



Brownsville Independent School District

Board of Trustees

Rescheduled Regular Board Meeting

April 5, 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 Friday, April 5, 2019** with any corrections/deletions.
- VI. Recommend approval of **minutes** for the **Rescheduled Regular Board Meeting held January 15, 2019** with any corrections.
- 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. Student Recognition:

1. Recognition of Oliveira Middle School Symphonic Band for the Dr. William P. Foster Project Award of Excellence from the Music Education Alliance. (Board Member Request - EC)
2. Recognition of State Boys & Girls Power Lifting Qualifiers and State Champion.
3. Recognition of Destination Imagination Texas State Competition 2019.
4. Recognition of the Pace ECHS Principal as an H-E-B Excellence in Education Award Finalist.

B. Conference Presentations:

1. Brownsville Independent School District Health Care Plan Cash Flow for the period ending March 31, 2019.
2. Brownsville Independent School District Financial Report for the period ended March 31, 2019.
3. Presentation on Abbreviated Summer Administration Work Schedule and Closing of Administrative Offices for the week of July 1, 2019 - July 5, 2019.

C. Standing Board Agenda Items:

1. Board Calendar: 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. Conference Presentation(s)

1. Board Presentation by the Texas Association of School Board Executive Search Director and/or staff regarding the New Superintendent Search process; to include incorporation of the Board Ad hoc Superintendent Search Committee. (Please include a list of Ad hoc committee members as well.) (Board Member Request - SPA)
2. District update on Student Enrollment Projections for 2019-2020. (Board Member Request - SPA)
3. Discussion regarding potential new facility projects: a Performing Arts Center and/or a Multi-Purpose Event Center. (Board Member Request - SPA)
4. District update on budget calendar for 2019-2020. (Board Member Request - PRT)
5. District presentation on Board requested 2019-2020 salary increases for all certified and classified employees. (Board Member Request - PRT)

6. District presentation regarding the current Depository Bank Services. (Board Member Request - PRT)
7. Report from Administration as to how budget can be leveraged: (Board Member Request - PC)
 - a. to match state increase in Certified staff who may be left out of the Texas legislature's proposed increases for school staff
 - b. to continue all employee pay increases beyond the 2019-2020 school year
 - c. to insure that all staff receive a wage increase so that, in those instances where an employee would get no wage increase before of their distance from a salary mid-point, staff gets some increases in wages
 - d. such that there will no longer be a cap on step increases

B. Action Item(s)

1. Discussion, consideration and possible action on the consulting contract with the Texas Association of School Boards for the New Superintendent Search. (Board Member Request - MP)
2. Discussion, consideration, and possible action to approve the scope of project with the Texas Association of School Boards regarding the New Superintendent Search process; i.e. timelines, criteria, inclusion of the Ad hoc committee, marketing, budget, etc. (Board Member Request - SPA)
3. Discussion, consideration, and possible action to review the procurement process of human resource consultant who is/was to initiate a salary study to review pay structure prior to budget adoption in June 2019. (Board Member Request - EC)
4. Discussion, consideration, and possible action regarding Board responsibilities and/or interference in district procurement process. Please include in backup procurement policy and procedures and any other relevant information. (Board Member Request - EC)
5. Discussion, consideration, and possible action to address travel issues for out of district student activities and/or events; to include Chess, Destination Imagination, Fine Arts, and Athletic competitions. (Board Member Request - SPA)
6. Discussion, consideration and possible action to continue the Brownsville School District Centennial Foundation Corporation by filling vacant BISD Board Member positions on the Foundation Board and anything else necessary to continue the operation of this foundation. (Board Member Request - DB)
7. Discussion, consideration and possible action in reference to transporting students to and from school who live within the 2 mile radius. (Board Member Request - MP)
8. Presentation, discussion and possible action regarding special education classroom camera; procedures and requirements. (Board Member Request - MP)

XI. Consent Agenda:

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

1. Discussion, consideration, and possible action on hiring a forensic auditor to assist Brownsville Independent School District to conduct an audit of the Burns Elementary student activity fund.

2. Recommend approval to reschedule the Board Meeting of June 4, 2019 to June 11, 2019, due to graduation ceremonies and cancel the Regular Board Meeting of July 2, 2019 (due to Holiday/Summer work schedule).
3. Recommend approval of the 2019 - 2020 Elementary and Secondary Grading Procedures. *
4. Recommend approval of the Middle School and High School 2019-2020 Course Listing Guides. *
5. Recommend approval of the 2018-2019 State Adoption of Instructional Materials from Pearson Education to be implemented during the 2019-2020 school year in the areas of English Language Arts and Reading Grades K-8, Spanish Language Arts and Reading Grades K-5, Spelling (English/Spanish) Grades 1-6, Handwriting (English/Spanish) Grades K-5, English Learners Language Arts Grades 7-8 and Personal Financial Literacy. Items to be purchased are subject to the district's needs and funding. *
6. Recommend approval to submit a declaration of Instructional Materials Allotment and TEKS certification form to the Texas Education Agency to verify compliance. *
7. Recommend approval to authorize administration to accept the Sams Stadium Scoreboard Replacement project as substantially complete.
8. Recommend approval of Resolution No. 026/18-19 for the Brownsville Independent School District to participate in the TASB Benefits Cooperative at no cost to the District to join cooperative.
9. Recommend approval to declare surplus/obsolete FNS/Warehouse – furniture, supplies, equipment, vehicles, portable buildings and out-of-adoption textbooks to be disposed in accordance with Board Policy CI (Local) School Properties Disposal, and CMD (Legal) Instructional Material Care and Accounting.
10. Recommend approval to amend the Board approved Competitive Seal Proposal as delivery method as authorized by the Texas Education Code in accordance with Chapter 2269 of the Government Code for Construction Services, for the New Canopy Additions at CTE Cummings (CV1 Area) Campus.

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

1. Recommend approval for payment in the amount of \$4,637.90 to Esparza & Garza, L.L.P. for ongoing Board approved legal services.
2. Recommend approval for payment in the amount of \$1,448.75 to Thompson & Horton L.L.P. for ongoing Board approved legal services.
3. Recommend approval of Payment #1 for \$37,400.00 as partial payment to Sigma HN Engineers, LLC for Engineering Services work completed on the Keller & Ortiz Elementary School Chiller Replacement projects to be paid from Tax Rate Increase Fund 188.
4. Recommend approval of Payment #1 for \$24,650.00 as partial payment to Sigma HN Engineers, LLC for Engineering Services work completed on the Brite Elementary School and Stell Middle School Chiller Replacement projects to be paid from Tax Rate Increase Fund 188.
5. Recommend approval of Payment #3 (Retainage) for \$168,796.13 as final payment to

- VCRNOW for Construction Services work completed on the Sams Stadium Scoreboard Replacement to be paid from Tax Rate Increase Fund 188.
6. Recommend approval of Payment #1 for \$6,250.00 as partial payment to M Garcia Engineering for Engineering Services work completed on the Del Castillo ES Parking Lot Improvements project to be paid from Maintenance Tax Note Fund 189.
 7. Recommend approval of Payment #1 for \$7,200.00 as partial payment to Chanin Engineering for Engineering Services work completed on the CTE Cummings Metal Canopy Design project to be paid from Maintenance Tax Note Fund 189.
 8. Recommend approval of Payment #2 for \$87,500.00 as partial payment to PBK Architects for field assessment work completed on the Facility Interior Assessment project to be paid from Maintenance Tax Note Fund 189.
 9. Recommend approval of Payment #3 for \$5,956.63 as partial payment to Green, Rubiano & Associates, Inc. for Engineering Services work completed on the Canopy Repair and Replacement project for Aiken, Canales, Cromack, Del Castillo, El Jardin, and Longoria Elementary Schools to be paid from Maintenance Tax Note Fund 189.
 10. Recommend approval of Payment #5 for \$7,950.00 as final payment to Amtech Solutions for Architectural Services work completed on the Gonzalez ES Roof Replacement to be paid from Maintenance Tax Note Fund 189.
 11. Recommend approval of Payment #5 for \$465,066.61 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.
 12. Recommend approval of Payment #5 for \$197,045.62 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.
 13. Recommend approval of Payment #6 for \$64,597.50 as final 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.
 14. Recommend approval of Payment #7 for \$2,783.40 as partial payment to Ethos Engineering for Engineering Services work completed on the Hanna ECHS HVAC & Lighting Upgrades to be paid from Maintenance Tax Note Fund 189.
 15. Recommend approval of Payment #8 for \$176,599.76 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.
 16. Recommend approval of Payment #1 for \$281,694.95 as partial payment to E3 Entegral Solutions, Inc. for Construction Services work completed on the Design Build HVAC & BAS Controls, Phase III to be paid from Maintenance Tax Note Fund 189.
 17. Recommend approval of Payment #2 for \$212,187.25 as partial payment to E3 Entegral Solutions, Inc. for Construction Services work completed on the Design Build HVAC & BAS Controls, Phase III to be paid from Maintenance Tax Note Fund 189.
 18. Recommend approval of Payment #2 for \$11,844.08 as partial payment to Ethos Engineering for Engineering Consulting Services work completed on the Design Build LED Lighting Phase I project to be paid from Maintenance Tax Note Fund 189.

19. Recommend approval of Payment #2 for \$38,144.74 as partial payment to Ethos Engineering for Engineering Consulting Services work completed on the Design Build HVAC DX & Controls Phase II project to be paid from Maintenance Tax Note Fund 189.
20. Recommend approval of Payment #2 for \$1,500.00 as partial payment to M Garcia Engineering for Engineering Services work completed on the Veterans Memorial ECHS Turf Soccer Field project to be paid from Tax Ratification Election Fund 197.
21. Recommend approval of Payment #2 for \$3,500.00 as partial payment to M Garcia Engineering for the Engineering Services work completed on the Pace ECHS Turf Soccer Field project to be paid from Tax Ratification Election Fund 197.
22. Recommend approval of payment #3 for \$1,500.00 as partial payment to M Garcia Engineering for Engineering Services work completed on the Rivera ECHS Turf Soccer Field project to be paid from Tax Ratification Election Fund 197.
23. Recommend approval of Payment #4 for \$1,500.00 as partial payment to M Garcia Engineering for Engineering Services work completed on the Lucio MS Four Lane Track project to be paid from Tax Ratification Election Fund 197.
24. Recommend approval of Payment #5 for \$88,200.00 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 Tax Ratification Election Fund 197.
25. Recommend approval of Payment #9 for \$89,073.90 as partial payment to ZIWA Corporation for Construction Services work completed on the Porter ECHS Fine Arts Building to be paid from Tax Ratification Election Fund 197.

C. Recommend approval of the following Budget Amendment(s):

1. Recommend approval of Budget Amendment #018 in the amount of \$26,532.00 for Local Funds. (Reallocation as requested by campuses and departments)
2. Recommend approval of Budget Amendment #019 in the amount of \$1,900,000.00 for Fund 164-State Career and Technical Education. (Categorical Fund Balance)
3. Recommend approval of Budget Amendment #020 in the amount of \$224,145.00 for Fund 166-State Special Education Fund. (Reallocation)
4. Recommend approval of Budget Amendment #021 in the amount of \$152,000.00 for Fund 163-State Bilingual. (Categorical Fund Balance)

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

1. Recommend not to enter into an agreement with the Texas Association of School Boards to conduct a review of district pay plans.
2. Recommend approval of Change Order #001 to reduce the Owner/Contractor Agreement with Rio Roofing, Inc. by \$61,500.00. **(Credit back to the District)**
3. Recommend approval to enter into Memorandum of Understanding between Valley Regional Medical Center and The Brownsville Independent School District beginning the 2019-2020 school year and ending the 2022-2023 school year, **at no cost to the district.**
4. Recommend approval to enter into a Memorandum of Understanding between CK Technologies and the Brownsville Independent School District beginning the 2019-2020 school year and ending the 2022-2023 school year, **at no cost to the district.**

5. Recommend approval to enter into Memorandum of Understanding between the Brownsville Independent School District and Children's Museum of Brownsville. This memorandum will service Brownsville ISD students enrolled in the Education and Training program of study. **This will be at no cost to the district.** *
6. Recommend approval to continue Clinical Affiliation Agreement between SCC Valley Grande and the Brownsville ISD for the 2019-2020 and 2020-2021 school years, **at no cost to the district.**
7. Recommend approval to enter into a Memorandum of Understanding between Noble Texas Builders and the Brownsville Independent School District beginning the 2019-2020 school year and ending the 2022-2023 school year, **at no cost to the District.**
8. Recommend to accept and approve the contract from ROFA Architects of McAllen, Texas for Architectural Services for the Sams Stadium Renovations project in the amount not to exceed \$400,000.00. To be paid from Tax Rate Increase Fund 189.
9. Recommend approval to increase the current contract between the LIBRO Grant and Library Interiors of Texas as approved by the U.S. Education Department. The increase was from \$20,000.00 in consultant fees to \$1,641,201.00 in renovation services in order to complete 17 Brownsville libraries to meet grant goals and objectives on a timely basis set forth by the grant. *

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

A. PERSONNEL MATTER(S):

1. Presentation, acceptance and approval of Retirements. (3)
2. Recommend approval of term-chapter 21 contractual personnel for the 2018-2019 school year–Athletic Coordinator. Subject to receipt of all outstanding documentation. (1)
3. Recommend approval of term non-chapter 21 contractual personnel for the 2018-2019 school year–Grant Specialist. Subject to receipt of all outstanding documentation. (1)
4. Recommend approval of campus professional staff for term–chapter 21 contracts for the 2019-2020 School Year.
5. Recommend approval of department professional staff for non-chapter 21 contracts for the 2019-2020 School Year.
6. Recommend approval of department professional staff for probationary contracts for the 2019-2020 School Year.
7. Recommend approval of department professional staff for term-chapter 21 contracts for the 2019-2020 School Year.
8. Recommend approval to compensate professional employee (S.M.G.) for a stipend earned but not paid in the following fiscal school years: 2014-2015 and 2015-2016.
9. Recommend approval for the proposed non-renewal of a term contract teacher (S.S.) at the end of the 2018-2019 School Year.
10. Recommend approval for the proposed non-renewal of a term contract teacher (J.P.G.) at the end of the 2018-2019 School Year.
11. Recommend approval of the termination of a probationary contract teacher (V.M.) at the

end of the 2018-2019 school year.

12. Board Self-Evaluation.

13. Discussion, consideration and possible action regarding the appointment, employment, evaluation, and duties of the Interim Superintendent.

B. ATTORNEY CONSULTATION

1. Staff Attorney

- a. Discussion, consideration, and possible action on designating an attorney to hold a non-renewal hearing(s) on behalf of the Board.
- b. Discussion, consideration, and possible action on assigning an attorney to assist Brownsville Independent School District for the grievance filed by A.T.
- c. Discussion, consideration, and possible action on assigning a hearing officer to assist Brownsville Independent School District for the grievance filed by A.T.
- d. Discussion, consideration, and possible action regarding potential litigation for A.T.

2. Board Attorney

- a. Discussion, consideration, and possible action on Blanca Arizmendi v. Patrick Gabbert, individually and in his official capacity as Criminal Investigator pending in the in the United States 5th Circuit Court of Appeals.
- b. Discussion, consideration and possible action to pay for consulting services to the Board in the amount of \$2,500.00, as recommended by Board Counsel.

C. INTERNAL AUDITOR CONSULTATION

1. Consultation with Co-Lead Internal Auditor (Status of ongoing and completed Board approved audits).
2. Recommend approval of the Audit Plan for the periods to include January 1, 2019 to June 30, 2019 and July 1, 2019 to June 30, 2020.

XIII. BOARD MEMBER REQUEST(S)

A. Presentation/Report:

1. District presentation regarding staffing ratios and vacancies in the Transportation Department. (Board Member Request - PRT)
2. District report for all locations regarding staffing ratios, vacancies, and overtime rates. (Please make sure to include the following departments: Custodian, FNS, Maintenance, and Transportation) (Board Member Request - PRT)
3. Report from Administration on Overtime earned by employees in transportation department, and report on steps administration is taking to ensure equitable sharing of overtime by all employees, bus drivers, monitors, and other transportation staff. (Board Member Request - PC)

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

XV. Announcement(s):

- A. **Next scheduled Board Meeting** of the Board of Trustees is on Tuesday, May 7, 2019.

XVI. Adjournment.

