

**STATE OF TEXAS**

**(Minutes conducted via electronic voting)**

**COUNTY OF CAMERON**

**BE IT REMEMBERED**, that on the **14<sup>th</sup> day of November 2023**, the Board of Trustees of the Brownsville Independent School District met in a **Rescheduled Regular Board Meeting** at the Administration Building, 1900 Price Road, Brownsville, Texas, for the purpose of transacting any and all business that came before the Board and with the following to wit:

**PRESENT:**

Jessica Gonzalez	President
Daniella Lopez Valdez	Vice-President
Denise Garza	Secretary
Carlos Elizondo	Member
Eddie Garcia	Member
Frank Ortiz	Member
Minerva Peña	Member

**ABSENT:**

None

**ALSO PRESENT:**

Dr. Jesus Chavez	Interim Superintendent of Schools
Kevin O’Hanlon	Attorney for the Board

**ALSO ABSENT:**

None

**WHEREUPON**, a quorum being present and it appearing before the Board, it is hereby so found that notice of this **Rescheduled Regular Board Meeting** has been duly given in the manner and for the length of time as prescribed by law. The meeting was called to order and declared ready for the transaction of business with the following to wit:

**I. Meeting called to order by Ms. Jessica Gonzalez, Board President at 5:30**

Ms. Jessica Gonzalez, Board President stated, good afternoon everybody, welcome to the rescheduled regular Board meeting. Today is November 14<sup>th</sup>, 2023, it is a little bit past 5:30, we are in the BISD administration building. Dr., well, actually, before I start, since this is our official Board meeting, I know we had a special one, but let me introduce everybody to our new Interim Superintendent, Dr. Chavez.

**II. Moment of Silence led by Dr. Jesus H. Chavez, Interim Superintendent of Schools.**

**III. Pledge of Allegiance led by Ms. Daniella Lopez Valdez, Board Member.**

**IV. Roll Call. Ms. Jessica Gonzalez, Board President announced that all Board Members were present.**

- V. Recommend approving the agenda of the Rescheduled Regular Board Meeting of Tuesday, November 14, 2023, with any corrections/deletions.

Dr. Jesus H. Chavez, Interim Superintendent of Schools announced the following corrections/deletions to the agenda:

*Handout 1 added to official minutes*

Amendment

- X. A. General Function Item(s)  
Will be deleted from agenda and backup  
D. Bids/Proposals/Purchases  
Item 21 will be deleted from agenda and backup
- XII. A. Level III Grievance(s)  
Item 1 will be deleted from agenda and backup (as per grievant)

*Handout 2 added to official minutes - Personnel*

- B. Personnel Matter(s)  
Item 2 Page 1,197a to 1,197c will be added to agenda backup

Motion made by Daniella Lopez Valdez, seconded by Denise Garza, and unanimously carried to recommend approving the agenda of the Rescheduled Regular Board Meeting of Tuesday, November 14, 2023, with the corrections/deletions as stated by administration. (7-0-0)

- VI. Recommend approving the minutes with any corrections:

- A. Regular Board Meeting of May 2, 2023  
B. Special Called Board Meeting of May 15, 2023  
C. Special Called Board Meeting of May 22, 2023  
D. Hearing #03 (D.G.) of June 1, 2023  
E. Rescheduled Regular Board Meeting of June 13, 2023  
F. Special Called Board Meeting of June 22, 2023  
G. Special Called Board Meeting of June 28, 2023

Ms. Pat C. Perez, Administrative Assistant to the Board of Trustees asked, ma'am, may I have a show of hands, I just noticed something, if I can have a show of hands until I get it corrected? Ms. Jessica Gonzalez, Board President replied, yes ma'am. Ms. Minerva Peña, Board Member asked, for what? Ms. Gonzalez stated, motion to approve. Ms. Perez replied, for voting. Ms. Peña stated, okay. Ms. Daniella Lopez Valdez, Board Member stated, second.

Motion made by Jessica Gonzalez, seconded by Daniella Lopez Valdez, and unanimously carried to recommend approving the minutes of Regular Board Meeting of May 2, 2023, Special Called Board Meeting of May 15, 2023, Special Called Board Meeting of May 22, 2023, Hearing #03 (D.G.) of June 1, 2023, Rescheduled Regular Board Meeting of June 13, 2023, Special Called Board Meeting of June 22, 2023, Special Called Board Meeting of June 28, 2023. (7-0-0)

**VII. Superintendent's Report: \* SB1566 (Student/Instructional Related Agenda Items)**

**A. Conference Presentations:**

1. Recognition of the 2023 AP School Honor Roll also honors Brownsville Early College High School with the AP Access Award. This award is dedicated to schools that actively promote more inclusive and equitable opportunities for underrepresented minority and/or low-income students participating in AP® courses.

Ms. Jessica Gonzalez, Board President stated, Dr. Chavez. **Dr. Jesus H. Chavez, Interim Superintendent stated, yes, madame President, Members of the Board, presenting this item, we've got Ms. Beatriz Hernandez and also Dr. Norma Ibarra Cantu. Dr. Norma Ibarra Cantu, Executive Director/Secondary stated, good evening everyone, good evening madame President, Dr. Chavez, Board Members and distinguished guests, it is an honor to be here before you with this recognition. The new AP School Honor Roll is a prestigious annual recognition program established by College Board that celebrates schools whose AP programs have outstanding work to welcome students into AP courses and support them on the path to college success. Schools can earn this recognition annually, base on criteria that reflect a commitment to increasing college going culture, providing opportunities for students to earn college credit and maximizing college readiness. The AP School Honor Roll offers 4 levels of distinction, the bronze, silver, gold and platinum. We recognize Brownsville Early College High School for their platinum distinction, the highest level of distinction in the college culture, college credit and college optimization. The 2023 AP School Honor Roll also honors Brownsville Early College High School with the AP Access award, this award is dedicated to schools that actively promote more inclusive and equitable opportunities for underrepresented minorities and or low-income students participating in AP courses. Dr. Ibarra Cantu continued with her presentation, she introduced students, teacher and the campus principal, upon conclusion of the presentations, group photos were taken.**

2. Open Public Hearing School FIRST (Financial Integrity Rating System).  
Ms. Jessica Gonzalez, Board President stated, we are now in open session for Financial Integrity Rating System.
3. Public Hearing - School FIRST (Financial Integrity Rating System).  
Ms. Jessica Gonzalez, Board President stated, Dr. Chavez. **Dr. Jesus H. Chavez, Interim Superintendent stated, yes, madame President, Members of the Board, let me call on Mr. Alejandro Cespedes to review the report with us. Mr. Alejandro Cespedes, Chief Financial Officer stated, good evening Board President Gonzalez, Board Members present, Interim Superintendent Dr. Chavez, if you can just give us a couple of minutes, we thought the presentation was here, so we can get that up for you. Ms. Gonzalez stated, no problem. Dr. Chavez stated, at your places, you do have the report as well and so you might reference it as well as he is presenting it. Mr. Cespedes asked, I can go ahead and get started with the presentation or would you like for me to wait till we put it up on the board? Ms. Minerva Peña , Board Member asked, is he going to refer to it as he's speaking? Mr. Cespedes replied, yes ma'am, I can. Ms. Peña stated, okay, thank you. Mr. Carlos Elizondo, Board Member interjected, the only issue is that the public is not going to be able to keep up with it if its not on the. Mr.**

**Cespedes stated, okay, we are working on it.** Ms. Peña stated, but if you put it on the projector, then the public can see it. **Mr. Cespedes stated, yes, they should be able to see it.** Ms. Peña stated, okay. **Dr. Chavez stated, it will just be another minute, minute and a half.** **Mr. Cespedes stated, okay, alright, so, its up now, okay, so, again, good evening everybody. We are here to present on the First Financial Rating, it is required for us to have an open discussion with Board Members present and the community. So, back in 2001, Senate Bill 218 was passed and it authorized the implementation of the accountability rating system for the school finances, right, for the school’s financial resources. So, the primary goal of the School First is to improve the management and the disclosure of a school districts financial resources. Mr. Cespedes continued with his presentation and upon conclusion, the following transpired. Mr. Cespedes stated, that concludes our presentation, if there is any questions or comments.** Ms. Gonzalez stated, since this is a public hearing, I will open it to the public first and then my colleagues, so, does anybody in the audience have any questions? Okay, does anybody of my colleagues have any questions? Okay, so then we will, go ahead Dr. Chavez. **Dr. Chavez stated, madame President, I just want to recognize not only the finance staff that was mentioned earlier, they’ve done a phenomenal job and so my congratulations to them. But I also want to recognize, certainly, Mr. Alejandro Cespedes for his work in working with his staff, you know, one of the things that we focus in our district is team work and we really have a strong finance team and I really do appreciate their work, so, thank you so very much to all of you, I appreciate your good work.** **Mr. Cespedes stated, thank you.** Ms. Gonzalez stated, thank you guys, all the finance team for all that you do.

4. Close Public Hearing School FIRST (Financial Integrity Rating System).  
Ms. Jessica Gonzalez, Board President stated, I will now close the public hearing for the Financial Integrity Rating System.
  
5. Presentation of Brownsville Independent School District Quarterly Investment Report for the period ended September 30, 2023.  
Ms. Jessica Gonzalez, Board President stated, Dr. Chavez. **Dr. Jesus H. Chavez, Interim Superintendent stated, yes, I think for this we have Dr. Nellie Cantu as well as Mr. Alejandro Cespedes. Dr. Nereida Cantu, Deputy Superintendent stated, thank you Dr. Chavez and Board President (inaudible) in your (inaudible).** Ms. Gonzalez interjected, press, press it again please. **Dr. Cantu continued, in your binder, you do have the district quarterly report and usually what we do is we just open it up for any questions from any of our Board Members.** Ms. Gonzalez asked, does anybody have any questions for Dr. Cantu or Dr., I mean, “ya te hice doctor”, Mr. Cespedes, no questions. Ms. Minerva Peña, Board Member stated, question. Ms. Gonzalez stated, Ms. Peña. Ms. Peña asked, we just got this today, am I correct? Did we get a copy of it? **Ms. Pat C. Perez, Administrative Assistant to the Board of Trustees stated, it’s in the backup.** Ms. Peña asked, but it’s the same thing that’s on the backup? **Ms. Perez replied, yes.** Ms. Peña asked, but you are just giving us the hard copy today? **Ms. Perez replied, no, no ma’am.** Ms. Peña continued, I mean, its, its exactly what’s in the backup? This book, well, this book was here today when I came in, so, this was put here today, so, was this part of our backup? **Mr. Cespedes stated, that book is for the external audit, right now, what we are going over is the quarterly investment report so that they are separate things.** Ms. Peña asked, so, I’m asking, is this, was part of our backup? **Mr. Cespedes**

replied, no, that was from our external audit, but that one's a different line item but that was just provided today, the external auditors just finished it. Ms. Peña asked, so they just gave this to us today? **Mr. Cespedes replied, yes ma'am.** Ms. Peña stated, so when I saw it on my desk, when I got here it's the first time we've had it. **Mr. Cespedes stated, yes ma'am.** Ms. Peña stated, okay, so, I, maybe I can bring up questions later because you know, 30 seconds to look at it is not enough time, so, thank you. Ms. Gonzalez asked, anybody else have any questions? No more questions, Ms. Pat.

6. Presentation of the Brownsville Independent School District Financial Report for the period ended October 31, 2023. **No questions or Concerns.**

**B. DISTRICT FACILITIES UPDATE:**

Ms. Jessica Gonzalez, Board President stated, Dr. Chavez. **Dr. Jesus H. Chavez, Interim Superintendent stated, madame President, I think we've got Mr. Alonso here to go over those items with us and he also will introduce some of the folks as well. Mr. Alonso Guerrero, Health Services & Operations Director stated, good afternoon madame President, distinguished Board Members and Dr. Chavez, I'm here to present on facility updates for Resaca and Sams Stadium.**

1. Resaca Technology Center Construction Project  
**Mr. Alonso Guerrero, Health Services & Operations Director stated, Resaca Technology Center Project, it was a budgeted for 6.5 million out of ESSER II and ESSER III. It was Board approved, September 12, 2021, approximate work completed to date is 80% and approximate balance is 1 million which is enough to finish the 20% that is left. This is Resaca from the front, on the left side it's going to be your, pretty much, your main entrance which is, this is your parking lot, its already has caliche on both sides. They were going to pave it but since it rained, they had to put it on hold. This is your inside, this is going to be the receptionist area, as you see, it's all covered because all the floors have been sanded and stained and its being protected with that cover at the moment. They decided to leave the floor, the roofing exposed to see the trusses and everything from the original built. This is your mechanical room on the left side, they added a mini split to keep it cool so it can be up to code. On the right side, is one of the main offices, it's going to be administrations, it's going to be in that office. These are your restrooms, the one on the left is your men's, the one on the right is your women's. This is pretty much completed here, we just need a couple of fixtures to complete these restrooms. This is going to be your lounge, they have your cabinets there, they are going to add a fridge, they are going to have a microwave and all the stuff for the staff to have to do their lunch period there. The picture on the left is a breezeway between the main building and back offices, this breezeway is right now being under construction, they are doing some ramps there. There is a mural here that they preserved, it's a mural that was painted when the original Resaca was still open, that's been preserved and it's been covered and taken care of with white gloves. The picture on the right is the back offices, this is the only one that doesn't have flooring yet. The next step on this one would be turn on the AC's this week, once the AC's are working, then they can start the LVT flooring which is your luxury vinyl flooring. Okay, this is another office, this one has, needs still a little bit of work, some touchups on the paint and our**

air handlers and units. So, milestones coming up, generators are scheduled to be delivered December of this year, what, next month. Light fixtures are being installed this week, they have been arriving throughout the week and they are installing them as they are receiving them. Asphalt is scheduled for this week, weather permitting, as soon it dries out, they are scheduling the asphalt. The ramps in the breezeway are being worked on, which is the one I spoke about earlier. The AC units should be turned on this week, we already have power to the building, temporary power, once they are turned on, they will be installing that LVT flooring. As you saw on one of the pictures, the doors are ready to be installed, they have not installed them because they don't want them to get damaged as they are still working throughout the building. Any questions? Ms. Jessica Gonzalez, Board President asked, does anybody have any questions, Ms. Garza. Ms. Denise Garza, Board Member asked, so, right now we've had continuous rain, how is the parking lot at Sams Stadium holding up? **Mr. Guerrero replied, its holding up, we did monitor throughout the weekend, there was no flooding that we noticed.** Ms. Garza asked, okay, and the drains as well, nothing? **Mr. Guerrero replied, nothing.** Ms. Garza stated, okay, because I think the last time we went out there, there had been a couple of puddles and I think they were going to work on I guess fixing those issues. **Mr. Guerrero stated, yes, when they asphalted the middle, that's what they were working on.** Ms. Garza stated, okay, thank you. Ms. Minerva Peña, Board Member interjected, question. Ms. Gonzalez stated, Mr. Elizondo, Ms. Peña. Ms. Peña asked, okay, the contract for this renovations at the stadium started when, what day was that signed? **Mr. Guerrero replied, it was 20, April 5, 2022.** Ms. Peña asked, and do we have a completion date on that contract, by when the work is supposed to be done and completed? **Mr. Guerrero replied, if I'm not mistaken, it was supposed to be done by June of this year.** Ms. Peña asked, do you have the actual date? **Mr. Guerrero replied, no, Mr. Hinojosa, do you have the actual date sir?** Ms. Peña stated, it's on the contract, anybody have a copy of the contract? **Mr. Guerrero stated, I have Mr. Miguel Martinez from ROFA, he can answer that question.** Mr. Miguel Martinez, ROFA Construction Representative stated, good evening everyone, yeah, so the original contract date was, I believe, January of 2022, I'm sorry, yes, 2020, 2022, I'm sorry, 2023. And then that got extended by construction change directive to May 31<sup>st</sup> and I believe the Board has been aware since that those are the dates, the completion dates that were committed by the contractor to the owner. Ms. Peña asked, May 31<sup>st</sup>, 2023? Mr. Martinez replied, May 31<sup>st</sup>, 2023, yes ma'am. Ms. Peña asked, and where are, what day, what month are we in today? Mr. Martinez replied, we're in November ma'am. Ms. Peña asked, and do we have a reason why? Mr. Martinez replied, other than the contractor is in control of the project, its their site and their coordination methods. Ms. Peña continued, I guess my question is, I don't know if its to Mr. Alonso or Dr. Chavez, when someone is given a date, thank you sir. Mr. Martinez stated, yes ma'am. Ms. Peña asked, is someone is given a date to complete the work and the work doesn't get completed, now, is that something where we, as a district, can, you know, be reimbursed for monies and fees because they are not complying with the signed contract on the completion date of the work? **Mr. Guerrero replied, yes ma'am, there is a stipulation on the contract that states that if they didn't complete the work at a certain time, there will be fines. Once the work is completed, we are going to turn over this to Legal and Legal will be presenting those charges.** Ms. Peña asked, so you were very conscientious of that? **Mr. Guerrero replied, correct ma'am.** Ms. Peña stated, thank you. **Mr. Guerrero stated, yes ma'am.** Ms. Gonzalez stated, just one question,

remind me again, a schedule of move in for staff, an estimate? **Mr. Guerrero asked, for which one?** Ms. Gonzalez replied, for, I'm sorry, for Resaca. **Mr. Guerrero stated, for Resaca, they are hoping to have, well, they are not hoping, they are going to have substantial completion by December and the conversations I've had with Mr. Fisher, he plans to move in during Spring Break because they have to shut down all the servers and that's when we don't have nobody here at work and they can be able to move those servers over there.** Ms. Gonzalez stated, okay, that was my concern, the shut down of the servers. **Mr. Guerrero stated, yes, yes.** Ms. Gonzalez stated, okay, and anybody else, Mr. Elizondo, I'm sorry. Mr. Carlos Elizondo, Board Member stated, yes sir, real quick. **Mr. Guerrero stated, yes sir.** Mr. Elizondo asked, so, what, its 80% completed and we are talking about the stadium? **Mr. Guerrero replied, no, 80% is the Resaca.** Mr. Elizondo echoed, Resaca, okay. **Mr. Guerrero added, the stadium is 75.** Mr. Elizondo stated, 75%. **Mr. Guerrero stated, yes sir.** Mr. Elizondo asked, and so you have already gone beyond the date of the contract. **Mr. Guerrero replied, correct sir.** Mr. Elizondo asked, and so let me ask you this, was there any issues during the flooding these last few months or last few weeks where there was flooding around the parking lot, not on the parking lot, I'm talking about the neighborhood? **Mr. Guerrero replied yes sir, there was issues there in the streets behind it where it was pretty flooded out there from the city.** Mr. Elizondo asked, did we lose some of our equipment in those floods? **Mr. Guerrero replied, our equipment, no sir, or actually, you know what, from athletics, they lost one of their gators when they were going out there.** Mr. Elizondo stated, alright, so, it's actually costing us too, right. **Mr. Guerrero stated, right.** Mr. Elizondo asked, so, and this all entails because the work hasn't been completed, but has those, have those issues of flooding around that neighborhood been addressed? **Mr. Guerrero replied, we've been in contact with city and they are working on ways to resolve the situation.** Mr. Elizondo asked, and is that the city's issue or is it the contractor's issue that the? **Mr. Guerrero replied, the flooding was in the street sir.** Mr. Elizondo stated, right, the flooding was in the street because the drainage system for that parking lot, because the parking lot has to have a drainage system to push away so many, you know, gallons of water per minute, right, so the issue is in the parking lot. So, what happens is, it pushes it out to the streets, into the neighborhoods. **Mr. Guerrero stated, correct.** Mr. Elizondo asked, right? **Mr. Guerrero replied, correct.** Mr. Elizondo asked, did we fix that? **Mr. Guerrero replied, that's, one, one of the things they are working on which is pending making the connection with the city.** Mr. Elizondo asked, the responsibility will fall on the contractor? **Mr. Guerrero replied, correct sir.** Mr. Elizondo stated, okay, just to make sure we address that, administration, that it's not the districts fault. **Mr. Guerrero stated, no.** Mr. Elizondo continued, that the flooding is happening because issues with drainage, the other is, are we having any change orders brought to our Board? **Mr. Guerrero stated, not for this project, for either project right now, I know there will be a change order coming up for the manhole that was discovered, other than that, there's nothing else.** Mr. Elizondo asked, there's not two, two change orders that are coming to this Board for? **Mr. Guerrero replied, for tonight sir, that's a different.** Mr. Elizondo interjected, no, no, no, not tonight, for the project? **Mr. Guerrero stated, for the project, there should be one, which is the manhole that's, that was discovered.** Mr. Elizondo asked, nothing in excess of 2 million dollars or a million dollars, right? **Mr. Guerrero stated, no sir, no.** Mr. Elizondo stated, I hope not, thank you. **Mr. Guerrero added, no, no, no, yeah.** Ms. Gonzalez stated, Mr. Ortiz has a question as well. Mr. Frank Ortiz, Board Member asked, yes, there was a time when we

had a huge downpour and I know that we had to reschedule a football game due to the fact that the field wasn't able to be used because of the flooding and the tunnel and up on the field, was that looked into and what was the cause of that? I mean, was that a cause of the drainage problem having to do with the city or was it a district issue or was it the contractors that are working in that area that might have obstructed something to cause that, did we look into it and find out what the exact cause of that was? **Mr. Guerrero replied, yes sir, that was the connection that's pending with the city sewer, with the city drainage.** Mr. Ortiz asked, has it been taken care of? **Mr. Guerrero replied, that's what we are working on right now sir.** Mr. Ortiz asked, so it hasn't been taken care of? **Mr. Guerrero replied, no it hasn't sir.** Mr. Ortiz asked, okay, so if we have another downpour, we can expect the same thing? **Mr. Guerrero replied, the measures that are taking in place sir is brining out pumps to pump that water out to avoid having that issue again.** Mr. Ortiz asked, and when we pump the water out, that's when it goes into the neighborhoods and that's? **Mr. Guerrero interjected, it goes into the drainage there, yes.** Mr. Ortiz stated, now, what is the timeline of that being taken care of? **Mr. Guerrero replied, the last time we asked him they didn't have an answer for us sir, we are pushing, I know ROFA is here, do you know when the drainage, the connection?** Mr. Martinez stated, so just to, just to clarify and reiterate, about two weeks ago, when we did have that large downpour, we received roughly about 3.8 inches of rain in that area, its mother nature, again, that's 3.8 inches of rain. As you know, these past 5 days, we received about 3 inches of rain but it was scattered over 5 days, the amount and volume of water that we got about two weeks ago was substantial that it created some flooding and back issues. Yes, the contractor was responsible and is responsible for pumping out the water and I believe that they did pump out the water, the only thing is they had not finished the connection from the storm drainage on the visitor's side that drains the football field, the track and all that into the new system that's there. They did drain the original detention pond; the underground storage detention has been drained and they will continue to drain it until they are complete with the project. They are in the process of incorporating the tie in, into the city tie in, unfortunately, we have, we were out there with Mr. Guerrero and some of the other staff the day of the actual rain event but Washington Street, Elizabeth and I believe it came out on the news as well on Channel 5, all of those areas were saturated with water. The water took almost about 6 to 8 hours to subside, it's just the amount of volume of water that came down in such a short period of time. Mr. Ortiz stated, and I understand we don't have any control over mother nature, but my question still stands, when is the timeline of this being taken care of? Mr. Martinez stated, they're in the process of getting that done, probably here, hopefully before the end of December, the contractor right now is putting in, as Mr. Guerrero presented, the grease traps, both of them, on both sides, but there's also the tie in of the storm, to complete the tie in from discharging the water from the visitor's side in the stadium back into the main detention system, the detention system is holding. Mr. Ortiz asked, okay, thank you, Mr. Guerrero, just a question for you, if we continue having these types of mishaps, what does it do to our stadium, what does it do to the tunnel, what does it do to the field? **Mr. Guerrero replied, yes, that can cause damage, that is still something Mr. Hinojosa has been looking into and we are trying to prevent further.** Mr. Ortiz stated, okay, thank you. Ms. Gonzalez stated, Ms. Garza has a question. Ms. Denise Garza, Board Member asked, Mr. Guerrero, where is the contractor in all of this, I see we have ROFA here, but, where's the contractor?



I think we need to have him here because the last time, I believe it was, what, maybe a year ago, right Dr. Cantu? And we were all sitting in the conference room upstairs and I remember telling him that it was unacceptable because it was, everyone was pointing fingers at each other. So, where is the contractor in all this because really and truly, he needs to be answering a lot of these questions because he's the one that's holding us behind on our project. **Mr. Guerrero stated, absolutely, we did invite him and he was a no show.** Ms. Gonzalez stated, go ahead Mr. Elizondo. Mr. Elizondo asked, just real quick. **Mr. Guerrero stated, yes sir.** Mr. Elizondo asked, I'm glad you let us know he was a no show, but, just on that, is that connection, I'm sorry. **Mr. Guerrero stated, Mr. Martinez.** Mr. Elizondo continued, Mr. Martinez, that connection that you were mentioning, is that going to cost the district, are those change orders that we are going to have to pay for because, I mean, I can't ask the contractor, he's not here, but? Mr. Martinez replied, no, so there will be some change orders as we are rerouting the main drain that's on the, I guess, as you could say, on the southwest side of the visitor's side, there is an inlet back there, that entire system has been disconnected from where it would usually discharge into the open pond that was there on the, just by the southwest side of the scoreboard. So, now everything's been converted to an underground storm detention system, the only thing is that the tie in from the visitor's side to that actual inlet is not complete yet and that's what they are working on. Unfortunately, when the, when it rains, our soils here absorb a lot of water and so it kind of gets a little muddy, so, hopefully by, I would say maybe latter part of this week, they will be back out there with machinery and equipment to continue doing that tie in. They were able to, from, between the last torrential downpour that we had and this current time, they've already set in the inlet box, the only thing is they need to continue excavating and putting the connecting pipes in place. Mr. Elizondo asked, and real quick on that, will that eliminate the flooding in those neighborhoods? And the reason I tell you is because there's a lot of elderly individuals that live down those with wooden homes and the only means of them getting out is through those streets and if they are flooded, guess what happens, then you have fire, police officers going out there rescuing these individuals to get them out of their homes. That's what, that's what I'm gathering at, is, is, is that deviation of that storm water going to eliminate that and I know that you're not, you know, a forecaster, but. Mr. Martinez stated, no sir, I'm not a forecaster, but no, it does not alleviate that situation, that situation is a city issue, the storm drainage that is in place and again, this is something that we get, I can't remember the last time we had flooding this severe but I remember seeing on TV that a lot of cars were flooded down Alton Gloor, Paredes and all that area back there by the actual activity center and that was about two years ago. But it is a city issue, it is not a school district issue, the portion that corresponds to the school district is currently under contract and so that portion that would be taken into account is going to be stored into the detention system that is now underneath the parking systems. In case of a torrential down flood, eventually when the contractor can complete their bleed in or their tie in into the city's infrastructure, they will be able to bleed out water. But to answer your question, that is a city issue, it is not a school district issue. Ms. Gonzalez stated, Ms. Peña has a follow up. Ms. Peña asked, yes, when was the last time, Mr. Alonso, that you made contact with the city in reference to doing something about this? Because I know you said you talked to them and nothings been done yet, so, what is your timeline and how often do you make contact with them since nothings been done? And, where's the contractor from? **Mr. Guerrero replied, the**

**contractor is from McAllen, its N&M Construction.** Ms. Peña asked, I'm sorry, who was it? **Mr. Guerrero replied, McAllen, N&M.** Ms. Peña stated, construction. **Mr. Guerrero stated, yes.** Ms. Peña stated, M, like in Mary and N like in Nora. **Mr. Guerrero stated, N as in in Nancy, M as in Mary.** Ms. Peña asked, oh, N, M, okay, and so the city, how often do you make contact with them when you see nothing happens? **Mr. Guerrero stated, we, I make contact, personally, when that initially happened to see the status, wondering how, what they were doing to pump out the water from that area so we can go ahead and pump out our water as well. And from what I understand, Mr. Hinojosa has been in contact with them as well.** Ms. Peña asked, when was the last time Mr. Hinojosa contacted them? **Mr. Manuel Hinojosa, District Architect replied, we.** Ms. Gonzalez stated, on the mic please. **Mr. Hinojosa continued, our contact with them has been pretty much in the permitting department and the PUB is the other person that we've been in contact, gas company, but as far as the drain is concerned, the drain, the water has been alleviated a lot from that area. I mean, there was times at the corner of 2<sup>nd</sup> Street and Elizabeth Street where it was flooded, that didn't happen this time. The whole idea of the tanks underneath the ground is to hold water and slowly let it out, okay, and it has served that purpose. Now, what Mr. Martinez was talking about too is that the infrastructure in the city on Elizabeth Street has never been upgraded, you know. And to do any more than that, if it's going to flood in the city area, it's going to flood because of the lack of infrastructure there. As far as the drainage system that was put in there, that should satisfy the holding, as a holding area and then releasing that water later on. So, the city is only concerned about how we get the water to them and then they take over from there.** Ms. Gonzalez stated, okay. *Mr. Kevin O'Hanlon. Legal Counsel interjected, 2 minutes.* Ms. Peña added, my concern is also, I will finish with this Mr. O'Hanlon, my concern is that we need to take care of the people in that neighborhood and for the city only to look at the North side of town and forget about the South side of town, its heartbreaking because they are older people with less money and less funds and less, a smaller voice. So, please stay on it because the whole city is the responsibility of those that are running the city. So, please stay on it and if you have to contact them weekly, you know, I don't see a problem with that because we got to take care of that neighborhood, please. And it's not us, it's not ours but we want to speak up for them cause they need a voice. **Mr. Guerrero stated, yes ma'am.** Ms. Gonzalez stated, Mr. Guerrero, one final question is from Ms. Lopez Valdez. Ms. Daniella Lopez Valdez, Board Member stated, yes, Mr. Guerrero, I wanted to thank you for being on top of this. We have this as a standing item because I know there's been a lot of concern on this project as you, as my colleagues have mentioned. I've heard a lot, well, that's a city issue and this is a PUB issue, what do we need to do to make sure that we all work together to hurry up and make it, you know, we cannot predict the weather, obviously, but we know that the weather is not working in our favor. So, whatever we can do to help support you to make those meeting happen, please let us know, funding is not, we want to make sure we are not spending extra funds, so, as Budget Chair, I always try to make sure of that. So, let us know what you need, thank you.

2. Sams Memorial Stadium Construction Project  
**Mr. Alonso Guerrero, Health Services & Operations Director stated, so, we are going to start with Sams Stadium Memorial project and then we are going to go with the Resaca Technology Project updates. We are going to go back to when it was first approved, it was 4.7 million dollars that was approved, it was from a tax rate increase**

and it was approved April 5, 2022. To date, approximately work completed, it's at 75% and the approximate balance is 1.1 million, which is enough to finish the project. These are some pictures of, that were taken last week, this is the new parking lot that's already under construction, it was already paved. The one on the, the picture on the left is the West parking lot, the one on the right is the parking lot to the left of that one. These have already been asphalted, they just need line, the lines to be stiped. Next picture, the one on the left is for your ticket booth, it's a little closer to your ticket booth and your memorial wall on the left side and on the right side it just shows lamp posts that have arrived. The lights have been, are being installed as we speak, they are putting the lighting on the poles, next thing will be putting the poles up. This picture is of the home side, the picture on the left is showing an aerial view of the home side concession stands and restrooms. At this point, this is up to its height which is 12 feet, next steps is to add grout all along the edge and then start the ceiling of it. The picture on the right shows the inside plumbing, that was last week inspected by the city and it passed so now we are moving along, continue with the project. This picture is the visitor's side, visitors' side is currently at 8 feet height, what they're, what's next is they need to grout at 8 feet, once its grouted, they are going to go back up to the 12 feet required height. And then the picture on the right is the picture of the plumbing inside there that was also worked on. These two pictures represent the grease traps that were installed last week, picture on the left is the home side, picture on the right is the visitor's side, these are the grease traps since we have the concession stands, we do need a grease trap to trap all the grease. So, coming up, the milestone is coming up for Sams Memorial, they are going to be completing the exterior walls in preparation for roof installation on both home and visitors' side. Installing the light posts, finishing exterior wall for ticket booth and fence. Installing a water meter to begin landscaping on the parking lots. They are replacing, while they were doing the drainage system, they uncovered a manhole that was covered in dirt so, they're, uncovered that and they are going to be install that. And they will be finalizing flatware connections, what that is, is just a sidewalk connecting everything together. And finally, they are going to finalize the connection to the city drainage. I will go through the Resaca and then open it up for questions at the end.

#### VIII. PUBLIC COMMENT:

**Ms. Bea Maldonado – Greetings** – Ms. Maldonado stated, here it is, good evening Board President Gonzalez, Dr. Gutierrez and Members of the Board, my name is Bea Maldonado and I am a leader with BEST AFT, Brownsville Educators Stand Together and AFT, American Federation of Teachers. I'm also a Geography teacher at Homer Hanna Early College High School. BEST AFT would like to welcome Dr. Jesus Chavez, our new Interim Superintendent to BISD. Dr. Chavez taught at Garza Elementary and was an assistant principal at Garza Elementary, he is a product of BISD and we are proud of his accomplishment around the state as a superintendent in Corpus Christi, Harlingen and Roundrock. Dr. Chavez has already indicated that he is willing to meet with all of the educational associations/unions which is a welcome change from the previous administration. BEST AFT had their initial meeting earlier today and we look forward to future meetings with him. BEST AFT is hopeful that improving all staff morale and improving campus climates is a priority for hm. We want everyone to look forward to going to work and getting the job done. Dr. Chavez, welcome home, we believe you are the best choice for the Interim Superintendent, thank you for your time and we wish you best of evenings, thank you for your time.

**Veronica Borrego** - Ms. Borrego stated, good evening Board President Gonzalez, Board Members, my name is Veronica Borrego and I am the proud president of AOBEB, the Association of Brownsville Educators, the largest, longest serving and only chartered association in BISSD. I am also proud to be an educational diagnostician with the Special Education Department which is arguably the best department in the district. Before delving into the agenda items at hand, on behalf of AOBEB, I extend a warm welcome back to Brownsville to our Interim Superintendent Dr. Chavez. Thank you for reaching out to us, we anticipate an open-door policy and we look forward to working together for the betterment of our employees, students and ultimately the entire district. In your short amount of time here, we have already seen a boost in our morale, so, thank you. Tonight, I address agenda items XA5, XIA2 and a significant portion of XIIB. As we scrutinize financial reports, AOBEB emphasizes the critical need for a forensic audit. During the departing superintendent’s tenure, we witnessed an alarming employee exodus, defunding of high need positions and report of financial mismanagement. When things vanish at the campus level, audits and investigations are standard, shouldn’t the district level, with more at stake, demand the same scrutiny? Taxpayers who supported the recent TRE seek transparency and understanding where their dollars have gone. In reviewing Board policy BAA, its evident that the Boards role is to hold the superintendent accountable, monitor finances and streamline paperwork. Not to influence vendor choices or position appointments. We, AOBEB and the community urge the Board to initiate a forensic audit conducted by an external impartial entity. We express gratitude to Mr. Ortiz and Mr. Elizondo for their initiative in requesting an outside entity to investigate allegations against a Board Member. It is only fair that such matters be handled by unbiased entities to ensure justice for all parties involved. Lets heed the words of Ruth Bader Ginsberg, “If you are neutral in situations of injustice, you have chosen to side with the oppressors”. We must stand against injustice, advocate for transparency and ensure that our district operates with integrity. The call for a forensic audit and an external investigation is a call for justice and accountability. Thank you for your time and attention and again, we look forward to meeting with your soon Dr. Chavez, have a wonderful evening.

**The Board may deliberate or take action regarding the following agenda items.**

**Board policy BE (Local) and Robert's Rules limits debate to two opportunities. A Trustee may debate a motion for three minutes on the first speaking opportunity and two minutes on the second opportunity.**

**IX. Recommend approving the Consent Agenda. The Board has agreed to discuss the following items. All of the items below that are not called out will be approved by consent.**

**Motion was made by Ms. Jessica Gonzalez, seconded by Ms. Denise Garza, Board Member and unanimously carried for approval of the General Function Items as reflected on the Consent Agenda. (7-0-0)**

- |    |                            |   |
|----|----------------------------|---|
| X. | A. General Function        | 2, 3, 4, 6, 7, 8, 9   |
|    | B. Payments                |   |
|    | C. Contracts/Agreements    | 1, 2, 3, 4, 5, 7, 9, 10, 11, 12                               |
|    | D. Bids/Proposals/Purchase | 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20 |

***Note: X. D. 6 Daniella Lopez Valdez abstained***

**(All presentations limited to five (5) minutes)**

**X. Consent Agenda:**

**A. Recommend approval of the following General Function Item(s):**

1. Recommend approval to canvass VATRE (Voter Approval Tax Ratification Election) Returns – Election held Tuesday, November 7, 2023.  
**Amendment: Agenda will be deleted from agenda and backup**
2. Recommend approval to purchase Ascend Learning curriculum and certification materials for the 2023-2024 school year. The BISD Career and Technical Education (CTE) Department has budgeted for this purchase (Sole Source). Instructional Funds: \$40,000.00 for certification of student enrollment. \* **Consent Agenda**
3. Recommend approval of the 2023-2024 Campus Improvement Plans as required by the Texas Education Code. The Campus Education Improvement Plans will serve as a guide to District and campus staff for the improvement of student performance in order to attain state and federal standards. \* **Consent Agenda**
4. Recommend approval of Resolution #022/23-24 for the 2023-2024 Tax Levy in the amount of \$80,035,711.47 based on the adopted tax rate of \$1.030964 per \$100 property valuation.  
**Consent Agenda**
5. Recommend approval of the Annual Comprehensive Financial Report for the fiscal year ended June 30, 2023.

Ms. Jessica Gonzalez, Board President stated, Ms. Peña has a question on this one, let me, I'm sorry, before, I'm sorry, before discussion, let me make a motion to approve. Ms. Daniella Lopez Valdez, Board Member stated, second. Ms. Gonzalez stated, and no Ms. Peña has a question. Ms. Minerva Peña, Board Member stated, I got my answer, so. Ms. Gonzalez stated, okay, so, next we vote, okay, Mr. Ortiz has a question. Mr. Frank Ortiz, Board Member asked, I just wanted to follow up on item number 5, who conducted the audit? **Dr. Jesus H. Chavez, Interim Superintendent of Schools asked, yes, can I call on, to respond to the question, can I call on Dr. Nelly Cantu and or one of the other staff members on here? Dr. Nereida Cantu, Deputy Superintendent stated, thank you Dr. Chavez, we had Cascos and Associates complete the audit, the financial audit and we do have Mr. Frank Pecina in the audience and available to answer and questions also.** Mr. Ortiz asked, just a follow up, what was the fiscal implication on that? **Mr. Alejandro Cespedes, Chief Financial Officer stated, it was \$65,000.00.** Mr. Ortiz asked, \$65,000.00? **Mr. Cespedes replies, yes sir.** Mr. Ortiz stated, thank you. Ms. Gonzalez asked, ready?

**Motion made by Jessica Gonzalez, seconded by Daniella Lopez Valdez, and unanimously carried to recommend approval of the Annual Comprehensive Financial Report for the fiscal year ended June 30, 2023. (7-0-0)**

6. Recommend approval to reschedule the Regular Board Meeting from December 5, 2023, to December 12, 2023 and January 2, 2024, to January 16, 2024, due to BISD calendared holidays. **Consent Agenda**

7. Recommend approval to authorize the Mini Gyms HVAC-Restroom Addition Phase II Project under CSP #22-145 as substantially complete. **Consent Agenda**
8. Recommend approval to accept the Architectural/Engineering Services contract amendment, Change Order #001 to Halff and Associates, of Brownsville, Texas for the nine (9) Mini Gyms HVAC/Restroom Addition Phase II Project, not exceeding \$359,995.00. Funding is to be paid from Tax Rate Increase Fund 188. **Consent Agenda**
9. Recommend approval to accept the Construction Services contract amendment, Change Order #002 to Scoggins Construction Company, Inc of Harlingen, Texas for the nine (9) Mini Gyms HVAC/Restroom Addition Phase II Project, not exceeding \$4,985,050.00. Funding is to be paid from Tax Rate Increase Fund 188. **Consent Agenda**
10. Recommend approval to contract consultants for the 2023-2024 school year to support District initiatives and practices for elementary and secondary educational staff based on District needs and funding.

Ms. Jessica Gonzalez, Board President stated, motion to approve. Mr. Eddie Garcia, Board Member stated, second. Ms. Gonzalez stated, Mr. Ortiz has a question. Mr. Frank Ortiz, Board Member stated, here we go again, with consultants and I have a big, big issue and concern with that. I'm looking at backup here and I see a huge list of nothing but consultants that you all want us to approve tonight. This is in addition to the consultants that we already have on board, this is in addition to C3, \$5,000.00 for Phonemic Awareness, C4, \$14,450.00 for Circle Training, C7, for Lead, Lead Forward at \$40,500.00 and Writable Training for \$12,600.00. Dr. Chavez, do I address you or do I address the curriculum people? **Dr. Jesus H. Chavez, Interim Superintendent of Schools stated, you can certainly address me but again, if there are questions, I will go ahead and call on them to respond to some of them with regards to the detail.** Mr. Ortiz stated, my question is, okay, my question is, how much, and this is for the 23-24 school year, how much are we spending on consultants for the 22-23 school year? **Dr. Chavez stated, if I can have one of the staff members address that if you have that information.** **Dr. Nereida Cantu, Deputy Superintendent stated, yes, we compiled the financial data on this and we were looking at how much was spent for contracted services and consultants. We included the ESSER, but it is actually less than 1% of the total budget for the district.** **Dr. Chavez asked, do you have an amount?** Mr. Ortiz interjected, my question is, how much are we spending, including ESSER monies, 199, 188, all these different funding sources that we have, how much money, I want to hear a figure, total, on how much we are spending on consultants for 23-24, a complete total. **Dr. Cantu stated, we are going to get that for you Mr. Ortiz, Mr. Cespedes is running the numbers for us and he will get that to you. But I do want to add a couple of things, if I may, ma'am.** Ms. Gonzalez stated, go ahead. **Dr. Cantu stated, one of the things that I just wanted to add is that some of the consultants that we are hiring are based on a grant and the grant is paying for many of these. So, if you look at the list here, for example, the LISTO Conference on professional development, that is a grant and its specifically for professional development. We also had ESSER funding specifically allocated for professional development because the goal of ESSER was to close the achievement gap and in order to close the achievement gap, we need to be able to provide training for teachers. So, I just want you to know that using, like for example,**

**Region One is one of our resources, that's probably one of the least expensive consultants because they have a lot of experts in the many different areas of the content areas. So, just wanted to clarify that not all the consultants are coming out of local funds, many of them are through grants or through ESSER, but let me see if we have an amount ready. Mr. Alejandro Cespedes, Chief Financial Officer stated, yes, for 22-23, approximately, this includes all funding sources, the district spent a little bit over 3.2 million.** Mr. Ortiz stated, holy cow, that's not nickles and pennies, you know, we have our teachers. *Mr. Kevin O'Hanlon, Legal Counsel interjected, that's 3 minutes.* Ms. Gonzalez stated, go ahead and close your comments. Mr. Ortiz stated, we have our teachers, I'm just thinking, why can't our instructional specialists and administration up here get the training and come and train our teachers because I'm concerned about our teachers. They are having to ask for donations, they are having to, you know, go out into the community, ask for donations because the district doesn't provide them money to buy things for their children. I mean, you know, for Thanksgiving, for Christmas, our teachers pull out money from their own pockets to give this to, you know, to their students. That's a lot of money why don't we give it, give some of it back to our teachers and to our students, that's the way I look at it. I do have a rebuttal later on, right? Ms. Gonzalez stated, yes, let me make sure and somebody else has, Ms. Peña. Ms. Minerva Peña, Board Member stated, yes, I know that some of these, as are listed here, they are grants, am I correct? **Ms. Beatriz Hernandez, Chief Academic Officer responded, yes ma'am.** Ms. Peña continued, and ESSER funds, am I correct? **Ms. Hernandez stated, yes, yes.** Ms. Peña asked, so the ones that are not grants and ESSER funds are 1, 2, 3, 4, 5, 6, 7, are not, so, I mean, I'm okay, but, ay, I don't know how to say this without stepping on toes, so I apologize in advance. Consultants are the fruit of 2023 in today's modern world and they go everywhere and expect to the funds to tell you how to do something that, please forgive me, somebody inside, knows how to do, but instead of touching and looking at the people with the professionals and the ideas and the smarts, we go outside with consultants. And a lot of the times you don't even go outside to consultants, the consultants are coming knocking at your door, can we come in? I want to make sure that we are not getting consultants where we don't need them and yet, we short staff our schools, our offices and the needs of the children because the funds are being allocated for something that we might not needed and a lot of the times we have the people working for us that have the brains, the intelligence, the smarts and the skills to do that for you. We just need to develop them and have them do the job for you instead of paying. Grants, I totally understand because the grant has a certain thing you have to do, you have to abide, you have to get those, that's fine, but the non-grants, I need to make sure that we are being very conscientious and if they are not need and I mean, don't get me wrong, I love my friends and I love my neighbors, my family, but if that is not needed, we are not here to help, well, he's a good friend, no, no, no, no, my friends don't cross into my business and my business don't cross into my friendship, my family doesn't either, that's how I was raised, that's how you keep them longer. Please be very careful that our funds are being used properly and if we don't have to do that, lets make sure that we look at it and give to people that are with us already getting paid for the job, polish them up to do the job that we are paying consultants to do, so thank you. Ms. Gonzalez stated, Mr. Elizondo. Mr. Carlos Elizondo, Board Member stated, yes ma'am, not sure who you want me to address this to, but, who came up with the list of the consultants and were teachers asked about that and if so, how many teachers and at what level, that's probably 3 questions in one? And the other one is, the amount you said, Mr. Cespedes, is over 3 million dollars? **Mr.**

Cespedes replied, yes, this is for 22-23, just to clarify a little bit, its function 13, right, staff development, so all I looked at was everything under contracted services, consulting and you know, of course, that includes all funding sources. Mr. Elizondo stated, right, and we said ESSER funds were being used for that, right, to bridge the gap? **Mr. Cespedes replied, that's correct, yes sir.** Mr. Elizondo asked, but ESSER funds were also made for retention of employees, correct? **Mr. Cespedes replied, right, yes, as you all know, the retention stipends we gave out were through, paid through ESSER.** Mr. Elizondo asked, but we've, we've stopped that and we just continued using for bridging the gap, but what I'm saying, in order for us to bridge the gap it probably has to be a wholistic approach. Right, make sure that we keep the teachers so we can bridge those gaps when we use these consultants at the same time, right, but anyway, we go back to the same question. **Ms. Beatriz Hernandez, Chief Academic Officer asked, if I may answer?** Ms. Gonzalez replied, yes, go ahead. **Ms. Hernandez continued, good evening President Gonzalez, Dr. Chavez, Members of the Board, so, Mr. Elizondo, the question was about how do we go about coming up with these trainings and so, the trainings vary by level. So, not all of them are specific to particular grade level or area, so, in the case, going back to the grant funding, the funding, the application stipulates that we are to reach out to regional, state or national presenters, speakers, experts in the area. At the district level, we do have staff, either the district administrators, lead teachers, curriculum specialists, but, in some of these cases, the people coming in are experts in their, in their area. And they are coming in to present on that expertise, not so much coming in to craft any sort of, lets patch and put a training together. In the case of the ESSER funding, we are using the allotted funding from ESSER for professional development, not only to target, or in this case, right now, our high priority campuses, but in general. Going back and reinforcing some of the training that had been done prior years and coming back from those experts and doing refresher trainings like the CIRCLE training that we did see in one of those cases. That's geared towards the early childhood grades, Pre-K all the way to 2<sup>nd</sup> grade. There's one that's mentioning the Writeable, as you know, our STAAR assessment was updated from what we knew as STAAR 1.0 to STAAR 2.0 which now includes an extended constructed response and short constructed response writing portion. That in itself, its not necessarily brand new, but its fairly new to, to the students to the teachers, to the staff, so this is training that's coming over to the schools and of course, also to the district staff that is there and the end goal is to build capacity so that when these experts leave, that we are able to sustain.** Mr. O'Hanlon interjected, that's 3 minutes. Mr. Elizondo stated, yes sir, but the 3 minutes were on hers, not on my time sir. Ms. Gonzalez asked, you want to go ahead and close up your comments? Mr. Elizondo stated, thank you, so, so, what I'm asking is, what you are trying to say is that you gotta blanket the training for everybody, so, you, you mentioned, high priority schools, not every school in this district is a high priority because there's some, some schools that are excelling, right and are we going to blanket the high priority training with those experts throughout the whole district? And so, what I'm trying to say is that you are going to bog down a lot of these individuals that don't need that specialized training because they are doing very well for themselves. So, when we blanket the whole school district with training, we are just training and training everybody over and over and over again and just, I see it as excessive, excessive training for individuals who are doing very well for themselves. **Ms. Hernandez stated, and, and that has been brought up, especially from teachers, you know, they do want differentiation in their professional**



development, which is something that Mr. Elizondo just brought up. So, in the case of CIRCLE, it is being open to the teachers that have brought up the request to their principals that they need that refresher, so, a lot of these trainings, its optional for them to get that refresher. In the case of, for example, our high priority campuses, the campus principal long with their immediate supervisor, that's one of the recommendations for this training to be redone for those cases. But, most certainly, the differentiation within the professional development is something that we are really making sure we are honing on. Ms. Gonzalez stated, Dr. Chavez would like to say something. Dr. Chavez stated, yes, I guess I just wanted to make some general comments about training, staff development, consultants and then the district expenditures. There's no doubt, again, in my mind, that in order to have excellence in a district, you know, you need strong staff development, I agree that there does need to be that balance, right, from the aspect of internal staff, experts that we've hired, specialists that we have, that yes, they provide training. But, in addition to that, you know, you do need to have outside experts who do come in, I personally do believe in the trainer of trainer's model. And that's he best thing you can do, right, if indeed you can, you know, have a program, have a training specified for, you know, a particular improvement and then do that training over several years and then maintaining, lets say. over 5 years, right. That's the best situation that we can have, certainly, you know, I'll be working with staff to implant those ideas, if you will, now, you have to understand, I happen to have that time, right, I've only been here a short time, but we are going to be working towards that. The other thing I want to mention is, if you think of private industry, private companies, they have a budget item called R&D, right, and you know, sometimes they spend 5%, sometimes they spend 10%, sometimes they spend 20%, I mean, some of these major, major, and I'm talking, you know, trillion dollar companies, you know, they've gotten, their stock has gone down because they invest so much money on R&D, but really my point there is that I view, I view training, staff development, yes some consultants that come in, as the R&D for a school district and so you have to have that and you've gotta have it in a strong way. I'm going from memory, so, you know, I may need to go, maybe look at some records, but, in Roundrock, I bet you we spend more than the 1% that we are spending here in the staff development area. And that was an emphasis that we had and there we had, again, that balance, you know, our folks are going to do some training, but we are going to bring some outside consultants to assist us, particularly in the areas where we need to get stronger, right? You know, here, as I think about that, mathematics, you know, continues to challenge us, reading continues to challenge us and so, I just wanted to share, you know, with the Board and also public staff here, I don't know that we've had a chance to speak specifically about staff development. So, you got a little bit of it tonight, but, thank you so much for the opportunity, Board, to allow me to make these few comments, thank you. Ms. Gonzalez stated, Daniella Lopez Valdez has something. Ms. Daniella Lopez Valdez, Board Member stated, yes, thank you Dr. Chavez for clarifying that, I also wanted to point out, I know two years ago, we had looked at, very deeply into the trainings, I'm sure Ms. Hernandez and Dr. NIC, you all were involved in this because there was a lot of amount of trainings and there was a lot being spent and I know you looked very deeply into reducing it. I, so, I appreciate that and I also recognize here, that we are making sure to give stipends to those who are attending these and I think that's great for continuous education and all of this is to improve student outcomes, which is what we're here to do. So, what, of course, we always want to make

sure that we are not doing, you know, overly spending, but I appreciate the, and I know that this also helps alleviate the work from a lot of our staff who do have a lot to do. So, thanks for making sure that we provide that stipend and we focus on student outcomes. Ms. Gonzalez stated, Mr. Ortiz has a follow up. Mr. Ortiz asked, Legal, you're only counting my time when I'm speaking, is that correct? Ms. Peña stated, yes. Mr. Ortiz asked, Legal, I'm asking? Ms. Peña stated, that should be. *Mr. O'Hanlon stated, I'm counting the time during question and answer.* Ms. Peña stated, excuse me, it should be the time that we are speaking. *Mr. O'Hanlon stated, that's fine, if that's, you set the rules, not me.* Ms. Gonzalez stated, when we started to do this a few months ago, it was, you say what you need to say and if you don't use up your time, you waive the rest of it, that's how we started a few months ago. Mr. Ortiz asked, talking about stipends, I'm looking at Bilingual and I'm looking at ESL certification and I see stipends here, can someone explain who is getting these stipends and how much these stipends are for? **Dr. Chavez stated, yes, go ahead. Ms. Hernandez stated, yes, I would like to call Mr. Carlos Olvera.** Ms. Gonzalez stated, hold on Mr. Olvera, let's see if Mr. Ortiz has any more questions before you answer. Mr. Ortiz stated, yeah, yeah, let me ask it together because I'm getting short changed here and you know, I'm here to represent our staff and I'm here to represent our district and I feel that I am not being allowed to do that. But here's the question sir, this ESL certification, who's getting that certification or who's getting that stipend and were the staff members that received the certification prior to when you started giving this stipend, did they receive the stipend and if they didn't, are they going to receive a stipend as well? **Mr. Carlos Olvera, Bilingual Education Department Director stated, good evening Ms. Jessica, Dr. Chavez, Board Members and audience, to answer your question, I believe you're asking about the one time 500-dollar stipend when a teacher becomes either Bilingual or ESL certified.** Mr. Ortiz stated, correct, especially ESL certifications especially at the secondary level, the core teachers. **Mr. Olvera stated, so, that is part of our ongoing work on making sure that our teachers are either Bilingual Certified in elementary or ESL certified in secondary, that is an additional incentive that was provided and added to the compensation plan beyond the actual Bilingual stipends and ESL stipends that are, have been done for years. We wanted to add that incentive for individuals that recently became Bilingual or ESL certified.** Mr. Ortiz asked, how about the ones in the past, that's what I'm concerned about, the ones in the past? **Mr. Olvera replied, okay, so we had to set the line, we had to establish an actual starting point because we've been working for, for years now on getting these individuals certified and we, of course, know that some of them are either struggling to get certified or still working on it. So, we had to draw that line as of July 1<sup>st</sup>, 2022, we added that additional incentive for teachers to become Bilingual certified. Now, there are also other opportunities where teachers who became certified can do, what are they called, project-based modules, performance-based modules for additional compensation. But we needed to draw a line, a starting point, because otherwise, you know, we could open up the floodgates and so we had to draw one line and that is July 1<sup>st</sup>, 2022, we presented it to the compensation to the HR Department and then it was approved by the Board last year.** Mr. Ortiz stated, I'm just talking about equity, we have our staff members that went through the same thing and they had to go take the test and they did not receive that one-time stipend. I'm talking about these individuals, I'm talking about equity, we can't have double standards here. Dr. Chavez, I'll finish up, could you just look into that sir? **Dr. Chavez stated, well, actually, yes, we are going to be looking into that, see if there's anything that can be done for those individuals who, you know,**

we did ask them or encouraged them, if you will, before the stipend, to get the Bilingual certification and or the ESL. We are going to be taking a look at that and anticipate that there would be an agenda item coming forth for the Board and then, you know, we the Board, I say you the Board, can determine, you know, whether we want to do that or not. There will be some financial implication, obviously, right, when you, when you award, let's say a 500-dollar stipend for that, I think staff has heard me and as I'm going around talking to principals, you know, or of the things that I always talk about is fairness, equity and so we will take a look at that and we'll bring that back to the Board. Mr. Ortiz stated, I appreciate that sir. Ms. Gonzalez stated, Ms. Peña has a follow up. Ms. Peña asked, yes, and just real quick, before I start, you're acronym for the stipends, CPE, what does CPE stand for, right there where it says stipend, slash, CPE? **Mr. Olvera replied, oh, that's, thank you, Continuing Professional.** Ms. Peña interjected, okay, CPE. **Mr. Olvera continued, that's part of the PD program, Professional Development Department that the teachers acquire.** Ms. Peña interjected, and C is for? **Mr. Olvera stated, continued.** Ms. Peña asked, and the P? **Mr. Olvera replied, professional.** Ms. Peña asked, and the E? **Mr. Olvera replied, education.** Ms. Peña stated, that's all I wanted to say, okay, thank you. And okay, so, because when we see stipends and people see it and you see those acronyms, that's why I don't like to use acronyms, because you kind of go blank. But one thing I wanted to say Dr. Chavez, I know that you say, you know, its teaching and we like to have consultants come in, you know, the experts, and that always grabs my ear you know. There is no better expert than the teacher in the front line and the hardest thing that an administration will ever learn is to stay connected to the front line when you climb to the top. And there is a huge break there and when I was with the state, they drilled that, don't ever disconnect from the front line and you will always be able to continue working 20 years later, you can step into the front line and do that work because you never disconnected. So, what I want to make sure is we don't disconnect from the front line and bring all these people, because I think they need it, let's take surveys, if your teachers say, I didn't learn anything, guess what, they didn't learn anything and just upsets them, takes up their time. Because I know some people are very good about staying connected and knowing what's going on in the front line and I know some people completely are disconnected from the front line. And if there wasn't teachers, no districts would be needed, if there weren't administrators, we wouldn't need a superintendent, no superintendent, we don't need Board Members, but we start at the bottom and stay focused with the bottom because they make us shine, they make us proud, they are doing all the work, none of us up here are doing the work, they are and when go on and force them to do stuff and they say wait, wait, wait, the objective is to teach the child to learn to be able to pass all the exams they need to continue and go to college, pass that, graduate and become a productive citizen. So, please, lets keep that in mind and not disconnect from the front line because taking care of your classroom is their number one priority and if you pull them away for this, it's very difficult for them to do that, so, thank you. Ms. Gonzalez asked, thank you Ms. Peña, Ms. Pat, are you ready? **Ms. Pat C. Perez, Administrative Assistant to the Board of Trustees replied, yes ma'am, please vote, motion passes, 6 yes, 1 no.**

**Motion made by Jessica Gonzalez, seconded by Eddie Garcia, to recommend approval to contract consultants for the 2023-2024 school year to support District initiatives and practices for elementary and secondary educational staff based on District needs and funding.**

**The following vote was recorded**

Yea: Mr. Elizondo, Ms. Lopez, Ms. Garza, Mr. Garcia, Ms. Gonzalez, Ms. Peña  
Nay: Mr. Ortiz  
Abstain:

**Motion Carried: 6-1-0**

**B. Recommend approval of the following Payment(s):**

1. Recommend approval to pay Cameron Appraisal District the required amount of \$1,069,057.00 for appraisal services rendered. (Annual Fee)

Ms. Jessica Gonzalez, Board President stated, Ms. Peña has a question on this one, I'm sorry, let me make a motion to approve. Ms. Minerva Peña, Board Member stated, second, Ms. Gonzales stated, and then Ms. Peña has a question on this one. Ms. Peña asked, yes, that, is this, do I see the amount correct, 1,069,057.00? **Mr. Alejandro Cespedes, Chief Financial Officer replied, yes ma'am.** Ms. Peña asked, and exactly, and this is the Appraisal District, is this something that is mandated that we pay because they do the appraisals for the taxes we get from the properties? **Mr. Cespedes replied, that's correct ma'am, it's in accordance with tax code 6.06 and so then, what the county appraisal district does, is, for example, in early October, they submitted their total budget and then what they do is they take the percentage that is allocated to us. For example, the total amount right, that the county appraisal district is going to collect is a little bit over 557 million dollars, of that, they are going to collect, on behalf of Brownsville ISD is 80 million. So, they take a percentage and then they multiply that to their adopted budget and that's how we got to the million dollars, 69, which is slightly lower than we paid them last year.** Ms. Peña asked, okay, and that's something that's mandated, there's nothing we can do about that, am I correct? **Mr. Cespedes replied, right, as, as the entities that are receiving those taxes, they do send us those public notices when they hold their public meetings for their budget so we can always go to those meeting as well. But this is something that they adopt every year in accordance to tax code.** Ms. Peña stated, thank you.

**Motion made by Jessica Gonzalez, seconded by Minerva Peña , and unanimously carried to recommend approval to pay Cameron County Appraisal District the required amount of \$1,069,057.00 for appraisal services rendered (Annual Fee). (7-0-0)**

2. Recommend approval of payments for construction services and/or engineering services throughout the District in the total amount of \$3,072,364.89.

Ms. Jessica Gonzalez, Board President stated, motion to approve. Ms. Minerva Peña, Board Member stated, second. Ms. Gonzalez stated, Ms. Peña has a question on this one. Ms. Peña asked, yes, are these, only partial payments, its not complete, right? Because on some of them I see payment number 2 and some payment number 6, do we have somewhere where we have the total payment for all of them, where we can get that information please, is that possible? Ms. Gonzalez asked, you mean like a balance? Ms. Peña replied, yeah, like, right, like, okay, we have payment number 6, payment number 5, you know, and their

highest, 350 thousand. So, do we have, is there a 7, 8, 9 and 10? What's the overall total? Can you get that to us? **Dr. Jesus H. Chavez, Interim Superintendent of Schools stated, yes, yes, we can get you that information and probably in future items we will go ahead and include it in here, that way you have that.** Ms. Peña stated, thank you. Ms. Gonzalez stated, Mr. Ortiz has a question. Mr. Frank Ortiz, Board Member asked, yes, I guess this is for Mr. Alonso, the majority of this money is going for the AC upgrades, is that correct, at the schools? **Mr. Alonso Guerrero, Health Services & Operations Director replied, correct.** Mr. Ortiz stated, okay, my backups not working here, but I remember reading this a little earlier, but the majority is for the HVAC. **Mr. Guerrero stated, correct, different campuses that got HVAC upgrades.** Mr. Ortiz stated, okay, thank you. Ms. Gonzalez stated, Ms. Pat.

**Motion made by Jessica Gonzalez, seconded by Minerva Peña , and unanimously carried to recommend approval of payments for construction services and/or engineering services throughout the District in the total amount of \$3,072,364.89. (7-0-0)**

**C. Recommend approval of the following Contract(s)/Agreement(s):**

1. Recommend approval of the Texas Association of School Boards (TASB) pay system maintenance of Brownsville I.S.D. (Cost to the District \$14,000.00) **Consent Agenda**
2. Recommend approval to enter into a Memorandum of Understanding between the Brownsville Independent School District and Early Childhood Intervention (ECI) Program under the coordination of Region One ESC to provide services for qualifying infants, toddlers and their families for the 2023-2024 school year. At no cost to the District. \* **Consent Agenda**
3. Recommend approval to contract consultants from Heggerty for Phonemic Awareness to support fluency for elementary teachers for the 2023 - 2024 school year based on District needs and funding at a cost of \$5,000.00. \* **Consent Agenda**
4. Recommend approval to contract certified consultants from Region One for CIRCLE training at elementary schools for the 2023 - 2024 school year based on District needs and funding at a cost of \$14,450.00. \* **Consent Agenda**
5. Recommend approval to enter into a Memorandum of Understanding between Brownsville ISD and United Migrant Opportunity Services Migrant and Seasonal Head Start (UMOS MSHS) for 2023-2025 school year. The purpose of this preschool program is to provide services to children from 6 weeks to 5 years of age and their families. At no cost to the District.\* **Consent Agenda**
6. Recommend approval of a Memorandum of Understanding between Workforce Solutions Cameron and Brownsville ISD to establish working relationships by accommodating the assistance of Workforce Solutions Cameron and Career Outreach Specialists in delivering career information and workforce services to Brownsville ISD middle and high school students throughout the District under the guidelines of Texas Workforce Commission Workforce Center and Education Outreach Specialist Pilot Program and remain in full force through May 31, 2025. No cost to the District. \*

Ms. Denise Garza, Board Member stated, motion to approve. Mr. Eddie Garcia, Board Member stated, second. Ms. Jessica Gonzalez, Board President stated, Ms. Peña has a question on this one as well. Ms. Minerva Peña, Board Member asked, yes, and is this a continual thing, Dr. Chavez, or let me ask someone else, you just got here. **Dr. Jesus H. Chavez, Interim Superintendent of Schools** replied, well, yes, I'm not, I'll have Ms. **Beatriz Hernandez** respond to that. **Ms. Beatriz Hernandez, Chief Academic Officer** stated, yes sir, Ms. **Benita Villarreal** will be joining me with this answer, go ahead ma'am. **Ms. Benita Villarreal, Career & Technical Education Director** stated, good evening Ms. **Gonzalez and Members of the Board**. Ms. Gonzalez stated, press the mic. **Ms. Villarreal** continued, good evening Ms. **Gonzalez, Members of the Board, Superintendent, Ms. Peña**, could you please repeat the question, I want to make sure I understand it? Ms. Peña stated, yes, I, I, yes, I, its an excellent thing, its no cost to the district and I'm just asking, is this something that we've done in the past and we are going to continue doing or is this a new program on some of these? **Ms. Villarreal** replied, this is a pilot program, as you know, when it comes to CTE, we offer most of our course work in the high school. What we are trying to do is actually bring it down to the middle school. It is our responsibility because we receive Perkins fund to be sure that we start at the elementary with exposure, awareness, learning about the possible careers. But in this case, it's a pilot program, we have done it informally, through career fairs, things that the campuses would do on their own. But in this case, this is not only with BISD, but they are working with other districts to go down to the middle school level formally so they can reach out to the parents and the students and talk about the local workforce. As you know, Workforce Solutions provides off the press data in terms of the trends in the market, so this is a very good opportunity because what we are doing is we are talking to the kids very early on so they can start brainstorming as to what is it that they really want to do when they grow up. So, it goes from inventories to handouts to data, so this is a pilot program that we are starting at the middle schools, we are reaching out to the principals and asking them to set aside some time for them to meet with the parents so they can inform about the job opportunities and the trends and also with the kids so they can start talking about, like the interest inventory and so on. So, obviously, if successful, this is something that we are looking forward to establish a blueprint. Ms. Peña stated, and I want to thank you and I'm glad you said that because it's very important because middle school is where we make or break a student's future. **Ms. Villarreal** stated, absolutely. Ms. Peña continued, that's where they decide, I'm going to go for it or you know what, as soon I can, I'm dropping out. So, thank you that you start at that age to give them something to focus on, something to continue to look forward to because sometimes I've had relatives who were going to be doctors, they were all excited, when they went and they saw blood, they said, disregard, I couldn't handle it. So, I like it that you start young because sometimes you want to do something and you get older and you forget, never mind, so thank you, thank you and I hope, Dr. Chavez, this works well and we continue it because it's an excellent thing to do for our students, so thank you. **Ms. Villarreal** stated, thank you, any other questions? Ms. Gonzalez stated, no, we are ready to vote, thank you.

**Motion made by Denise Garza, seconded by Eddie Garcia, and unanimously carried to recommend approval of a Memorandum of Understanding between Workforce Solutions Cameron and Brownsville ISD to establish working relationships by accommodating the assistance of Workforce Solutions Cameron and Career Outreach Specialists in delivering career information and workforce services to Brownsville ISD middle and high school students throughout the District under the guidelines of Texas Workforce Commission Workforce Center and Education Outreach Specialist Pilot Program and remain in full force through May 31, 2025. No cost to the District. \* (7-0-0)**

7. Recommend approval for continued services of professional development with Lead4ward Services for the 2023-2024 School Year. 9th-12th grade District Leadership training in the amount of \$40,500.00. \* **Consent Agenda**
8. Recommend approval for continued services of professional development with Houghton Mifflin Harcourt for Consultant Services for the 2023-2024 School Year. 6th-12th grade District Writable training in the amount of \$12,600.00.\*

Ms. Jessica Gonzalez, Board President stated, motion to approve. Ms. Minerva Peña, Board Member stated, second. Ms. Gonzalez stated, Ms. Peña had a question on this one. Ms. Peña asked, yes ma'am, Dr. Chavez, who can I address to find out, its, how long, because it says its 6<sup>th</sup> to 12<sup>th</sup> grade District Writable Training in the amount of 12,000, how long have we done this and how good has it been for our students, does anyone know? **Dr. Jesus H. Chavez, Interim Superintendent of Schools replied, yes, let me have Ms. Beatriz Hernandez respond. Ms. Beatriz Hernandez, Chief Academic Officer stated, yes ma'am, this is currently our, one of our adoptions, once again, our, the intent with this professional development training on January the 8<sup>th</sup> is to bring the company back in to really hone in on the writing component with our 6<sup>th</sup> thru 12<sup>th</sup> grade. We are having 3 trainers come in and train over 180 teachers ranging, again, from the middle school all the way to the high school. Ms. Peña asked, okay, and we've done this for how many years, or is this something new? Dr. Norma Ibarra Cantu, Executive Director/Secondary replied, this, we've had our adoption, already, this is our second year with our adoption and Writable came with, as an addition to the new writing formats, so, Writable is coming back to adjust and calibrate with us and we will be there to be trained and then for sake of sustainability and implementation, we will be there so we can ensure that we are able to continue review. So, they are coming back just so they can continue review and update us on the updates that TEA has just released with the rubric that the released on the writing and that's what writable has done, they've updated and that's why we are brining them back in January the 8<sup>th</sup> for our teachers to be familiarized with this new update. Ms. Peña asked, and the fee is only 12,600? Dr. Ibarra Cantu replied, yes, for all secondary teachers in ELA. Ms. Peña stated, thank you. Ms. Gonzalez stated, Mr. Ortiz has a question. Mr. Frank Ortiz, Board Member stated, yeah, you know how I feel about consultants, but none the less, here's a question. When we adopt a program or its, you said its one of our adoptions, isn't professional development from that company part of it, part of the adoption? Dr. Ibarra Cantu stated, in initial trainings, in an initial adoption, yes, the trainings will be embedded there, but as they years go by, if we have something that's new, its just depends on what it is that the company will either just come in and deliver the training**

or if, in this case, you know, there is a fee. Especially because we are wanting to train our teachers with 3 trainers, you know, so then we can keep the smaller groups and make it an effective training. Then that's where then, we have costs. Mr. Ortiz stated, because I remember that in the past when we did have adoptions, the professional development was part of it, so I'm just, I'm just, you know, asking and I've got that concern that why wouldn't it be? **Dr. Ibarra Cantu stated, so yes, when we have the initial adoptions, that's definitely a part of it sir.** Ms. Gonzalez asked, ready Pat? **Ms. Pat C. Perez, Administrative Assistant to the Board of Trustees stated, please vote, motion passes, 5, yes, 2 no.**

**Motion made by Jessica Gonzalez, seconded by Minerva Peña , to recommend approval for continued services of professional development with Houghton Mifflin Harcourt for Consultant Services for the 2023-2024 School Year. 6th-12th grade District Writable training in the amount of \$12,600.00.\***

**The following vote was recorded**

Yea: Ms. Lopez, Ms. Garza, Mr. Garcia, Ms. Gonzalez, Ms. Peña  
Nay: Mr. Elizondo, Mr. Ortiz  
Abstain:

**Motion Carried: 5-2-0**

9. Recommend approval for the Workforce Solutions Cameron/Texas Rising Star Provider agreement for Brownsville Independent School District to receive the reimbursement funds of up to \$80,000.00 for Daycare Services at Lincoln Park High School. It is based upon funding availability and participation with the Workforce Solutions Cameron and the Texas Rising Star Program. \* **Consent Agenda**
10. Recommend approval to continue a partnership with Texas Southmost College to provide dual program opportunities for students. These programs expand and enhance dual enrollment/dual credit options. This agreement shall continue from year to year unless amended or terminated in writing by either party. Services and items to be purchased are subject to the District's needs and funding. Approximate cost \$390,000.00. \* **Consent Agenda**
11. Recommend approval to enter into a Memorandum of Understanding with Viola's House for the 2023-2024 school year to provide parental education classes, access to free diapers and baby materials at no cost to the District. \* **Consent Agenda**
12. Recommend approval to enter into Agreement with Cameron County Community Service Centers to provide Adult Basic Education/Adult Secondary Education, High School Equivalency, English as Second Language and certification for in demand occupations classes for the 2023-2024 school year at no cost to the District. \* **Consent Agenda**
13. Recommend approval to enter into a Memorandum of Understanding with local Rotarians, Mr. & Dr. Hagan for the implementation of the Early Act FirstKnight (EAFK) at Garden Park Elementary for the 2023-2024 School year at no cost to the District. \*



Mr. Eddie Garcia, Board Member stated, motion to approve. Ms. Minerva Peña, Board Member stated, second. Ms. Gonzalez stated, Ms. Peña has a question. Ms. Peña asked, yes, I just wanted, I just, do I address Dr. Hernandez again? I'm sorry, I made you a doctor, I apologize. Okay, now you are going to have to work on that, okay, I'm just kidding. I'm looking at this and its at no cost to the district and I think its an excellent thing, so, in a nut shell, can you tell me what they are going to provide so the public can know what exactly, the parents will know what they are going to provide for the students at Garden Park, this Rotary Club? **Ms. Beatriz Hernandez, Chief Academic Officer stated, yes ma'am, so, it's a comprehensive program to address the, there's social emotional lessons to build leadership skills, citizenship skills and the main component, one of the main components is bringing in a Knight, I believe a couple of, like a horse, so that there is a whole ceremony as the students are reaching a certain stage of this program. There is a ceremony to knight the students, the intent and the goal of the program is to boost our attendance and while at the same time, making sure that we instill the leadership and different type of skills to the students.** Ms. Peña asked, have we done this before or is this the first year for this? **Ms. Hernandez replied, this is the first year.** Ms. Peña stated, and the reason I say that because if its successful, will they be willing to do it for the rest of our elementaries? **Ms. Hernandez stated, we're going to, hopefully, if it is approved, to pilot it, it has been implemented in other areas of the state, we hear very good comments, again, if it's a pilot, like everything else, if it works for our district, of course, we can come back to the table and see if, you know, if its available for the rest of our campuses, of course.** Ms. Peña stated, yeah, if it works for one school, we can, hopefully, for others, thank you very, much, sounds like a great program. **Dr. Jesus H. Chavez, Interim Superintendent of Schools stated, let me, madame President, Members of the Board, if I may, let me say that this is great motivational program for students. You notice that it is sponsored by the Rotary Club, by the way, I'm an ex Rotarian, ex because I recently left them but maybe I can rejoin.** Ms. Peña stated, that would be good. **Dr. Chavez stated, anyway, it's great, I know we had it in several of our schools in Roundrock and it was very beneficial to our students and so I really am very supportive of this.** Ms. Gonzalez stated, before Mr. Elizondo says something, I just want to appreciate that we do have the Rotarians here in the audience, thank you guys for being here, for support. Ms. Peña interjected, thank you for your service. Ms. Gonzalez added, thank you for all you do, Mr. Elizondo does have something. Mr. Carlos Elizondo, Board Member stated, yes, I just want to see if the experts were here, maybe you can give us a few words on the program, thank you. Ms. Gonzalez stated, they're right there, Mr. Hagan, can somebody double check his mich for me please. Mr. Andy Hagan, Rotary Club Representative stated, does that work, yes, thank you, good afternoon, madame President and Dr. Chavez, Members of the Board and our attendees at large, its our honor and privilege to bring this program to you, it's going to be the first in this school district. It's actually going to be the first time, really our first time it's introduced in the Rio Grande Valley. I'm a former club sponsor for InterAct and our first InterAct Club was James Pace High, InterAct Club and we served for over a span of 25 years. As district governor in 2018 and 19, I was able to, through the help and support of our superintendent and the Board at that time, we had our InterAct Club which is a high school-based club in a majority of the high schools here in your school district. Unfortunately, with Covid, everything got derailed so we are doing a restart to revitalize those clubs and get

our Rotary Clubs here, which are, there are four in Brownsville jumpstarted so that we can support you here. This is going to be a great opportunity as was mentioned, not only for leadership development, we put a lot of emphasis on character traits and character building, each month they celebrate a different character trait. For example, honesty, integrity, respect and as you go through, what you'll see is that the student, certain students will be selected by the faculty and staff and teacher and proposed as to be knighted at the end of the month and then the knights come in and they will actually do a special ceremony of knighting that student. On beknow to the students but a contact will be made to the parent or parents so that they can come and they will be in the background and as the student is asked to come up, the parents will come forward and many will come with balloons or cupcakes and this and that for a grand celebration and you can hear a pin drop as the knighting is going on. It inspires so many students and I've seen and witnessed this in the Victoria area, the Victoria School District, where every elementary club was sponsored by Rotary Clubs for over 11 years. And so, they said it reduced tardiness, there was less bullying, there was, really this hands-on positive atmosphere within the campuses that I had the opportunity to visit and witness the knighting ceremony in each of these areas. So, again, we want to thank you on behalf of our Rotary, I've got our club president, Mari Montelongo here as well, we'll be supporting you, again, no charge to the district and we'll use this opportunity to learn, tailormade for the Garden Park Elementary with the help of our principal, Cesar Murrillo, has been instrumental in helping to push forward this initiative and those like Ms. Emerson and those that we've met with. So, again, thank you for this opportunity and we look forward to working with you in the school district, thank you. Ms. Peña stated, thank you for all you do for our children, we really appreciate it. Mr. Elizondo stated, thank you for that presentation on behalf of this School Board, we thank you for what you guys are doing for our kids and staff, thanks. Ms. Gonzalez stated, Ms. Pat.

**Motion made by Eddie Garcia, seconded by Minerva Peña, and unanimously carried to recommend approval to enter into a Memorandum of Understanding with local Rotarians, Mr. & Dr. Hagan for the implementation of the Early Act FirstKnight (EAFK) at Garden Park Elementary for the 2023-2024 School year at no cost to the District. \* (7-0-0)**

**D. Recommend approval of the following Bid(s)/Proposal(s)/Purchase(s):**

1. Recommend approval to extend Bid #23-072 for Paint Supplies District-wide to several vendors for three (3) months to expire in February 2024. (Annual Bid) **Consent Agenda**
2. Recommend approval to extend Bid #23-075 for Oxygen, Acetylene and Welding Supplies District-wide to Praxair Distribution, Brownsville, Texas for three (3) months to expire in February 2024. (Annual Bid) **Consent Agenda**
3. Recommend approval to extend Bid #23-078 for Paving Services District-wide to several vendors for three (3) months to expire in February 2024. (Annual Bid) **Consent Agenda**
4. Recommend approval to extend Bid #23-079 for Roofing Maintenance District-wide to several vendors for three (3) months to expire in February 2024. (Annual Bid) **Consent Agenda**

5. Recommend approval to extend Bid #23-097 Ground Landscaping Services District-wide to several vendors for three (3) months to expire in February 2024. (Annual Bid) **Consent Agenda**
6. Recommend renewal of CSP #23-160 Commingled (Single-Stream) Recycling Service District-wide to Redfish Recycling (Marck Industries of Texas) of Brownsville, Texas. The term of this contract is effective November 14, 2023, through November 14, 2024, with the option to renew for an additional one (1) year. Year two (2) of a three (3) year contract. **Daniella Lopez Valdez abstained**
7. Recommend awarding RFQ #24-132 Architectural Services District-Wide to Gomez Mendez Saenz, Inc., of Brownsville, Texas, Rike Ogden Figueroa Alex Architects, Inc., of McAllen, Texas and Gignac & Associates, LLP, of McAllen, Texas, with an option to renew for two additional years; additionally, to authorize the Administration to negotiate and execute the contract fee for said services on a project-by-project basis. The board will be advised on the selection of the architect prior to issuing the negotiated contract. **Consent Agenda**
8. Recommend awarding RFQ #24-133 Architectural/Engineering Services for Roof Replacement District-Wide to Raba-Kistner, Inc. of McAllen, Texas, Armko Industries, Inc. of McAllen, Texas and Gomez Mendez Saenz, Inc., of Brownsville, Texas, with an option to renew for two additional years; additionally, to authorize the Administration to negotiate the fee and execute the contract for said services on a project-by-project basis. The board will be advised on the selection of an architect/ engineer prior to issuing the negotiated contract. **Consent Agenda**
9. Recommend awarding Bid #24-007 Music Supplies and Equipment District-wide to several vendors. The term of this contract is effective November 14, 2023, through November 14, 2024, with the option to renew up to two (2) additional one (1) year periods if all parties are in agreement. Year one (1) of a three (3) year contract. **Consent Agenda**
10. Recommend awarding Bid #24-009 Furniture District-wide to several vendors. (Annual Bid) **Consent Agenda**
11. Recommend awarding Bid #24-011 Helmet Reconditioning and Shoulder Pads Repair District-wide to several vendors. (Annual Bid) **Consent Agenda**
12. Recommend awarding Bid #24-012 Weight Training Room Equipment District-wide to several vendors. (Annual Bid) **Consent Agenda**
13. Recommend awarding Bid #24-013 Athletic Supplies for Boys/Girls Wrestling District-wide to several vendors. (Annual Bid) **Consent Agenda**
14. Recommend awarding Bid #24-026 Theatre Equipment, Services and Supplies District-wide to several vendors. The term of this contract is effective November 14, 2023, through November 14, 2024, with the option to renew up to two (2) additional one (1) year periods if all parties are in agreement. Year one (1) of a three (3) year contract. **Consent Agenda**

15. Recommend awarding Bid #24-040 Charter Bus Services District-wide to several vendors. (Annual Bid) **Consent Agenda**
16. Recommend awarding Bid #24-042 Medical Supplies and Equipment District-wide to several vendors. (Annual Bid) **Consent Agenda**
17. Recommend awarding Bid #24-063 Preventive Maintenance and Repair for School Buses and Vehicle Fleet District-wide to several vendors and cast lots for items #15, #33, #35, #48, #49, #50, #55 and #56 of said bid. (Annual Bid)

Ms. Jessica Gonzalez, Board President stated, motion to approve. Ms. Denise Garza, Board Member stated, second. **Ms. Pat C. Perez, Administrative Assistant to the Board of Trustees stated, our first cast lot is item 15. Dr. Jesus H. Chavez, Interim Superintendent of Schools stated, just for the record, these are very tiny little squares, alright, this is Picasso's LLC. Ms. Gonzalez asked, got it Pat? Dr. Chavez repeated, Picasso's LLC. Ms. Gonzalez stated, item 33. Dr. Chavez stated, Red Barn Tire Center, again, Red Barn Tire Center.**

**Carlos Elizondo stepped out at 7:24 p.m.**

Ms. Gonzalez stated, item 35. **Dr. Chavez stated, Red Barn Tire Center, again, Red Barn Tire Center.** Ms. Gonzalez stated, item 48. **Dr. Chavez stated, Spot Rubber Welders Incorporated Pequeno, again, Spot Rubber Welders Incorporated Pequeno.** Ms. Gonzalez stated, item 49. **Dr. Chavez stated, Red Barn Tire Center, Red Barn Tire Center.** Ms. Gonzalez stated, item 50. **Dr. Chavez stated, Red Barn Tire Center, Red Barn Tire Center.**

**Carlos Elizondo returned at 7:25 p.m.**

Ms. Gonzalez stated, item 55. **Dr. Chavez stated, Sport Rubber Welders Incorporated Pequeno, Spot Rubber Welders Incorporated Pequeno.** Ms. Gonzalez stated, item 56. **Dr. Chavez stated, Jaime's Tire Store Sylvia G. Perez, Jaime's Tire Store Sylvia G. Perez. And if I may ask one of our staff members to, for our public, so, that they understand what it is that we are doing here. Would you explain the reason for the cast, you know, casting here that we've done? Ms. Gonzalez stated, we have our Purchasing Director, Ms. Rosie Peña . Dr. Chavez added, I just want for the public and our attendees here to get an explanation as to what we were just doing. Ms. Rosie Peña, Purchasing Department Director stated, yes sir, of course. Good evening, madame President Ms. Gonzalez, distinguished Board Members and of course, Interim Superintendent Dr. Chavez, what we just finished doing is, whenever we have a tie in pricing on a sealed bid, the law calls for casting of lots so we can select the winning bid. So, that is basically what took place right now. Ms. Minerva Peña, Board Member asked, and if I may? Ms. Gonzalez stated, Ms. Peña. Ms. Peña asked, and there were several people in there, the ones that were tied and he just picks, the one he picks is the one that gets it. Ms. R. Peña stated, correct ma'am. Ms. Peña stated, just coincidentally, some of them came out a lot. Ms. R. Peña stated, yes ma'am. Ms. Peña continued, it was done fairly, it just so happens that's the way it came out, am I right? Ms. R. Peña stated, yes ma'am. Ms. Peña stated, thank you.**

**Motion made by Jessica Gonzalez, seconded by Denise Garza, and unanimously carried to recommend awarding Bid #24-063 Preventive Maintenance and Repair for School Buses and Vehicle Fleet District-wide to several vendors and cast lots for items #15 – Picasso’s LLC, #33 – Red Barn Tire Center, #35 – Red Barn Tire Center, #48 – Spot Rubber Welders, Inc Pequeño, #49 – Red Barn Tire Center, #50 – Red Barn Tire Center, #55 – Spot Rubber Welders, Inc. Pequeño and #56 – Jaime’s Tire Store Sylvia G. Perez, of said bid. (Annual Bid) (7-0-0)**

18. Recommend awarding Bid #24-087 Repair Parts for School Buses and Support Vehicles to several vendors. (Annual Bid) **Consent Agenda**
19. Recommend awarding Bid #24-090 Plumbing Services District-wide to several vendors. The term of this contract is effective November 14, 2023, through November 14, 2024, with the option to renew up to two (2) additional one (1) year periods if all parties are in agreement. Year one (1) of a three (3) year contract. **Consent Agenda**
20. Recommend awarding Bid #24-156 Fine Arts Uniforms and Supplies for Performance Groups District-wide to several vendors. The term of this contract is effective November 14, 2023, through November 14, 2024, with the option to renew up to two (2) additional one (1) year periods if all parties are in agreement. Year one (1) of a three (3) year contract. **Consent Agenda**
21. Recommend awarding of CSP #24-008 Veterans Memorial ECHS Ticket Booth, Press Box, Scoreboard Project to NM Contracting, LLC of McAllen, Texas, in the amount not exceeding \$926,800.00, to authorize the Administration to enter negotiations and to execute the contract. Local Fund 197. **Amendment: Item 21 Will be deleted from agenda and backup**

## **XI. Board Member Request(s)**

### **A. Action Item(s)**

1. Discussion, consideration and possible action regarding insurance consultant presentation to entire employees insurance committee. Date & place this presentation was made to the entire employees insurance committee. (Board Member Request Minerva Peña /Board Support Carlos Elizondo)

Ms. Minerva Peña, Board Member stated, move to approve. Mr. Carlos Elizondo, Board Member stated second. Ms. Jessica Gonzalez, Board President stated, we have a first and a second, Ms. Peña, I’m assuming you had a question? Ms. Peña asked, yes, if, I just want, because the insurance, the person, the Department of Insurance is here, may I address? Ms. Gonzalez stated, Ms. Maricela Puente Zarate. **Dr. Jesus H. Chavez, Interim Superintendent of Schools stated, yes, yes, please.** Ms. Peña stated, good evening. **Ms. Maricela Z. Puente, Employee Benefits/Risk Management Director stated, good evening madame President Gonzalez, Dr. Chavez and Members of the Board, yes ma’am, may I answer your questions?** Ms. Peña stated, yes, yes, whenever they have this and I guess because I’ve gotten calls and I’ve gotten concerns, whenever they have these presentations and they present a certain price and this is what it’s going to cost you and this is what we have to offer and then from all the presentations to the people and what they’re going to cost and what is going to be offered, then the Insurance Committee selects

that vendor, am I correct? **Ms. Puente stated, yes ma'am.** Ms. Peña asked, okay, what are we doing when, and I've gotten calls and I've gotten texts when the people that were on the insurance committee and people of the district come back and say, they did not honor the prices they said they had. Do we do anything about that, let's say the presentation took place two months ago, until it gets approved and all of a sudden there is a price hike, do they explain to you why a vendor would charge the employee higher than what they presented that they were going to charge? **Ms. Puente asked, does the vendor explain?** Ms. Peña replied, yes. **Ms. Puente stated, no, what we do is that once we ask for, once the top ranked company is selected by the EBC Committee, in this instance, we ask the, we send a letter of award to the vendor, then they send us a proposal, if they change or renege on what they had submitted, then, when, then we go to the second highest bidder.** Ms. Peña asked, I guess my question to you is, when the committee selects them, they have been given prices, are they obligated to honor the prices they presented the committee, which is why they were selected? **Ms. Puente replied, I would hope so and I would think so, but, that was, that's on them to submit a final proposal to the district, but that, that's the reason and you are correct, that a committee member would use their reasoning, their logic to say, okay, we're going to get the best value for our district and so their decision is based on that.** Ms. Peña stated, yes, and I'm being told that we have some of these that are coming in at a lot higher rate, so can someone please look at that and see maybe, at this point, they got the, they were awarded the contract, you can't do anything, but, keep in mind that you know, they say one thing to the committee but then they charge a totally different thing when it comes down to their actual action. So, in future, we can realize that that's happening. **Ms. Puente stated, certainly, yes ma'am.** Ms. Peña stated, thank you. Ms. Gonzalez asked, Ms. Cantu, Dr. Cantu, sorry, Dr., were you going to say something? **Dr. Nereida Cantu, Deputy Superintendent replied, yes, I just wanted to add that once the insurance companies present their plan and their costs, then, that becomes a binding agreement and the prices do not change. And so, that was a guarantee that we gave to our employees, I did have the opportunity to sit in every EBC Committee meeting and that was reiterated over and over, that the prices would not change and the plans would not change. So, if there is a problem or a misunderstanding out there, then we need to identify the individual so that we can find out what's the misunderstanding because those contracts go through our Legal Counsel and there is no change in the cost.** Ms. Peña asked, I guess, my follow up, my question is, Dr. Cantu, what they told the EBC and what they give you in writing, do you verify that information from what was presented at the meeting, at the committee meeting, as opposed to what is in black and white? **Dr. Cantu replied, yes ma'am, always, yes ma'am, it is always verified.** Ms. Peña asked, so, okay, so then the people who are making those statements, they can contact you and advise you that they are now being told that it's a lot higher from what they were told? But you are telling me, so the public can understand, that what they told them at the meeting is what they put in writing to send, to have, to see, you could see as far as the contract. **Dr. Cantu stated, yes ma'am, I would encourage that person to reach out to our office for clarification.** Ms. Peña stated, thank you very much, I appreciate that. Ms. Gonzalez asked, for clarity Ms. Peña, I'm sorry, I should have asked earlier, your motion was to approve what? Ms. Peña replied, no, no, it was, that was sent in incorrectly, I apologize, I wanted the discussion and the presentation so the community of BISD can know that they don't have to just sit there and say, well, I'm not going to be able to get insurance, come and let you all know that they are not being charged what they told you guys they were going to charge. Because if

once you do that, you know, they can come back and say at the office, oh, I'm sorry, we made a mistake, secretary didn't know, let me correct it. What the heck, lets take care of our people, but I will ask them and whoever is paying attention and whoever is watching the meeting, please advise Maricela Zarate or Dr. Cantu so we can correct it. Ms. Gonzalez asked, so no action on this item? Ms. Peña replied, no action, yes. Ms. Gonzalez stated, number 2. **No Action**

2. Discussion, consideration, and possible action to investigate Board Member Eddie Garcia in reference to improperly attempting to use his position as a board member to promote a specific employee at Food Services. (Board Agenda Request Carlos Elizondo/Board Support Frank Ortiz)

Mr. Carlos Elizondo, Board Member stated, thank you, I'm the one that placed on the agenda. I have a motion, to discuss. Ms. Jessica Gonzalez, Board President stated, motion to discuss, you need to make the motion. Mr. Elizondo stated, I make the motion. Ms. Gonzalez asked, motion to? Mr. Elizondo replied, to discuss just the way it's written. Mr. Frank Ortiz, Board Member stated, second. Ms. Gonzalez stated, now we do. Mr. Elizondo stated, so, the reason I brought this was because I had a conversation, someone, someone made an outcry and the outcry was made to the superintendent, not this one but Rene Gutierrez and HR and there was, I think there was a process followed and it was stopped at the superintendent's desk. I actually asked him the question, if anybody had reported any issues with what was being brought to the table tonight and he said no. So, then, they sent me an email, or a copy of an email where it was reported. So, my next inkling was to ask him again and ask for the information, some information was given to us, I think yesterday, today, in a USB and the, the email is in that USB specifying that the outcry was made to the superintendent and to the HR Director. So, my, my next concern was, if this happened, then we must address it, we must protect, like we do our kids, we must protect our staff as well. And so, I was obligated to put it on the agenda and if it did happen, then we can, we can deal with then and if it didn't, then I will publicly say I'm sorry for it. But, I saw the email, the email was presented to us in a USB and so both factual, outcry's and the actual presentation of the evidence is there. So, my recommendation is to get an outside source to come in here and do an audit on the process. Ms. Gonzalez stated, Mr. Garcia. Mr. Eddie Garcia, Board Member stated, and, and I welcome any inquiry into any allegation and or complaint if any has been filed by an affected party. Ms. Gonzalez stated, Ms. Lopez Valdez. Ms. Daniella Lopez Valdez, Board Member stated, yes, I just wanted to remind the Board and to tell our community that we are entrusted with shaping the future of our community and through education and that's our role as elected officials. And I don't believe personal attacks are the path to progress, especially during a time when vouchers and the, probably the closest voucher vote there will ever be in the history of Texas is on the floor this week. So, I just want to remind our Board and to ask us to focus on student outcomes because its our responsibility, our community is watching, our students are watching and lets show the state that we deserve to be fully funded. And that we are more than capable of continuing to succeed despite the obstacles that they throw in our way, like the accountability system and failing to pay us for the 17% amount of increase in inflation so that we can give our employees a much-deserved raise. And we won't always agree and I think that's part of a governing Board but, we can make our voice, our vote and move forward together and our community and our future depend on (inaudible) do better for our community and our students. Ms. Gonzalez stated, Ms. Garza. Ms. Denise

Garza, Board Member asked, Mr. O’Hanlon, legal advice please, can we conduct an investigation without a victim because there has not been a complainant or a grievance from anyone claiming that this is in fact, like the individual, this is all based, pretty much on what was posted on social media of rumors? Mr. Elizondo interjected, before you answer that question, if you want me to read the email I will, but I wanted to make sure that it was gone through the process. So, if you want the email read in public, I will do that for you if you want, I’m, I’m just asking, answering your question. Ms. Garza stated, I’m asking Legal. Mr. Elizondo stated, and that’s fine, before he answers. Ms. Garza continued, my question is to Legal. Mr. Elizondo stated, so, I didn’t want to do that, hence giving the opportunity to Mr. Garcia to defend himself but if you want me read the email in a public forum I more than likely am willing to do that. But if not, if you want to go through the process and deny the allegations then you might want to second my motion. Mr. Garcia stated, okay Mr. Elizondo, you said it was an email. Mr. Elizondo stated, it can be an email or it could be a text, but it was addressed to several individuals, I don’t want to do that in public Mr. Garcia. Ms. Gonzalez interjected, okay, can. Mr. Elizondo continued, I want to give you the opportunity to defend yourself. Mr. Garcia stated, I welcome any investigation, inquiry, as long as there’s a complaint, if this is an email, are they actually filing a complaint? Mr. Elizondo stated, well, you want, then second the motion if you feel that, second. Ms. Garza asked, Mr. O’Hanlon, can you answer my question please? Ms. Gonzalez asked, Mr. O’Hanlon, yes, can you answer Ms. Garza’s question? *Mr. Kevin O’Hanlon, Legal Counsel replied, yes, I can, we would not conduct an investigation unless there was a complaint, however, a Board action directing us to conduct an investigation would be the authority to conduct the investigation. So, if there is not a complaint, if there’s a Board action, we could, we could investigate what was charged in the Board action. But, that would be the complaint, basically, if what you are said.* Mr. Elizondo stated, right, and let me just ask you, under TASB policy, it reads, Board Member should avoid, right, asking employees, other than the superintendent, to perform any task or favors for the Board Member. Not only do such requests disrupt the chain of command, but they also risk the Board Members being accused of micromanagement or abuse of official capacity. And that’s straight out of TASB policy for every Board Member, is that correct? *Mr. O’Hanlon stated, I’m aware that’s TASB policy.* Mr. Elizondo asked, so that’s, am I reading that correctly? *Mr. O’Hanlon replied, you read it.* Mr. Elizondo interjected, thank you. *Mr. O’Hanlon added, I don’t have it from memory but essentially, its, what you.* Mr. Elizondo interjected, verbatim. *Mr. O’Hanlon stated, its consistent with my understanding.* Mr. Elizondo stated, thank you. Ms. Gonzalez stated, I’ll just add, I’m glad you are referring to TASB, it’s the first time I see you referring to TASB, so that’s good for future reference. I’m just concerned with, I need to see a victim, I need to see a complaint, a grievant, I understand the whole email thing, which we got today, I haven’t gotten a chance to, I’ve actually been here at the office all day, but. Mr. Garcia interjected, and again, Mr. Elizondo, if any parties in that email file a complaint or a grievance, you know, go ahead, you know, conduct an investigation. Ms. Gonzalez stated, the motion was to discuss. Mr. Elizondo stated, right, and its unfortunate that a lot of people feel like I said, micromanagement and abuse of authority, so that’s probably why they were scared to actually bring it up to you because you were the president at that time. But, it was brought up, it is in the file, it is in the process, its in BISD’s actual hands and its been given to each and everyone of us. Mr. Garcia asked, its out in the public right now? Mr. Elizondo replied, I’m not sure if its out in the public but it is now because are speaking about it. Mr. Garcia stated, what I’m saying, exactly, its out



here so, whoever is in that email, you know, they are welcome to come, its already, the public is aware that there's an email, so, they should feel, you know, protected. Mr. Elizondo asked, but you're denying that it happened is what I'm asking? Mr. Garcia replied, again, I'm not going to go into discussion unless there's an actual victim or you know, somebody got affected as a result of that, on any parties. Mr. Elizondo interjected, so, but the question is, you, you, then it did not happen? Mr. Garcia stated, again, I'm not going to go into that because this is not an inquiry right now. Mr. Elizondo stated, no, I understand that, but, man to man, it did not happen or it did happen? Ms. Gonzalez stated, well, we are here to discuss not man to man, woman to woman, so, the motion was to discuss. **Ms. Pat C. Perez, Administrative Assistant to the Board of Trustees stated, the motion is to hire an outside source to conduct an audit in the process.** Ms. Gonzalez asked, are we ready to vote? Please vote. **Ms. Perez stated, please vote.** Mr. Elizondo interjected, its to hire an outside agency to investigate and protect our employees. Ms. Minerva Peña, Board Member interjected, that's number 3, we are on number 2, were on number 2, that's number 3. **Ms. Perez stated, his motion ma'am, was to hire an outside source to conduct an audit in the process, that was the motion, seconded by Mr. Ortiz.** Ms. Peña stated, okay, okay. **Ms. Perez stated, Ms. Peña, motion failed, 3 yes, 4 no.**

**Motion made by Carlos Elizondo, seconded by Frank Ortiz, to recommend to hire an outside source to conduct an audit in the process in reference to improperly attempting to use his position as a board member to promote a specific employee at Food Services.**

**The following vote was recorded**

Yea: Mr. Elizondo, Mr. Ortiz, Ms. Peña  
Nay: Ms. Lopez, Ms. Garza, Mr. Garcia, Ms. Gonzalez  
Abstain:

**Motion Failed: 3-4-0**

Ms. Garza stated, Ms. Gonzalez. Ms. Gonzalez stated, Ms. Garza. Ms. Garza stated, yes, and I know that that information was sent to us today, I have not seen that information, so therefore I cannot vote based on something that I have not reviewed. I've been out working, I've been here at Main Office, so, I have yet to see the information that was provided to us. Ms. Gonzalez stated, Ms. Pat, oh. Ms. Peña stated, yes, and the reason I vote yes is because there is nothing better than to have someone come in and clear you, because you've done nothing wrong and they'll clear and then we put this under the table to make sure. Because this way, we put a stop to people to come in and make allegations against any of us. Ms. Gonzalez stated, thank you Ms. Peña. Ms. Peña added, that's the reason that I want to vote yes because if, like Eddie says, I didn't do anything wrong, there's nothing better than to prove that you didn't do anything wrong and then this needs to stop so they will know we are going to go and look at it so you just don't spread rumors. Ms. Gonzalez stated, okay, so we already voted. Ms. Gonzalez stated, I just wanted to make my comment. Ms. Gonzalez stated, and so we close the discussion.

3. Discussion, consideration, and possible action to hire outside independent counsel to investigate alleged board member governance investigation. (Board Agenda Request Frank Ortiz/Board Support Carlos Elizondo)

Mr. Carlos Elizondo, Board Member stated, motion to approve. Mr. Frank Ortiz, Board Member stated, I second, I think that's what we just voted on this one. Ms. Minerva Peña, Board Member interjected, you combined it with yours Mr. Elizondo, so no action on 3? **Ms. Pat C. Perez, Administrative Assistant to the Board of Trustees asked, no action? Okay. No Action**

4. Discussion of processes, procedures, and policies regarding student discipline, student threats, and student investigations (Board Agenda Request Denise Garza/Board Support Jessica Gonzalez)

Ms. Jessica Gonzalez, Board President stated, motion to approve. Ms. Denise Garza, Board Member stated, second, Dr. Chavez, I'm not sure who can answer this but I just wanted to ensure our community that our district does have safety procedures and that we do have some comprehensive emergency plans in place. Can we have someone please explain what procedures take place or kind of give like a little brief explanation when we do come across any of these type of issues in our district? Ms. Gonzalez stated, Dr. Cantu. **Dr. Nereida Cantu, Deputy Superintendent stated, yes, thank you for asking that question Ms. Garza because I know that this is something that every parent is very concerned about. With the new law that came in regarding safety, there's a lot of procedures that are in place. So, for example, all exterior doors are locked, all doors leading to parking areas, except one main entrance and that's so that people can come in through the one door and check in, and they have to have an ID, they have to have a visitor pass. We also have, staff, require all our staff to have badges, so if someone is seen in a campus without a badge, the question comes up, you know, how may I help you? You need to go to the front office. So, there's procedures in place, there's also, we have distributed armed police officers at every campus and they are there to assist our administrators. We also have other safety, for example, we started the approval, the Board approved fences for our campuses and that is in the process, we are almost finished with those. So, there's numerous safety procedures that are in place, every campus has an action plan in place and there's committee members identified as to whose got, whose responsible for each item. So, there's an action plan at every campus and there's also a district plan. Dr. Chavez stated, let me also, if I may, just add to that in hopes of addressing the concerns and or explaining, you know, how we deal with student discipline, specifically. And I'm going to talk in general terms because we do have a regular student discipline, rules and regulations, of course, that we follow. Let me say to you the Board Members and the community, we take any action that a student takes in a discipline matter very, very seriously and so we do follow up, you know, with the appropriate person. You know, whether it be an assistant principal dealing with that or whether it be a principal. Now, keep in mind, though, that in addition to the regular discipline for regular students, we do have some very specific plans for special education students. And then, in addition to that, we do have some very specific plans for 504 students and so both those, the special ed and the 504, of course, you know, we are following the federal regulations as well, in addition to, again, whatever state laws there may be. So, those procedures, those**

processes, at times are extremely individualized and so I'm going to use special education as an example. Whenever there is a severe incident, then there is some additional evaluation, of course, that staff takes to see whether there are any changes that need to be made, you know, to the individuals plan. And so, that's kind of the general information that I did want to give out, you know, we take any discipline situation very seriously, we investigate, we follow, we make sure that we are following not only the regular student discipline if its regular student, but of course, also, abide by the legal requirement of the special education and 504 students as well. Ms. Minerva Peña, Board Member stated, question. Ms. Garza stated, thank you Dr. Chavez and the reason I brought this up was because I've had some concerns where, and it comes from staff members who tell me that certain things are being handled differently on their campus when it comes to students. And then another campus will tell me, oh no, we send them straight to BAC, so, I'm just wondering, how are we handling this because some parents are saying, well, they are a little more lenient at this particular campus, yet this other campus has, their discipline, they are more firm with the students. So, I'm just curious, our schools, obviously, are not following like, the same protocol so, is it up to the school to handle each situation differently and the reason I ask this is because we do have the vaping. You know, the vaping is not considered a felony, we've had students go through the program through the vaping, right, so that its not on their record. But yet, I've heard where another campus is taking care of it at school so, there's no report of the child even going to BAC because they are handling it inhouse. So, I just want to make sure that were doing everything accordingly and that, you know, if its certain students, you know, like, a campus that is being more firm and yet we have another campus that's not being as firm because they are handling it inhouse, we need to ensure our parents that there is no favoritism because that's what some parents are thinking that there is favoritism going on. So, that's why I brought this on here, based on student discipline, you know, student threats and student investigations because if its happening with student discipline, its possibly happening also with student threats and also student investigations. So, that was the only reason, that's why I brought this on here on this agenda item, due to staff members bringing some concerns to me and also some parents. Ms. Gonzalez stated, thank you Ms. Garza, I just want to add, and then Ms. Peña can go, you kind of said what I needed to say as far as, I was also curious, (inaudible) action plans, I'm glad you mentioned that because I couldn't remember it. Action plans, are they the same across the board or are some schools handling, does it depend on the administrator because we have heard that one school handles somethings one way, one school handles another thing another way, so, I don't really need an answer for that now, but just so that you guys know that that is a concern that we are getting. And I want, we push the no tolerance, the zero tolerance and the zero tolerance but now its getting to the point that, are some schools not even abiding by that zero tolerance. So, again, its not a question, as my part, its more of information so that you guys know what we are hearing out of all the campuses, Ms. Peña has a question. Ms. Peña asked, yes, I have a question, especially with the part that Ms. Denise put in here which I thought it was very, very good, the student investigations Dr. Chavez. Because under Senate Bill, its 473 from the 88<sup>th</sup> Legislature, there's certain policies and procedures that has to be followed when you are making an accusation, especially a criminal accusation with some possible charges that must be followed before any of that is done. So, here's my question, some principals abide by the law and the requirements and there is another one, which is House Bill, I'm trying to remember the number, 11, 86<sup>th</sup> Legislature, and those need to be applied to any student investigation. Some schools apply them and

some schools ignore them and it gets us in big trouble because any parent is going to defend their child, take us to court and we are hung, we're completely hung if we violated those two laws. And the laws are very specific, very detailed, to protect both the district and protect the child because anybody could go and say, he said, she said and then if we go by that and we have no evidence, there is no proof, honor student, top student, everything is excellent, never had any problems and all of a sudden, you're going to be classified as a killer, we have a problem. So, my thing is, either we do all kind of training, no offense, why do we train our educators in these House Bills to keep them from getting themselves in trouble and costing the tax payers money, because some of these things that happen, there's attorneys all over the world, just waiting to come after our school districts because they know there is a good budget. We need to protect our district and our teachers by introducing these Bills that have what the law requires that you do, step by step, before you take action on charging a child and if you violated any of that, we're up a creek without a paddle. So, can we please look into that, because like Denise says, some people do it the right way, what the law says and some people do what they want to do and that's not fair to our children because we are either going to make or break the life of that child because they choose to do what they want instead of what they need to do. Ms. Gonzalez stated, thank you Ms. Peña , this a no action item, so Pat, so that we can move forwards with close meeting. **No Action.**

**XII. CLOSED MEETING: as pursuant to the Texas Government Code Sections: 551.071, 551.072, 551.074, 551.082, and 551.084. 7:53 p.m.**

**XIII. BOARD RECONVENES - Board action on agenda items discussed in Executive Session. 10:51 p.m.**

**A. LEVEL III GRIEVANCE(S):**

1. Discussion, consideration, and possible action regarding Level III Grievance No. 005/23-24 on J.C. **Delete from agenda and backup (Grievant withdrew Level III)**
2. Discussion, consideration, and possible action regarding Level III Grievance No. 006/23-24 on A.G.

**Motion made by Jessica Gonzalez, seconded by Minerva Peña , and unanimously carried to recommend to remand this item to the Superintendent, because the Board has no jurisdiction over employee assignments. (7-0-0)**

**B. PERSONNEL MATTER(S):**

**Motion made by Jessica Gonzalez, seconded by Eddie Garcia, and unanimously carried to recommend approval grouping Personnel agenda items B, 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10. (7-0-0)**

1. Presentation, acceptance and approval of Retirements. (2) **(G 7-0-0)**
2. Presentation, acceptance and approval of Resignations. (8) **(G 7-0-0)**  
**Amendment: Item 2 Page 1,197a-1197c will be added to agenda backup**
3. Personnel Update with Superintendent (Dr. Rene Gutierrez) **(G 7-0-0)**

4. Recommend approval of personnel for the 2023-2024 school year(s) – Educational Diagnostician. Subject to receipt of all outstanding documentation.(1) **(G 7-0-0)**
5. Recommend approval of personnel for the 2023-2024 school year(s)- Program Specialist. Subject to receipt of all outstanding documentation.(1) **(G 7-0-0)**
6. Recommend approval of personnel for the 2023-2024 school year(s) – Nurse. Subject to receipt of all outstanding documentation.(1) **(G 7-0-0)**
7. Recommend approval to compensate professional employee (L.M.) for a stipend earned but not paid in the 2021-2022 fiscal school year. **(G 7-0-0)**
8. Recommend approval to compensate professional employee (A.T.) for one (1) year experience earned but not paid in the following fiscal school years: 2019-2020, 2020-2021, 2021-2022 and 2022-2023. **(G 7-0-0)**
9. Recommend approval to compensate professional employee (J.M.) for a stipend earned but not paid in the following fiscal school years: 2019-2020, 2020-2021, 2021-2022 and 2022-2023. **(G 7-0-0)**
10. Recommend to approve the proposed termination of the Term Chapter 21 contract professional (J.D.A.) for good cause for the 2023-2024 Fiscal School Year. **(G 7-0-0)**

**C. ATTORNEY CONSULTATION**

**1. Staff Attorney**

- a. Discussion, consideration, and possible action regarding Cause No. 2019-DCL-06158-E; Jasmin Leal vs. Brownsville Independent School District, regarding the results of Mediation. **No Action**
- b. Discussion, and possible Board action concerning Brownsville ISD v. D. Wilson Construction, Cause No 2020-DCL-04719, pending in the 357th District Court of Cameron County, Texas.

**Motion made by Carlos Elizondo, seconded by Jessica Gonzalez, and unanimously carried to recommend approval regarding Brownsville ISD v. D. Wilson Construction, Cause No 2020-DCL-04719, pending in the 357th District Court of Cameron County, Texas, as discussed in Executive Session. (7-0-0)**

**2. Board Attorney:**

- a. Legal Update with Board Counsel.
  1. Discussion and possible action regarding litigation and settlements. **No Action**

**D. INTERNAL AUDITOR CONSULTATION**

1. Status of past, ongoing and completed Board approved audits.

**E. BOARD SELF EVALUATION:**

**F. BOARD MEMBER REQUEST(S):**

1. Discussion and update regarding student disciplinary matters. (Board Member Request Denise Garza/Board Support Jessica Gonzalez) **No Action**

**G. INTRUDER DETECTION AUDIT(S):**

1. Discussion of the intruder detection audit report findings. **No Action**

**H. REAL ESTATE PROPERTY:**

1. The Board of Trustees may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property. Texas Gov't Code §551.072. **No Action**

**XII. Level III Grievances XII. B Personnel Matter XII. C Attorney Consultation XII. D Internal Auditor Consultation XII. E Board Self Evaluation XII. F Board Member Request(s) Discussion and possible action regarding student matters. (Board Member Request Denise Garza/Board Support Jessica Gonzalez) XII. G Intruder Detection Audit(s) XII. H Real Estate Property. (Refer to Items above)**

**XIV. Announcement(s):**

**Dr. Jesus H. Chavez, Interim Superintendent stated, yes, madame President, Members of the Board, public, the district Employee Benefits is in the process of initiating direct clinical providers as a volunteer option for our employees, which would be a cost savings opportunity both for employees and the district. Employees under such a program would have the opportunity to access these clinics for themselves and their families. Therefore, we will be moving forward the procurement process in the next few weeks, so we wanted to make that announcement. With regards to upcoming activities, I just wanted to highlight a few, you know, we attended the Special Olympics Bowling Meet earlier in the week and that was just such a fantastic program. I really enjoyed that and so we do have the high school Special Olympics Program coming up and I do invite you and others who would like to join us to come. That same, that same evening, this is on the 16<sup>th</sup>, we do have the Meet and Greet Community Members with myself and so I invite everybody to that. Friday, you know, a number of us are going to be headed towards Corpus Christi for our Veterans game and you know, we are certainly very proud of the program there and our students, so I wanted to highlight that. And then, a couple of Greet and Meets also when we come back after Thanksgiving on the 26<sup>th</sup> and 27<sup>th</sup>, one of the things that I've told our staff is, you know, I want to meet all our employees and so we are making ourselves available for a Meet and Greet with elementary teachers, on Monday the 27<sup>th</sup> and then with secondary teachers on Tuesday the 28<sup>th</sup>. Lastly, let me say that I certainly want to thank the Board of Trustees, the community, staff members, schools, teachers, everyone else, everyone's been so warm in greeting me here to Brownsville, my home town and I really do appreciate that. I'm certainly going to do my best to hold the fort here, you know, while we go through the superintendent search. But at the same time, work with everybody so that we continue to provide the best for our children. So, thank you so much everyone for the warm welcomes, thank you. Ms. Minerva Peña, Board Member stated, Ms. Jessica. Ms. Jessica Gonzalez, Board Member stated, Ms. Peña. Ms. Peña stated, and Dr. Chavez, also, we have the tree planting at Putegnat Elementary at 1:30 to let the community know if they want to go and visit while put on those trees because we are very excited that they gave 20 trees per elementary school, so. Ms. Gonzalez stated, and. Mr. Carlos Elizondo, Board Member asked, Mr. Moody, can you please let us know what she said? Mr. Jason Moody, Public Relations & Community Engagement Director replied, that the tree**

**planting.** Ms. Gonzalez interjected, in the mich, in the mich. **Mr. Moody continued, yes, I believe the tree planting ceremony has been moved to the morning, so, we will confirm that, the time.** Mr. Elizondo stated, thank you sir. Ms. Peña asked, you will let us know? **Mr. Moody replied, yes, we will confirm that time of that.** Ms. Peña asked, and you will put it on the Facebook Page? **Mr. Moody replied, yes, yes, that’s correct.** Ms. Gonzalez stated, and. **Mr. Moody stated, at Putegnat Elementary, on Friday, yes, that’s correct.** Mr. Elizondo stated, we’ll just confirm it. **Dr. Chavez stated, the district, the district did receive a proclamation for the great work that we do in this area of tree planting and so, we are going to be bringing that recognition, you know, to our staff for their involvement in this and we will do that in our next Board meeting, congratulations by the way, we are very happy for that.** Mr. Elizondo stated, shout out to Micaela. Ms. Gonzalez stated, yeah. Mr. Elizondo continued, I think she’s been, you know, the pioneer for that program. Ms. Gonzalez stated, that’s right. Mr. Elizondo stated, she’s representing the school district not only at a local level but at a national level, so we are getting the recognition from a lot of important people. Thank you, Micaela, wherever you are at, I appreciate all the hard work. Mr. Eddie Garcia, Board Member stated, I second that on Micaela. Ms. Peña stated, I agree. Ms. Gonzalez stated, Ms. Garza. Ms. Denise Garza, Board Member stated, yes, and we also have early dismissal on Friday, elementary letting out at 1:30, middle school at 1:00 and high school at 2:00 o’clock, teachers and staff, I guess would follow how they normally leave and everybody else, as long as the make up their time, will need to be out by 3:00 p.m. And we wish each and every one of you a Happy Thanksgiving. Ms. Gonzalez echoed, yes, we wish each and every one a restful week and with that, I will make a motion to adjourn. Mr. Elizondo interjected, hold on, really quick, just a real quick question since Ms. Denise brought it up. Is there any way these individuals, especially the, I guess the certified, right, I’m sorry, classified, can make up those hours so they don’t have to make up on a Saturday during their lunch hour? Is that something they can do? As long as, but they can do it during their lunch hour right? Okay, just make sure to clarify that for a lot of the individuals, some of them will have a great Thanksgiving because of that, thank you. Ms. Peña asked, what time are they close, is it 3:00 o’clock for the staff? So, they just have to make up 2 hours? Ms. Gonzalez replied, correct. Ms. Garza stated, elementary staff, some of them go in early, so some of them are out by 3:30, 4:00 o’clock, so, some of them may only be making 30 minutes to an hour, just depending, but. Ms. Peña stated, well, thank you, well, I wish everyone a happy blessed Thanksgiving, may you not eat too much. Mr. Elizondo stated, on that note, motion to adjourn. Mr. Garcia stated, I have a second, second. Ms. Peña stated, good night everyone.

**XV. Adjournment.**

**Motion was made by Jessica Gonzalez, seconded by Eddie Garcia and unanimously carried to approve to adjourn the Rescheduled Regular Board Meeting at 11:11 P.M. (7-0-0)**

➤ **There being no further business appearing before the Board, the meeting was adjourned.**

**(HANDOUTS ADDED TO OFFICIAL MINUTES)**

**(AUDIO/VIDEO TAPES OF THE OPEN MEETING AND THE WRITTEN CERTIFIED AGENDA OF THE CLOSED MEETING ARE ON FILE)**

Approved by: \_\_\_\_\_  
Jessica Gonzalez, President of the Board  
\_\_\_\_\_ Date

Attested by: \_\_\_\_\_  
Denise Garza, Secretary of the Board  
\_\_\_\_\_ Date

**Notes: Font style designation**

Board of Trustees  
**Administration**  
*Board Attorney*  
**Staff Attorney**  
Speaker/Presenter

**(Minutes presented at Regular Board Meeting held on May 7, 2024)**