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## UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

**TOPIC** Board Minutes

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

**APPROVED FOR TRANSMITTAL TO SCHOOL BOARD:** May 21, 2008

**RECOMMENDATION:**

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

April 16, 2008 - Regular Board Meeting

**RATIONALE:**

State law requires the Board to prepare and keep minutes of its open meeting.

Govt. Code §551.021. The minutes are public records available for public inspection and copying upon request to the Superintendent or his designee. Govt. Code § 551.022

**BUDGETARY INFORMATION**

No Budget Impact

**BOARD POLICY REFERENCE AND COMPLIANCE:**

This is in compliance and in accordance with Board Policy BE and BE (LOCAL).

Regular Meeting  
The State of Texas  
United Independent School District  
The County of Webb

April 16, 2008

**In Attendance**

Roberto J. Santos, Superintendent of Schools

**Board of Trustees**

John M. Bruce – President  
Ricardo Molina – Vice President  
Juan Molina – Secretary  
Pat Campos – Parliamentarian  
Francisco “Pancho” Gonzalez  
William “Bill” Johnson – Member  
Juan Roberto Ramirez – Member

- I. Roll Call, Establish Quorum. Call to Order.**
- II. Pledge of Allegiance**
- III. An announcement was made by the Board President calling the meeting of the United Independent School District to order. The record showed that a quorum of Board members was present, that the meeting had been duly called, and that notice of the meeting has been posted in accordance with the Texas Open Meeting Act, Texas Government Code Chapter 551.**
- IV. Recognitions**

The following students and administrators were recognized for special accomplishments by the U.I.S.D. Board of Trustees.

- A. United High School Larriettes – National champions High Kick Winners awarded by Marching Auxiliary
- B. McDonald’s All-American Basketball Award – Andy Garcia
- C. MVP 29-51 District Basketball – JBA – Chris Martinez
- D. MVP 29-5A District Soccer – LBJ – Felix Garcia set record for most goals in Texas History

- E. Dr. Myrtha Villarreal – Recipient of the Billy T. Cowart Award – Bilingual Education for Excellence in Education
- F. Beverly Herrera – Alexander High School – HEB Teacher of the Year – Regional Winner
- G. Three Col. Santos Elementary School students were nominated for the National Young Scholars Program and invited to attend the Junior Presidential Youth Inaugural Conference in Washington, o.K. in January 2009
- H. Col. Santos Benavides Bronkettes Dance Teams – National Championships in Novelty, Military and Kick

At 6:57 p.m., Mr. Bruce called for a five-minute break following recognitions. The Board returned at 7:06 p.m.

- V. **Public Comments. Comments are limited to three minutes per speaker. The Board Parliamentarian will be the timekeeper and will inform the speak when they have one (1) remaining minute. No more than three (3) persons will be allowed to speak on any side of an issue. Should there be more than three (3) people who wish to speak on a particular issue they need to select not more than three (3) representatives to speak for them. Comments must address items listed on the agenda. The presiding officer or designee shall determine whether a person who wishes to address the Board has attempted to solve a matter administratively. If not, the person shall be directed to the appropriate policy, as noted in BED (LOCAL), to seek resolution before bringing the matter to the Board at a subsequent meeting. Pursuant to 551.042 of the Texas Government Code., no Board Member or Administrator may respond to a member of the public, unless such response is a recitation of District policy or a statement of specific factual information.**

Rene de la Vina. TSTA/NEA Consultant. Mr. De La Vina addressed the Board saying he wanted to mention that he had a concern. He said he had been getting many complaints from UMS regarding the principal. Mr. De La Vina said the principal already has three grievances against him, and never in the thirty years has he seen a principal have so many grievances against him.

Regarding another issue, during public comments, people are wondering why the comments have to be agenda-related. Mr. De La Vina commented that as you know, I am a board member at LCC, and we allow people to speak on anything. The City allows it and the County allows it, so why doesn't UISD?

Blanca Balboa. Ms. Balboa introduced herself as the President of Laredo United TSTA/Near. She said she was elected yesterday for a two-year term. She said she will be the contact person. Regarding the agenda items, she said constituent desires should be the concern of board members. Elections are coming this year. She commented that TSTA/NEA always supports members and actions in the District.

Rose Cruz. Mrs. Cruz introduced herself and said she thought the District ought to hire a financial person for the Blue Ribbon Committee. She asked that the Board please not waste the taxpayers' money by hiring someone from outside the district.

Ms. Cruz commented on the internal audit report (Scholarship Foundation), saying no one who is on the committee should have their child receive a scholarship.

On the issue of Ms. Lopez (Level III grievance), she said her son suffers from dyslexia and has to take a high school credit because he is monolingual. She said Ms. Lopez has struggled along with her son.

Mr. Bruce asked to move up agenda item **IX-C – Discussion / Action re: Blue Ribbon Committee Recommendation of April 1, 2008 for New USID Bond Election.**

Ms. Mary Capello introduced the members of the Blue Ribbon Committee as Co-chair with Blas Castaneda. She thanked the Board for giving the committee the flexibility they need and the answers to their questions. They have made a full evaluation and recommendation.

She thanked Mr. Santos and staff for the transparency to the approach of everything. The committee was composed of hard-working respected people in the community.

She said the recommendation of the committee, after looking at the many needs of the district, is that the Board consider a \$250 million bond with \$210 for new buildings which includes 6 elementary schools, 2 middle and one high school and \$40 million for renovation.

The committee also recommended that the Board of trustees meet with a Financial Consultant and PR / Marketing firm on guidance how to sell the bond.

Jose Diaz De Leon. Mr. De Leon said he was on the renovation committee and very appreciative of the help from Mr. Santos and his staff. He said one of his biggest concerns is that we have one of the highest low-income community, and we are not being competitive enough. It's the largest inland port, and we are not competitive. He said his concern is that the schools being renovated get sufficient technology to help our students. I'm rolling up my sleeves right now.

Ismael Gonzalez. Mr. Gonzalez thanked the Board for allowing him to participate in the Business Committee. He said it was all on Public Access so they could see it in their homes. As a banker and business person, he said he realized this is one of the greatest

investments we can make. He commented that Mr. Zuniga and Ms. Benavides provided adequate information to the committee.

Ted Cuellar. I was part of the Renovation Committee and have been asked to serve on the committee. I think after we looked at everything provided to us, Mr. Santos and Mr. Zuniga gave us very thorough information. We know we need the schools and renovations. This is the bare bones, and it is definitely open our arms to it. I also will be more than happy to carry the message out.

Henry Kahn. Mr. Kahn said that when he travels to different places in the state of Texas, he always hears about how Laredo is progressing. He added that he thought he will be part of the Blue Ribbon Committee because we have a need to serve the children of Laredo. Everything was in the open and nothing was a secret. We think the package is correct and a benefit for the children.

Emilio Martinez. Mr. Martinez said he came to the conclusion that while he was in agreement that some of the expenditures need to be made, he was not in agreement in the manner they should be made. Mr. Martinez said that when we get loans, I think we should use loans for capital construction and not for repairs. It was quite disturbing to see an attitude of some people about spending a million dollars as if they are nickels and dimes. One of the things that I tried to discuss was trying to stop the education of students from Mexico. Another was the utilization of grants for energy savings. All these measures will go to the bottom line and that was the basis of my dissent.

Dr. Xavier Cantu. Dr. Cantu said that as he sat on the committee, he was glad that Mr. Santos was able to provide them with a great amount of information to help them understand the costs. The amount of cost of constructions has increased so much over the past years. The surveying is too much in that these are cookie-cutter schools built on the same plans. Also the cost of cabling is too high. Technology cannot replace a good teacher. The wish-list of \$40 million items. If you believe in transparency and you put this up for a vote, you should give the taxpayers detailed. We must look at other sources. You have enough to repair on the general budget alone. The amount of this proposed bond came from UISD and not from the committee. Most members had a vested interest in the bond. I would suggest you table the amount and reduce the bond amount.

Henry Kahn. All of what you hear from the Finance Committee...the purpose of the Blue Ribbon committee was to take the judgments and opinions of a diverse number of people. Everything was done in an open and democratic form and approved.

Mary Capello. There was also a recommendation that the Board consider one person from each of the committees to serve on an Oversight Committee. All the issues were addressed and the majority of the committee felt we needed to move forward because our children deserve to have schools. I believe that everyone on the committee had the best interest of the children in mind. We know the Board will keep the cost effective efforts in mind.

Motion: So move.

Moved by: Gonzalez

Seconded by: Ramirez

Discussion:

Johnson: Mr. Johnson asked what they were approving.

Bruce: We are just approving to have the bond at \$250 million broken down, the additional recommendations on the Public Relations firm and Financial Consultant, and the addition of three members to the committee.

Johnson: I think we need to sit down and discuss that at a later meeting. Ms. Campos concurred.

Ramirez: Mr. Ramirez said we appreciate the recommendations of the committee and that they see that if we wait later for renovations, it is going to cost us more. It is going to cost us more to bring those schools up again.

In Favor: Unanimous

**VI. Closed Session.** The Board adjourned into closed session at 7:36 p.m., pursuant to the following sections of the Texas Open Meetings Act:

**A. 551.071 Consultation with the Board's Attorney**  
**551.074 Discussion of Personnel or to Hear Complaints Against Personnel**

- 1. Level III Grievance of Claudia M. Lopez**
- 2. Level III Grievance of Humberto Gonzalez**
- 3. Level III Grievance of Roberto Villarreal**
- 4. Internal Auditor's Duties and Responsibilities**
- 5. Superintendent's duties and Responsibilities**

**B. 551.072 Discussion on the Purchase, Exchange, Lease or Value of Real Property Discussion**

- 1. Report on status of negotiations for the purchase of approximately 12 acres in the Lomas Del Sur Subdivision in Webb County, from**

**A & W Real Estate 1, Ltd. Or a tender of a good faith offer to purchase the property location in south Laredo east of Southgate Blvd.**

- 2. Report on status of amending the Settlement Agreement referenced in Cause No. 2006-CV!-001884-C1; United Independent School District vs. Killam Ranch Properties, Ltd. a Texas Limited Partnership, et. Al. in County Court at Law No. 1, Webb County, Texas and the timing of the Closing on the Quiote 20-acre tract, the Quiote 12-acre tract and the Shiloh 12-acre tract, and the Shiloh 12-acre tract, (and the platting of such property); all located north of Del Mar Blvd. and east of Bob Bullock, Loop 20.**

Mr. Cruz commented that they would consider 551.071 of the Texas Government Code with respect to agenda item 9-E.

Mr. De La Vina asked if they could have their Level III grievance (Claudia Lopez) held in public. Mr. Cruz responded that the subject of the complaint had requested that it be held in Closed Session..

**VI. The Board reconvened from Closed Session at 9:53 p.m.** The Board took appropriate action on items, as necessary, as discussed in Closed Session.

Ms. Campos did not return following Closed Session.

**A. Action regarding Level III grievance of Claudia M. Lopez**

Motion: I move to deny the grievance of Claudia Lopez.

Moved by: R. Molina

Seconded by: Johnson

Discussion: None

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

Opposed: Ramirez, Gonzalez

**A. Action regarding Level III Grievance of Humberto Gonzalez**

Motion: I move to deny the grievance as discussed in Closed Session.

Moved by: J. Molina

Seconded by: R. Molina

Discussion: None

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

Opposed: Bruce, Gonzalez

**C. Action regarding Level III Grievance of Roberto Villarreal**

Mr. Cruz advised the Board that the recommendation was to deny the Level III grievance of Roberto Villarreal.

Motion: So move.

Moved by: J. Molina

Seconded by: R. Molina

Discussion: None

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

Opposed: Gonzalez

**D. Discussion and possible action concerning executing an Earnest Money Contract for the purchase of an approximate 12-acre tract of land, in the *Las Lomas Del Sur* Subdivision in Webb County, from A & W Real Estate 1, LTD. Or proceeding with the tender of a good faith offer for the purchase of the property.**

Mr. Cruz advised the Board that the recommendation was to authorize legal counsel to continue with negotiations regarding executing an Earnest Money Contract for the purchase of an approximate 12-acre tract of land, in the *Las Lomas Del Sur* Subdivision in Webb County, from A & W Real Estate 1, LTD.

Motion: So move.

Moved by: Ramirez

Seconded by: R. Molina

Discussion: None

In Favor: Unanimous

**E. Discussion and possible action with respect to revising the Settlement Agreement pertaining to the Closing and platting for the Quiote 20-acre tract, Quiote 12-acre tract and Shiloh 12 acre tract, all located north of Del Mar Blvd. and east of Bob Bullock Loop 20.**

Mr. Cruz advised the Board that the recommendation was to direct legal counsel to revise the Settlement Agreement pertaining to the Closing and platting for the Quiote 20-acre tract, Quiote 12-acre tract and Shiloh 12 acre tract, all located north of Del Mar Blvd. and east of Bob Bullock Loop 20.

Motion: So move.



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

### **VIII. Consent Agenda Items**

Mr. Johnson advised the Board that the Instruction and Business Committees had met the previous week and recommended approval of the following items.

- A. Approval of Monthly Disbursements**
- B. Approval of Budget Amendments**
- C. Approval of Tax Refunds**
- D. Approval of Resolution providing a 15% Collection Fee on Delinquent Taxes unpaid as of July 1, 2008 as provided by Section 33.07 of the Texas Property Tax Code**
- E. Approval of Awarding Bids, Proposals and Qualifications**
- F. Renewal of District Property and Casualty Insurance**
- G. Approval of Individual Teacher Awards below Recommended Range of Texas Educator Excellence Grant Cycle 3**
- H. Approval of Board Travel for the Month of May 2008**
- I. Second Reading of DBB (LOCAL) – Employment Requirements and Restrictions – Medical Examinations and Communicable Diseases**

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

Mr. Cruz advised the Board that there had been a withdrawal of a prior recommendation by the Purchasing Department of which were the modifications to LBJ High School and which should be noted on the record.

In Favor: Unanimous

### **IX. Items for Individual Consideration**

**A. Board Minutes**

- 1. Board Workshop – 2-11-08**
- 2. Regular Board Meeting 3-26-08**

Motion: Motion to approve.

Moved by: J. Molina

Seconded by: Ramirez

Discussion:

Mr. Gonzalez said he would abstain from the Board Workshop on 2-11-08 as he was not present at the meeting.

In Favor: Regular Meeting – 3-26-08 -Bruce, Campos, Gonzalez, Johnson, J. Molina, R. Molina, Ramirez

Board Workshop – 2-11-08 – Bruce, Campos, Gonzalez, Johnson, J. Molina, R. Molina, Ramirez

Abstain: Board Workshop – 2-11-08 – Mr. Gonzalez abstained as he was not present at the Workshop

**B. Donations**

Mr. Santos read the donations totaling \$5,460.41 and thanked all who had made the donations for their generosity.

Moved by: Gonzalez

Seconded by: R. Molina

Discussion: None

In Favor: Unanimous

**C. Discussion/Action re: Blue Ribbon Committee Recommendation of April 1, 2008 for New UISD Bond Election**

This item was considered before Closed Session.

**D. Approval of Request for Use of Board of Trustees Discretionary Funds for United D.D. Hachar Elementary of \$15,000.00, Kennedy/Zapata Elementary for \$15,000.00, Juarez/Lincoln Elementary for \$15,000.00, Arndt Elementary \$15,000.00, and Salvador Garcia Middle School for \$15,000.00**

Motion: So move.

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

Mr. Gonzalez asked if all the discretionary funds were going to the south. Mr. Bruce responded that these were individual board members' decisions.

In Favor: Unanimous

**E. Approval of Competitive Sealed Proposal (CSP) as the Construction Delivery Method of Procurement for Future Construction Projects and Authorization to Superintendent or Designee to Execute Resulting Contract**

Mr. Mike Garza addressed Board recommending the approval of the Competitive Sealed Proposal (CSP) as the construction method for future contracts and to identify the method of procurement for future construction projects.

Motion: So move.

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

Mr. Bruce asked if when we go to the CSP are we tied to that? Mr. Garza responded that we would be locked in to the CSP unless the Board asks to go through a different construction project. Mr. Bruce asked if the public does approve the bond, would we have to go CSP? Mr. Garza said if there is a particular project, administration can come to the Board and request going in a different direction.

Mr. Gonzalez asked if someone from the Board could be present at the time of selection. Mr. Garza responded that it is open to the public and is posted

Mr. Juan Cruz advised the Board that the recommendation will be to come back next month and look at CBE (Local) authority for administering what construction delivery method would be used. He said the First Reading on the policy would be next month.

Mr. Gonzalez commented that he wants more local contractors as vendors. He said they pay taxes and have a vested interest. He said he wants everyone to have a good chance at qualifying. Mr. Gonzalez added that small business people need an opportunity to compete since they do not get a chance to compete with bigger businesses. He commented that we are asking the people to accept the bond, so we need to give a chance to those underutilized businesses and small businesses.

Mr. R. Molina added that bids must go to the lowest bidder and who has the bond security to protect the District.

In Favor: Unanimous

**F. Approval of Resolution Nominating Roberto J. Santos for Region One Superintendent of the Year**

Motion: So move.

Moved by: Ramirez

Seconded by: R. Molina

Discussion: None

In Favor: Unanimous

Mr. Juan Cruz noted that the resolution would be incorporated into the minutes.

**X. Adjournment**

There being no further business before the Board of Trustees, the Regular Meeting of April 16, 2008 was adjourned at 9:45 p.m.

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John M. Bruce, President

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Juan Antonio Molina, Secretary