



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC Board Minutes

SUBMITTED BY: Alejandra Salinas **OF:** Board Secretary

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: November 16, 2011

RECOMMENDATION:

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

- Special Called Meeting – October 11, 2011
- Public Hearing – October 19, 2011
- Public Hearing on Schools FIRST – October 19, 2011
- Regular Board Meeting – October 19, 2011

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).

Special Called Meeting

October 11, 2011

**The State of Texas
United Independent School District
The County of Webb**

In Attendance

Robert J. Santos
Superintendent of Schools

Board of Trustees

Judd Gilpin – President
Juan Roberto Ramirez – Vice President
Ricardo “Rick” Rodriguez – Secretary
Ricardo Molina, Sr. – Parliamentarian - **Absent**
Pat Campos – Member
Juan A. Molina, Jr. – Member - **Absent**
Javier Montemayor, Jr. – Member - **Absent**

The Board of Trustees of United ISD met in a Special Called meeting on Tuesday, October 11, 2011, beginning at 7:00 p.m. in the United ISD Boardroom, Laredo, TX 78045.

- I. Roll Call, Establish Quorum, Call to Order**
- II.** President Judd Gilpin made an announcement calling this Special Called meeting of the United Independent School District to order at 7:04 p.m. pm. Let the record show that a quorum of Board Members is present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.
- III. Closed Session: Board adjourned into Closed Session pursuant to the following sections of the Texas Open Meetings Act:**
 - A.** 551.071 Consultation with Board's Attorney
551.074 Discussion of Personnel or to Hear Complaints against Personnel
 1. Consider Appointment of Principal for Trautmann Middle School

The Board did not go into closed session. The Board went on to item IV.A, Appointment of Principal for Trautmann Middle School and heard the recommendation of the Superintendent, Leticia M. Turner. Motion was made to accept the Superintendent's recommendation. Motion passed 4-0.

IV. Reconvened at 7:06 pm, the Board will take appropriate action on items, if necessary, as discussed in Closed Session.

A. Appointment of Principal for Trautmann Middle School

Mr. Roberto J. Santos made a recommendation to appointment Leticia M. Turner as Principal for Trautmann Middle School

Motion: So moved

Motion by: Pat Campos

Seconded by: Ricardo "Rick" Rodriguez

Discussion:

In Favor: Unanimous

Opposed:

B. Approval of request for Competitive Sealed Proposals (CSP) as the solicitation method of procurement for the Construction of a New Elevator for the Football Stadium at the Student Activity Complex

Roberto J. Santos – I had Mr. Rangel get in touch with the Engineers/Architect Kell Munoz to be able to work on the new elevator for the SAC. We want to come to the board and make a recommendation on the method that we need to solicit our proposal.

Cordy Flores-Jackson – Staff recommends a competitive sealed proposal as a method of procurement for this project. Prior to any construction projects government code 2267.056 request that the board solicits a method that best meets the needs of the project. Our construction department has stated that CSP would be the best method for this project.

Juan R. Ramirez – Will the other elevator be functioning still?

Roberto J. Santos – We want to fix it and have it there as a back up, but at this point we are having major problems with it. It's a different kind and Mr. Rangel will share with you the different kind of elevator we need.

Pat Campos – As long as it goes up and down.

Mr. Enrique Rangel – Good Evening Board Members, Mr. Santos
The current elevator that is located at the SAC is functioning in a method that is called the piston hydraulic system. It is slower than the typical cable operated elevator. The one we are looking at installing is a gear or a cable elevator that would be faster and more reliable.

Juan R. Ramirez – Is there any way we can work out with the company that the present elevator we have be able to work with a different method?

Roberto J. Santos – I think the problem is and Mr. Rangel has shared this with you that it's a piston style elevator. I'm not sure that they would be able to use different pistons to make it go faster.

Enrique Rangel – To answer your question that adjustment has been made already. It is pretty much going as fast as the system allows. What happens is that it takes a long time for the hydraulic system to get ready to start lifting the elevator. It does have adjustments, you are correct, but we have made those adjustments already.

Judd Gilpin – It actually does not work some of the time as well, right.

Roberto J. Santos – Recently, I think this last month/month and a half it has gone down. I think we need to put this on the fast track and I know we have gotten some of the service people to fix it. Come Friday we start having issues with it again of course it will take a little time. I hope that maybe by December as the track season comes around and soccer hopefully we will have something there that will be able to work

Judd Gilpin – Is there an obligation to have the elevator functioning with ADA requirements?

Enrique Rangel – Correct, yes Sir. That's why it's critical for us every time it malfunctions to immediately get the service company to get it back in operation.

Judd Gilpin – Do you have to notify them every time that happens?

Enrique Rangel – No, there is no state requirement to notify them, unless it's going to be out of operation for more than 30 days. We need to notify and find alternative methods of accommodations to any ADA requirements.

Pat Campos – Is it possible that the kids that are there working the games that every time they open the door for people they tend to hold it

open until that person arrives. Does that have anything to do with it not working?

Enrique Rangel – I think basically it's the wear and tear on the equipment. That type of elevator ever since it was installed has been very slow and not an adequate elevator for this height requirements. We have the same elevator at the baseball/softball stadium and for a small height in elevation.

Rick Rodriguez - Are they cable?

Enrique Rangel – No, they are piston since the height requirement is not much. It works fine. Krueger Field has the same type (piston) and it works well. There at the SAC we need to go with cable which is meant for higher number of stories more reliable and much faster. As Mr. Santos mentioned we will have this as a backup.

Motion:	So moved
Motion by:	Ricardo "Rick" Rodriguez
Seconded by:	Juan R. Ramirez
Discussion:	
In Favor:	Unanimous
Opposed:	

V. Adjournment

There being no further business before the Board, the Special Called Meeting of October 11 2011, was adjourned at 7:09 pm.

Judd Gilpin, President

Ricardo "Rick" Rodriguez, Secretary

Public Hearing
The State of Texas
United Independent School District
The County of Webb

October 19, 2011

In Attendance

Roberto J Santos – Superintendent of Schools

Board of Trustees

Judd Gilpin – President
Juan Roberto Ramirez – Vice President - Present
Ricardo “Rick” Rodriguez – Secretary - Present
Ricardo Molina, Sr. – Parliamentarian
Pat Campos – Member
Juan A. Molina, Jr. – Member
Javier Montemayor, Jr. - Member

- I. Roll Call, Establish Quorum, Call to Order
- II. Announcement by the Board President calling this Public Meeting of the United Independent School District to order at 5:45 p.m.. Let the record show that a quorum of Board Members is present, that this meeting has been duly called, and that notice of this Public Meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.
- III. Overview of Schools FIRST (Financial Integrity Rating System of Texas)
- IV. School District’s Rating – Superior Achievement
- V. Public Comments on the Report

Sam Flores – Mr. Ramirez, Mr. Rodriguez, Mr. Santos and the Public.
As you know, stated is the United ISD Annual Financial Report it is for the fiscal year 2009-2010, but they do title it Financial Report for 2011. School FIRST stands for (Financial Integrity Rating System of Texas). It’s a measuring tool that is used to see how a school district rates. Mr. Flores presented each indicator to the Board of Trustees from 1 – 22 with a total score of 74 points. This lead to a Superior Achievement for United ISD.

VI. Adjournment

There being no further business before the Board, the Public Hearing of October 19, 2011, was adjourned at 5:57 p.m.

Judd Gilpin, President

Ricardo "Rick" Rodriguez

Public Hearing
The State of Texas
United Independent School District
The County of Webb

October 19, 2011

In Attendance

Roberto J Santos – Superintendent of Schools

Board of Trustees

Judd Gilpin – President
Juan Roberto Ramirez – Vice President - Present
Ricardo “Rick” Rodriguez – Secretary - Present
Ricardo Molina, Sr. – Parliamentarian
Pat Campos – Member
Juan A. Molina, Jr. – Member
Javier Montemayor, Jr. - Member

- I. Call Meeting to Order at 5:58 p.m.
- II. Public Hearing regarding Senate Bill 1, Section 48.02, 82nd Texas Legislature, First Called Session, which took effect on October 1, 2011, amending Texas Tax Code § 11.253, allowing a taxing entity, after conducting a public hearing, to continue taxation of goods in transit which would otherwise be exempt from taxation pursuant § 11.253 of the Texas Tax Code.
- III. Public Comments:

Norma Farabough - Good Evening Members of the Board, Mr. Santos, Mr. Cruz and Members of the Audience.

This Public Hearing is to let the Board and the Public know that according to this 82nd Legislative Session regarding Senate Bill 1 we have to have a public hearing to continue taxing goods in transit. We have always taxed our goods in transit at United ISD as well as our sister district does. Also, they did change some language and the code so that is the reason why we have to adopt another resolution. It would be a potential loss of about 2.9 million dollars in tax revenue to the district if we did not choose to tax our free port goods.

Juan Ramirez – I was at a conference in Austin on the 82nd Legislative Session. We were able to talk to TEA and ask the state lawmakers to allow taxation and to raise it within the limits of the law.

IV. Adjournment

There being no further business before the Board, the Public Hearing of October 19, 2011, was adjourned at 6:00 p.m.

Judd Gilpin, President

Ricardo "Rick" Rodriguez

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

October 19, 2011

In Attendance

Roberto J. Santos, Superintendent of Schools

Board of Trustees

Judd Gilpin – President
Juan Roberto Ramirez – Vice President
Ricardo “Rick” Rodriguez – Secretary
Ricardo Molina, Sr. – Parliamentarian
Pat Campos – Member - **Absent**
Juan A. Molina, Jr – Member
Javier Montemayor, Jr. – Member - **Absent**

Roll Call, Establish Quorum. Call to Order

I. Pledge of Allegiance

A. Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

II. A Regular Meeting of the Board of Trustees of United ISD was held Wednesday, August 17, 2011, in the Bill Johnson Student Activity Complex, Fine Arts Building, 5208 Santa Claudia Lane, Laredo TX 78043. President, Judd Gilpin made an announcement calling the meeting of the United Independent School District to order at 6:06 p.m. The record showed that a quorum of Board members was present, that the meeting had been duly called, and that notice of the meeting had been posted in accordance with the Texas Open Meeting Act, Texas Government Code Chapter 551.

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

a member of the public, unless such response is a recitation of District policy or a statement of specific factual information. When a speaker comes to the podium, please indicate what agenda item you will be addressing. Furthermore, please refrain from mentioning any employee's name and any complaint about any employee's duties or responsibilities should be channeled through the appropriate grievance policy.

Rene De La Vina – Good evening, members of the board my name is Rene De La Vina President of TSTA and I am speaking on Item IX. **A Consider Resolution to join lawsuit concerning the Texas school finance system and potential litigation to protect the taxpayers and school children of Texas.** I feel that you should have a lawsuit against the State of Texas for the lack of funding. As you know when it comes to accountability that has not changes. Now that STARS is coming around it's going to be more demanding on our teachers and for everyone, but yet they keep cutting funds more and more. Now speaking as a taxpayer, I believe the State of Texas has been cutting so much that they have been putting a burden on the local tax payers because they are not paying their fair share of funding for our children.

On behalf of our children I want to ask you to file and join the lawsuit. I believe there are 200 school districts that have filed. I think this a good lawsuit. They did violate the constitution as for as lack of funding. Now speaking as a Board Member we have the same problem and are looking into filing a lawsuit against the State of Texas for their lack of funding. We state about 10 years ago where we had about 54% funding and were down to 32%. We go up in taxes, we go up in tuition and they keep getting upset. "Why are we going up in taxes/tuition?" Again, it's the same thing. They keep cutting, cutting and cutting, but again we're not helping. Again, let's go ahead and file for the lawsuit and get the money for our children.

Four Representatives from the four High Schools:

LBJ – Irasema Garcia

UHS – Kimberley Gonzalez

JBA – Juwon Min

USHS – Miguel Laurel

On behalf our School Principal we want to invite the Board to the USSBA Contest that will take place at Shirley Field on Saturday, October 22, 2011. We have passes for you and hope to see you there. Thank you

IV. Superintendent's Report

A. Presentation of Annual Investment Report

Mr. Barry Boyer from PFM Asset Management, LLC presented the District Annual Portfolio and discussed the market rates for United ISD.

V. Recognitions:

The Board then recognized the following organizations, students and employees for outstanding accomplishments:

- A. LBJ High School - Ambassador and Volunteer for the Annual Muscular Dystrophy Association Telethon
- B. Wells Fargo Bank - Donation of School Uniforms
- C. United ISD Bond Committee - Dedication and Voluntary Service
- D. 2012 Semifinalist National Merit Scholarship Program
- E. 9th Consecutive Award of Superior Achievement for First Integrity Rating System of Texas or FIRST Program
- F. United South High School - MCJROTC Naval Honor School & 12 Months of Exemplary Performance

VI. Consent Agenda Items

- A. Approval of Monthly Disbursements
- B. Approval of Budget Amendments
- C. Approval of End of Year Outstanding Encumbrances
- D. Approval to Adopt Resolution regarding Review of Investment Policy and Strategies
- E. Approval of Awarding Bids, Proposals and Qualifications

Motion by: Ricardo "Rick" Rodriguez advised the Board that the Business and Instructional Committee Members had met and were recommending the approval of the following items:

Moved by: Rick Rodriguez

Seconded by: Ricardo Molina

Discussion:

In Favor: Unanimous

Opposed:

VII. Items for Individual Consideration

A. Board Minutes

1. Regular Board Meeting – September 20, 2011
2. Special Called Meeting – September 26, 2011

Motion: So moved

Motion by: Juan A. Molina, Jr.

Seconded by: Ricardo Molina

Discussion:

In Favor: Unanimous

Opposed:

B. Donations

Mr. Roberto J. Santos read the donations into the minutes for a total of \$4,780.89.

Motion: So moved

Motion by: Juan A. Molina, Jr.

Seconded by: Juan R. Ramirez

Discussion:

In Favor: Unanimous

Opposed:

C. Approval of Resolution to Tax Tangible Personal Property in Transit

Mrs. Norma Farabough read the resolution into the minutes.

A RESOLUTION OF THE UNITED INDEPENDENT SCHOOL DISTRICT TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX CODE, SECTION 11.253

WHEREAS, the 82nd Texas Legislature in its First Called Session has enacted Senate Bill 1, including Section 48.02 thereof to take effect on October 1, 2011, which would amend Texas Tax Code § 11.253 to exempt from taxation certain tangible personal property that is acquired in or imported into this state to be forwarded to another location in this state or outside this state; is stored under a contract of bailment by a public warehouse operator at one or more public warehouse facilities in this state that are not in any way owned or controlled by the owner of the personal property for the account of the person who acquired or imported the property; is transported to another location in this state or outside this state not later than 175 days after the date the person acquired the property in or imported the property into this state; and does not include oil, natural gas, petroleum products, aircraft, dealer's motor vehicle inventory, dealer's vessel and outboard motor inventory, dealer's heavy equipment inventory, or retail manufactured housing inventory ("goods-in-transit"), which property has been subject to taxation in the past; and

WHEREAS, Texas Tax Code §11.253 as amended allows the governing body of a taxing unit, after conducting a public hearing, to provide for the continued taxation of such goods-in-transit; and

WHEREAS, the Board of Trustees of the United Independent School District, having conducted a public hearing as required by Section 1-n (d), Article VIII, Texas Constitution, is of the opinion that it is in the best interests of the district to continue to tax such goods-in-transit;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE UNITED INDEPENDENT SCHOOL DISTRICT THAT:

The goods-in-transit, as defined Texas Tax Code 11.253(a)(2), as amended by Senate Bill 1, enacted by the 82nd Texas Legislature in its First Called Session, shall remain subject to taxation by the United Independent School District.

Passed by the Board of Trustees on this the 19th day of October, 2011.

Motion: So moved

Motion by: Juan A. Molina, Jr.
Seconded by: Juan R. Ramirez
Discussion: Judd Gilpin – Is this subject to taxing?
Norma Farabough – Taxation by the school district.
In Favor: Unanimous
Opposed:

D. Approval of Maximum Class Size waiver for 2011-2012 School Year

Gloria Rendon - Members of the Board, we bring before you 21 waivers as presented at the Instructional Committee Meeting. The schools are

Roberto J. Santos - Gloria, for the record how many classrooms are affected by this waiver.

Gloria Rendon – 728 classrooms are affected by this waiver, roughly about 3%.

Motion: So moved

Motion by: Rick Rodriguez
Seconded by: Ricardo Molina
Discussion:
In Favor: Unanimous
Opposed:

VIII. Closed Session: Board will adjourn into closed session at 6:42 p.m. pursuant to the following sections of the Texas Open Meetings Act:

- A. 551.071 Consultation with Board's Attorney
551.074 Discussion of Personnel or to Hear Complaints against Personnel
 - 1. Consultation with legal counsel re: re: contemplated litigation related to the school finance system
- B. 551.074 Discussion of Personnel or to Hear Complaints against Personnel
551.076 Considering the deployment, specific occasions for, or implementation of, security personnel or devices
 - 1. Tax Office Procedures
 - 2. Student Activity Fund Audits:
 - a. Kazen Elem.
 - b. Zaffirini Elem.
 - c. Finley Elem.
 - d. Prada Elem.
 - e. Salvador Elem.

- f. United South High School
- g. United High School
- 3. Status of on-going Audits

The Board returned from Closed Session at 7:29 p.m. No action was taken in Closed Session.

IX. Reconvened from Closed Session, the Board will take appropriate action on items, if necessary, as discussed in Closed Session.

A. Consider Resolution to join lawsuit concerning the Texas school finance system and potential litigation to protect the taxpayers and school children of Texas

Mr. Juan Cruz read the resolution into the minutes.

**RESOLUTION AND CONSENT OF THE
BOARD OF TRUSTEES OF THE
UNITED INDEPENDENT SCHOOL DISTRICT**

The Board of Trustees ("Board") of the United Independent School District ("District") does hereby consent and agree, pursuant to Section 11.151 of the Texas Education Code, that the following resolutions be, hereby are, adopted by the Board:

WHEREAS the Board believes that the presently existing statutory system for the financing of public education in Texas ("Finance System") has and will continue to impair, unless significantly reformed, the education available to the students within the District as well as the ability of the District to provide an appropriate education to all students within the District; and

WHEREAS the Board deems it in the best interest of the District to seek an end to such impairment through the judicial system; and

WHEREAS the Board deems it in the interest of the District to participate with other school districts to retain the Equity Center to challenge the Finance System; now, therefore, be it

RESOLVED, that the District is hereby authorized to join with other school districts to participate in litigation to challenge the existing Finance System; and be it further

RESOLVED, that the retention of the Equity Center be and hereby is authorized and approved for that purpose according to an expenditure not to exceed \$1 per WADA to join together with other Texas public schools, taxpayers and parents as an unincorporated association for the purpose of speaking with one voice in the litigation of public school finance matters essential to the fair treatment of Texas taxpayers and public school children and be it further

RESOLVED, that the Equity Center, and hereby is, authorized, empowered, and directed to file and prosecute a lawsuit challenging the presently existing statutory system for the financing of public education in Texas; and be it further

RESOLVED, that the expenditure of public funds by the District be and hereby is authorized and approved for that purpose.

IN WITNESS WHEREOF, the Board of Trustees has approved this resolution as of this 19th day of October, 2011.

Motion: So Moved

Moved by: Juan A. Molina, Jr.

Seconded by: Rick Rodriguez

Discussion:

In Favor: Unanimous

Opposed:

X. Adjournment

There being no further business before the Board, the Regular Meeting of October 19, 2011, was adjourned at 7:35 pm.

Judd Gilpin – President

Ricardo “Rick” Rodriguez – Secretary