



Brownsville Independent School District

Board of Trustees

Rescheduled Regular Board Meeting

February 12, 2019

5:30 PM

Administration Building

1900 Price Road

Brownsville, Texas 78521-2417

A G E N D A

NOTE: The Board of Trustees may go into Closed/Executive Session to deliberate any item on this agenda as authorized by the Texas Open Meetings Act, Texas Government Code Chapter 551.

- I. Meeting Called to Order.
- II. Moment of Silence.
- III. Pledge of Allegiance.
- IV. Roll Call:
- V. Recommend approving the **agenda** of the **Rescheduled Regular Board Meeting of February 12, 2019** with any corrections/deletions.
- VI. Recommend approval of the following **minutes** with any corrections.
 - A. **Special Called Board Meeting held Monday, November 26, 2018**
 - B. **Rescheduled Regular Board Meeting held Tuesday, December 11, 2018**
 - C. **Special Called Board Meeting held Friday, January 11, 2019**
- VII. 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.

(All presentations limited to five (5) minutes)

VIII. Superintendent's Report *SB1566

A. Conference Presentations:

1. Board recognition of the Lopez ECHS Barbershop Choir for winning first place at the 2019 Next Generation Barbershop Junior Chorus Invitational Meet held in Nashville, Tennessee. (Board Member Request - EC)
2. Board recognition of the Pace ECHS Cheerleading Squad for being awarded the Superior Showmanship Award at the National Cheerleading Associations Competition held in

Dallas, Texas. (BMR - MP)

3. ***Open Public Hearing - (Texas Academic Performance Report) Annual Report 2017-2018.***
4. BISD TAPR (Texas Academic Performance Report) Annual Report 2017-2018. *
5. ***Close Public Hearing - (Texas Academic Performance Report) Annual Report 2017-2018.***
6. Preliminary EOC scores for 2018 December. *
7. Presentation of School Progress *
 - Longoria Elementary
 - Mornginside Elementary
 - Ortiz Elementary
 - Paredes Elementary
 - Perez Elementary
 - Putegnat Elementary
 - Sharp Elementary
 - Southmost Elementary
 - Yturria Elementary
8. Presentation regarding Human Resource Employee Hiring Process.
9. Brownsville Independent School District Financial Report for the period ended January 31, 2019.
10. Brownsville Independent School District Quarterly Investment Report for the period ending December 31, 2018.
11. Brownsville Independent School District Health Care Plan Cash Flow for the period ending January 31, 2019.

B. Standing Board Agenda Items:

1. Board Calendars: Board Activity Calendar and District Calendar.

IX. PUBLIC AUDIENCE:

Persons who want to address the Board of Trustees during the Public Audience portion of today's meeting shall print their names on the form provided. According to BISD Policy BED (Local), only those persons on the form who request to address the Board shall be heard. The speaker shall limit comments to five minutes or the allotted time. The Board shall allot no more than 30 minutes for Public Audience. Complaints or grievances on the following subjects; employee complaints, termination of employment, student complaints, removal to alternative education program, and expulsion, shall be directed to the appropriate policy for attempted resolution before bringing the matter to the Board as authorized by the Texas Government Code Title 5-Section: 551.074 (1) and (2). The Board President shall determine if the topic shall be redirected to the appropriate policy or redirected to Administration. Public comments on issues shall be constructive and courteous.

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 two minutes on the first speaking opportunity and one minute on the second opportunity.

X. Board Member Request(s)

A. Action Item(s)

1. Discussion, consideration and possible action to host a joint meeting and/or summit in March with Cameron County, Workforce Solutions Cameron, the City of Brownsville, Texas Southmost College, University of Texas (RGV), and the Port of Brownsville to discuss long range program planning for K-16 Workforce Development Programs: to include discussion on the creation and/or expansion of P-Tech, Mentorships, Internships, and Apprenticeship Programs. (Board Member Request - SPA) *
2. Discussion, consideration and possible action to conduct an audit/compliance review of all 2015 TRE projects and all 2018-2019 tax increase projects; to include artificial turf and the stadium/campus scoreboards. (Board Member Request - SPA)
3. Discussion, consideration and possible action to set the May 2, 2019 facility use cost at \$1,500.00 for the H.O.P.E Organization. (Board Member Request -SPA)
4. Discussion, consideration, and possible action to hire a consultant to initiate a salary study to review our pay structure prior to budget adoption in June 2019; i.e. to include all classified and certified staff positions. (Board Member Request - PRT)
5. Discussion, consideration and possible action to hire an insurance consultant to help guide the district in reviewing options related to our employee insurance benefits program. (Board Member Request - PRT)
6. Discussion, consideration, and possible action to conduct an insurance audit on all employer paid insurance products for 2017-2018 and 2018-2019; to include district's health plan, pharmacy benefits services, life insurance, worker's compensation and student athletic insurance. (PRT)
7. Discussion, consideration, and possible action to conduct a feasibility study related to creating one or more district health clinics in the 2019-2020 school year. (PRT)
8. Discussion, consideration and possible action regarding the hiring of local attorneys to serve as Hearing Officers for Level I and II employee grievances beginning the 2019-20 school year. (Board Member Request - DB)
9. Discussion, consideration and possible action to initiate an audit/compliance review of the accounting and status of funds collected from BISD employees for the Dollars for School program since the program was first implemented. (Board Member Request - DB)
10. Discussion, consideration and possible action to have our Board attorney request in writing the most recent audit report from the Brownsville School District Centennial Foundation Corporation. (Board member Request - DB)
11. Presentation and update on architects being considered for possible projects in the District. (Board Member Request – Philip Cowen)
12. Recommend approval to pay annual membership to the Mexican American School Board Members Association in the amount of \$1,500.00 from Local Maintenance Budgeted

Funds. (Board Workshop held January 23, 2019)

13. Recommend approval to pay annual membership to NSBA's National Affiliate Membership for Council of Urban Boards of Education in the amount not to exceed \$12,975.00 from Local Maintenance Budgeted Funds. (Board Workshop held January 23, 2019)

XI. Consent Agenda:

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

1. Recommend approval to return reimbursed internet services in the amount of \$635,040.00 (E-Rate) to Federal Communication Commission.
2. Recommend approval of Resolution #024/18-19 for the reselling of three (3) foreclosed properties to the highest responsible bidder in the amount of \$32,901.10 as recommended by delinquent tax attorney.
3. Recommend approval of Resolution #025/18-19 for Historic Preservation Plan properties be granted exemption from taxation in the total amount of \$581,527.32.
4. Recommend approval to solicit RFQs for Forensic Auditors on an as need basis for potential investigations as requested by and approved by the Board of Trustees.
5. Recommend approval to authorize administration to accept the Stillman Middle School Chiller Replacement project as substantially complete.
6. Recommend approval to pay annual membership dues to the Brownsville Chamber of Commerce for education related activities in the amount not to exceed \$5,000.00 from budgeted Local Maintenance Funds.
7. Recommend approval to authorize administration to accept the Gonzalez Elementary School Roof Replacement project as substantially complete.
8. Discussion, consideration and possible action to recommend approval of 2018-2019 School Board Members Standard Operating Procedures Manual.
9. Recommend approval for the expansion of the Prekindergarten Four Year Old Program at all available elementary campuses for the 2019-2020 school year. Subject to District needs and funding.
10. Recommend approval to collaborate with Pink Ape Media on a feasibility plan for utilizing district facilities for a film project. Plan is subject to final approval by the District and Board of Trustees.
11. Recommend approval to adopt TASB Policy Update 109, 110, and 111 Local and administrative recommended miscellaneous policies.

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

1. Recommend approval for payment in the amount of \$5,092.50 to Esparza & Garza, L.L.P. for ongoing board approved legal services.
2. Recommend approval for payment in the amount of \$990.00 to Roerig, Oliveira, & Fisher, L.L.P. for ongoing board approved legal services.
3. Recommend approval of Payment #2 (Retainage) for \$25,492.95 as final payment to E3 Entegral Solutions, Inc. for Construction Services work completed on the Stillman MS

Chiller Replacement to be paid from Maintenance Tax Note Fund 189.

4. Recommend approval of Payment #3 for \$1,458,899.87 as partial payment to E3 Entegral Solutions, Inc. for Construction Services work completed on the Design Build HVAC DX Replacement, Phase II to be paid from Maintenance Tax Note Fund 189.
5. Recommend approval of Payment #4 for \$843,276.09 as partial payment to E3 Entegral Solutions, Inc. for Construction Services work completed on the Design Build HVAC DX Replacement, Phase II to be paid from Maintenance Tax Note Fund 189.
6. Recommend approval of Payment #4 for \$590,170.42 as partial payment to Schneider Electric for Construction Services work completed on the Design Build LED Lighting Replacement, Phase I to be paid from Maintenance Tax Note Fund 189.
7. Recommend approval of Payment #6 for \$428,691.08 as partial payment to Wil-Con for Construction Services work completed on the Hanna ECHS HVAC and Lighting Upgrades to be paid from Maintenance Tax Note Fund 189.
8. Recommend approval of Payment #4 for \$42,085.00 as partial payment to Rio Roofing, Inc. for Construction Services work completed on the Gonzalez ES Roof Replacement to be paid from Maintenance Tax Note Fund 189.
9. Recommend approval of Payments #2, #3, and #4 for a total of \$3,755.50 as partial payment to PBK Architects for Architectural Services work completed on the Del Castillo Elementary School Roof Replacement to be paid from Maintenance Tax Note.
10. Recommend approval of Payments #2, #3, and #4 for a total of \$5,500.00 as partial payment to PBK Architects for Architectural Services work completed on the Southmost Elementary School Roof Replacement to be paid from Maintenance Tax Note 189.
11. Recommend approval of Payment #1 for \$46,312.50 as partial payment to Chanin Engineering, LLC for Engineering Services work completed on the Canopy Replacement be paid from Maintenance Tax Note 189. (Martin, Victoria Heights, Villa Nueva E.S., Faulk and Stell Middle Schools)
12. Recommend approval of Payment #2 for \$27,149.00 as partial payment to Armko Industries, Inc. for Engineering Services work completed on the Roof Replacement package Phase II to be paid from Maintenance Tax Note 189. (Cummings CTE Buildings, Sharp, Russell and El Jardin Elementary Schools)
13. Recommend approval of Payment #6 for \$218,378.87 as partial payment to ZIWA Corporation for Construction Services work completed on the Porter ECHS Fine Arts Building to be paid from (TRE) Fund 197.
14. Recommend approval of Payment #7 for \$388,768.50 as partial payment to ZIWA Corporation for Construction Services work completed on the Porter ECHS Fine Arts Building to be paid from (TRE) Fund 197.
15. Recommend approval of Payment #3 for \$62,355.19 as partial payment to G & T Paving, LLC for Construction Services work completed on the Lucio MS Four Lane Track project to be paid from (TRE) Fund 197.

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

1. Recommend approval to enter into a Memorandum of Understanding between the

Friendship of Women and Brownsville ISD to host an educational event titled "Kids and Teens Club" in Brownsville ISD's facilities the first Saturday of each month beginning March 2, 2019, at no cost to the District. *

2. Recommend approval of a Memorandum of Understanding between Workforce Solutions Cameron and Brownsville ISD to become effective May 16, 2019 and to remain in full force through May 15, 2021, at no cost to the District. *
3. Recommend approval of Evaluation Capacity Award for Fund 226 - Funds expended for IDEA-B programs. (Contract Awarded Funding). At no cost to the district. *
4. Recommend approval to enter into a Memorandum of Understanding between Brownsville ISD and Texas State Technical College for Migrant Academic Achievement Residential Summer Program in the amount of \$30,000.00. *
5. Recommend approval to enter into a Memorandum of Agreement with U.S. Air Force to continue support to operate an Air Force Junior Reserve Training Corps Unit. Name of school hosting the AFJROTC Program is Simon Rivera Early College High School. *
6. Recommend approval to enter into a Memorandum of Understanding with the Texas A&M College of Nursing The Four R's Project for the purpose of receiving curriculum training, district staff development and presentations for parents and school community for the 2019-2020 school year. This is no cost to the District. *

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

1. Recommend approval to exercise the option to renew Bid #18-067 Fire System Annual Inspections and Repair on Fire Back Flows, Risers and Fire Pumps District-wide to several vendors for one (1) additional year. Approximate amount of \$231,582.00 from Local and Categorical Funds. (Annual Bid)
2. Recommend to extend Bid #18-087 Repair Parts for School Buses and Support Vehicles to several vendors for three (3) months to expire on May, 2019. Approximate amount of \$77,973.00 from Local and Categorical Funds. (Annual Bid)
3. Recommend awarding Bid #19-014 Paper Multipurpose and color, Printing Supplies and Materials District-wide to several vendors. Approximate amount of \$105,729.00 from Local and Categorical Funds. (Annual Bid)
4. Recommend awarding Bid #19-015 Career and Technology Education Supplies/Materials District-wide to several vendors. Approximate amount of \$91,002.00 from State and Categorical Funds. (Annual Bid)
5. Recommend awarding Bid #19-017 Ballroom/Dance Supplies, Accessories, Costume Making and Training District-wide to several vendors. Approximate amount of \$50,000.00 from Local and Categorical Funds. (Annual Bid)
6. Recommend awarding Bid #19-047 Printing Services/Related Items District-wide to several vendors. Approximate amount of \$55,846.00 from Local and Categorical Funds. (Annual Bid)
7. Recommend awarding Bid #19-048 Employee Uniforms District-wide to several vendors. Approximate amount of \$50,000.00 from Local and Categorical Funds. (Annual Bid)
8. Recommend awarding Bid #19-080 Glazing Supplies and Materials District-wide to several

vendors and cast lots for item #36 of said bid. Approximate amount of \$395,857.00 from Local and Categorical Funds. (Annual Bid)

9. Recommend awarding Bid #19-083 Sheet Metal Materials/Installation District-wide to several vendors. Approximate amount of \$50,000.00 from Local and Categorical Funds. (Annual Bid)
10. Recommend awarding Bid #19-084 Parts/Repair Services for Ground and Heavy Maintenance Equipment District-wide to several vendors. Approximate amount of \$85,700.00 from Local and Categorical Funds. (Annual Bid)
11. Recommend awarding Bid #19-085 HVAC and Chiller Supplies/Materials District-wide to several vendors. Approximate amount of \$1,069,224.00 from Local and Categorical Funds. (Annual Bid)
12. Recommend awarding Bid #19-086 HVAC and Chiller Preventive Maintenance District-wide to several vendors and cast lots for item #6 of said bid. Approximate amount of \$267,380.00 from Local and Categorical Funds. (Annual Bid)
13. Recommend awarding Bid #19-088 Plumbing Supplies District-wide to several vendors. Approximate amount of \$282,977.00 from Local and Categorical Funds. (Annual Bid)
14. Recommend awarding Bid #19-089 Door Repair/Replacement District-wide to several vendors. Approximate amount of \$88,843.00 from Local and Categorical Funds. (Annual Bid)
15. Recommend awarding Bid #19-090 Plumbing Services District-wide to several vendors. Approximate amount of \$332,639.00 from Local and Categorical Funds. (Annual Bid)

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

A. Level III Grievance(s)

1. Discussion, consideration and possible action regarding Level III Grievance No. 005/18-19 on Randy Park.

B. PERSONNEL MATTER(S):

1. Presentation, acceptance and approval of **Resignation. (1)**
2. Recommend approval of **probationary contractual personnel** for the 2018-2019 school year - **Assistant Principal.** Subject to receipt of all outstanding documentation. **(1)**
3. Recommend approval of **probationary contractual personnel** for the 2018-2019 school year - **Dean of Instruction.** Subject to receipt of all outstanding documentation. **(1)**
4. Recommend approval of **probationary contractual personnel** for the 2018-2019 school year - **Teachers.** Subject to receipt of all outstanding documentation. **(8)**
5. Recommend approval of **chapter 21 term contractual personnel** for the 2018-2019 school year - **Teacher.** Subject to receipt of all outstanding documentation. **(1)**
6. Recommend to approve compensation for professional employee (M.D.G.) on interim assignment to be commensurate with the Chief Financial Officer salary until such time that a permanent Chief Financial Officer is selected for the 2018-2019 fiscal school year.
7. Presentation regarding Interim Administrator positions.

8. Board Self-Evaluation.
9. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Interim Superintendent.

C. ATTORNEY CONSULTATION

1. Staff Attorney

- a. Discussion, consideration and possible action regarding Acacia Ameel vs Brownsville Independent School District.

2. Board Attorney

- a. Discussion, consideration and possible action regarding Elia Lopez, et al vs Brownsville Independent School District.
- b. Discussion, consideration and possible action to void Superintendent's, Dr. Esperanza Zendejas', October 2, 2018 extension of employment contract.
- c. Discussion, consideration, and possible action to contract legal services for potential investigations and/or Board approved projects.
- d. Discussion, consideration, and possible action to accept the Superintendent's, Dr. Zendejas', resignation and separation agreement.

D. INTERNAL AUDITOR

1. Discussion, consideration and possible action regarding the employment, evaluation, and duties of the Co-Lead Internal Auditor, A.T.
2. Discussion, consideration and possible action regarding the applicants for the vacant Co-Lead Internal Auditor position.
3. Consultation with Co-Lead Internal Auditor (Status of Ongoing and Completed Board Approved Audits from July 1, 2018 to January 31, 2019).

XIII. BOARD RECONVENES - Board action on agenda items discussed in Executive Session.

XIV. Announcement(s):

- A. **Next scheduled Board Meeting** of the Board of Trustees is on Tuesday, March 5, 2019.

XV. Adjournment.