of negotiations, and consideration of terms for Earnest Money Contract and discussion of pertaining to the review of several options to purchase from E. G. Ranch, Ltd., either in one tract or several contiguous or non-contiguous tracts of 54 acres. Such real property located east of Bob Bullock Loop 20 and approximately 200 lineal feet south of Highway 359 to be considered for purchase.**

**4. 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.**

**VI. The Board reconvened from Closed Session at 9:54 p.m.** The Board took appropriate action on items, as necessary, as discussed in Closed Session. Mr. Gilpin and Mr. Ramirez were not present for the remainder of the meeting.

**A. Action re: approval of extension of Superintendent's Employment Contract and Modifications to Employment Contract and Addendum**

This item was tabled.

**B. Consideration and possible action with respect to the Trautmann Middle School Detention Facilities and Agape Subdivision Storm Sewer Facilities Design Construction, Maintenance and Monitoring Agreement recorded in Volume 2653, pages 486-502, Webb County Official Public Records as to the progress of Homeland Builders with respect to the completion of improvements as called for by the Agreement and the possible termination of the right of Homeland Builders, L.C. to drain into the Trautmann Middle School Detention Pond.**

Mr. Cruz advised the Board that the recommendation was to authorize legal counsel and district administration to proceed with the termination of the right of Homeland Builders, L.C. to drain into the Trautmann Middle School Detention Pond, as discussed in Closed Session.

Motion:            So move.

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

**C. Consideration and possible action pertaining to approval extending the deadline of Four Winds, Ltd. to obtain final platting of the road on the west side of Lot 1, Block 1 in the *Cuatro Vientos* subdivision.**

Mr. Cruz advised the Board that the recommendation was to authorize legal counsel to approve extending the deadline of Four Winds, Ltd. to obtain final platting of the road on the west side of Lot 1, Block 1 in the *Cuatro Vientos* subdivision, as discussed in Closed Session.

Motion: So move.

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

**D. Discussion and possible action concerning the execution of an Earnest Money Contract to purchase from E. G. Ranch, Ltd., either in one tract or several contiguous or non-contiguous tracts of approximately 54 acres. Such real property located east of Bob Bullock Loop, Loop 20 and approximately 200 lineal feet south of Highway 359 to be considered for purchase.**

Mr. Cruz advised the Board that there was no action needed on this item.

**E. 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.**

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

Motion: So move.

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

## **VII. Recognitions**

This item was considered at the beginning of the meeting.

## **VIII. Superintendent's Report**

### **A. Review of LEGAL Policies in Update 84**

Mr. Santos advised Ms. Campos that there was no discussion needed on this item.

## **IX. Consent Agenda Items**

Mr. Johnson advised the Board that the Financial and Instructional Committees had met the previous week and were recommending the approval of the following consent agenda items.

### **A. Approval of Monthly Disbursements**

### **B. Approval of Awarding Bids, Proposals and Qualifications**

### **C. Award of District Student Extra-Curricular Insurance Contract**

**D. Approval of Request from Ms. Pat Campos for \$3,886.60, Mr. Juan Roberto Ramirez for \$15,308.39 for the Use of Board of Trustees Discretionary Funds for Clark Elementary School.**

**E. Approval of Request from Mr. William B. Johnson for \$7,062.96, Mr. Juan Roberto Ramirez for \$2,842.18 for the Use of Board of Trustees Discretionary Funds for Nye Elementary School.**

**F. Approval of Request from Mr. Ricardo Molina, Sr. for \$15,000 for the Use of Board of Trustees Discretionary Funds for United D.D. Hachar Elementary School.**

**G. Approval of Request from Mr. Juan Roberto Ramirez for \$35,306.43 for the Use of Board of Trustees Discretionary Funds for Finley Elementary School**

**H. Approval of Credit Change Order from Leyendecker Construction, Inc.**

**I. Approval of Additional PDAS Appraisers for the 2008-2009 School Year**

Motion: I move for approval.

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

## **X. Items for Individual Consideration**

### **A. Board Minutes**

- 1. Special Called Meeting - October 27, 2008**
- 2. Special Called Meeting - October 28, 2008**
- 3. Special Called Meeting - November 13, 2008**
- 4. Regular Board Meeting - November 18, 2008**
- 5. Special Called Meeting- November 24, 2008**
- 6. Board Workshop - November 24, 2008**

Motion: So move.

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

### **B. Donations**

Mr. Santos read the list of donations totaling \$81,547.98 into the record and thanked all for their generous donations to the District.

Motion: So move.

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

### **C. Approval of Independent Audit Report for the Year Ended August 31, 2008**

This item was considered before Closed Session.

### **D. Approval of First Reading of LOCAL Policies in Update 84**

No action was needed on this item as it was a first reading.



**X. Adjournment**

There being no further business before the Board of Trustees, the Regular Meeting of December 17, 2008 was adjourned at 10:09 p.m.

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Pat Campos – President

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Juan Roberto Ramirez, Secretary