

Minutes of Meeting of Board of Trustees
El Paso Independent School District
February 22, 2000
5:00 p.m.
Education Center-Boeing

Present Dr. Charles Roark, President
 Mrs. Ada Gonzalez-Peterson, Vice President
 Dr. Gene Finke
 Ms. Leonor Gonzalez
 Mr. Joe Rosales
 Mr. Dan Wever
 Mr. Joe Loya, Associate Superintendent, Finance
 Mr. Anthony Safi, School District Attorney

Absent: Mr. Richard Telles, Secretary

The meeting was called to order at 5:06 p.m. by Dr. Roark. The Pledge of Allegiance was led by Mrs. Gonzalez-Peterson. Prior to the start of the meeting, Charles Roark, Ed.D., Notary Public/Board President, administered the Oath of Office to newly-appointed Board member, Leonor Garcia, District 4.

Presentation of Board President's Gavel to Family of Jo Barron (Item #1)

On behalf of the Board of Trustees, Dr. Roark presented a mounted gavel and plaque to Mr. Richard Barron in remembrance of his wife, the late Jo Barron, Board President from May to December 1999.

Texas Public Schools Week Resolution (Item #2)

It was moved by Mrs. Gonzalez-Peterson, seconded by Mr. Rosales, and carried unanimously that the Board adopt the Texas Public Schools Week Resolution proclaiming the week of March 6-10, 2000, as Texas Public Schools Week and encouraging all citizens to visit EPISD schools (copy attached to the permanent file of these minutes).

Public Forum (Item #3)

The following person requested to speak on Open Forum:

1. Mr. Gerald Cheek, President, El Paso Council of PTA, spoke about the Education Summit and focusing on the goal of educating parents.

Consent Agenda (Item #4)

The following items were pulled from the Consent Agenda for discussion as follows:

Mr. Wever - Item 4, C., 2., Construction Contract Award – Highland Modular Campus
#99.687 (\$621,000.00)

Questions on Construction Contract Award – Highland Modular Campus #99.687 (\$621,000.00) (Item #6, C., 2.)

Mr. Wever questioned the use of the \$621,000.00. Mr. Ed Sevcik, Executive Director, Facilities, Maintenance and Construction, and Mr. Nick Corona, Director, Planning, Engineering and Construction, advised that the contract is for moving five modular units from Zach White Elementary School to the Highland campus. The units to be moved are the cafeteria, administration, two classrooms, and one restroom.

Responding to a question from Mrs. Gonzalez-Peterson regarding the population of the Highland campus and why so many buildings are being added to the campus, Mr. Sevcik stated that there is a need to separate the high school and middle school students from the elementary students.

It was moved by Mr. Wever and seconded by Mr. Rosales that the items on the Consent Agenda be approved as listed including any recommended vendors for any amounts indicated.

Mrs. Gonzalez-Peterson requested that item no. 4, C., 2., be excluded from the motion.

Mr. Wever withdrew his motion and Mr. Rosales accepted.

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the items on the Consent Agenda be approved as listed including any recommended vendors for any amounts indicated, with the exception of item no. 4, C., 2.

A. Approval of Minutes

1. January 13, 2000, Board's Compensation Committee Meeting and January 25, 2000, Board Finance Committee Meeting
2. January 11, 2000, and January 25, 2000, Meetings of the Board of Trustees

The Board approved the minutes of the January 13, 2000, Board's Compensation Committee meeting; the January 25, 2000, Board Finance Committee meeting; and the January 11, 2000, and January 25, 2000, meetings of the Board of Trustees.

B. Approval of Subcontractual Agreement Between the El Paso Center for Children and EPISD for Alta Vista Elementary School Family Preservation Council (Ref. Item No. 4, D., 2.)

The Board approved the subcontractual agreement between the El Paso Center for Children, Inc. and the EPISD for the Alta Vista Elementary School Family Preservation Council through a grant provided by "El Paso Families: Together and Safe," to provide a six-week summer program for enrichment and day care services during the 2000 summer months.

C. Construction Contract Awards

The Board approved the award of the following construction contract:

1. PPFCO (Public Property Finance Contractual Obligations) Projects, Phase 7 – Travis Elementary School and Terrace Hills Middle School, #99.529.02 (\$149,800.00) was awarded to ESA Construction Co. of Texas in the amount of \$149,800.00.

D. Approval of Budget Amendments

The Board approved the following amendments to the 1999-2000 fiscal year budget:

1. Dowell Elementary School #155 (\$2,500.00). The purpose of this item is to amend the budget for Dowell Elementary School in the amount of \$2,500.00. Catherine Floyd, Principal at Dowell Elementary School, requested this amendment in a memo dated January 27, 2000. This amendment will transfer funds budgeted for staff development to instructional supplies.
2. Alta Vista Family Preservation Grant #102 (\$44,544.00) (*Ref. Item No. 4, B*). The purpose of this item is to set up the budget for the Alta Vista Family Preservation Grant #102 in the amount of \$44,544.00. Alicia Loya, Associate Superintendent, Region 3, requested this amendment in a memo dated February 2, 2000.

E. February 2000 Report of JJAEP Placements not Appealed to the Board of Trustees

The February 2000 Report of JJAEP Placements not Appealed to the Board of Trustees was approved as presented. As the information contained in this report is confidential under the Privacy Laws, the report will be filed in the Office of the Superintendent.

Construction Contract Awards – Highland Modular Campus, #99.687 (\$621,000.00)
(Item #4, C., 2.)

It was moved by Mr. Wever and seconded by Mr. Rosales that the Board approve the award of Construction Contract #99.687, Highland Modular Campus, subject to the review and approval of the District's attorney, to Dantex Construction Co. in the amount of \$621,000.00. Upon the vote, the motion carried with Mrs. Gonzalez-Peterson voting against the motion.

Approval of District Goals (Item #5)

Mr. Joe A. Loya, Associate Superintendent, Finance, reviewed the revisions made to the proposed goals by Dr. Anzaldua since the last presentation on February 15, 2000. Dr. Finke, referring to his memorandum to Dr. Anzaldua, stated that he feels the revised goals by the Superintendent are significantly improved over last week's recommendations. Discussion followed on additional suggestions from Dr. Finke on the District goals.

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that approval of the District goals be postponed until a work session is arranged by the Superintendent for the development of the District goals.

Approval of Revision to Board Policy FNCC (Local), Student Conduct: Hazing (Item #6)

Dr. Yolanda Rey, Associate Superintendent, Policy and Planning, introduced the revision to FNCC (Local). The individual to whom a hazing incident is to be reported has been changed from the designated campus discipline person to the campus principal or designee. She advised that this policy does not relate to sexual harassment, which is addressed in other specific policies.

It was moved by Mr. Wever, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that revisions to Board Policy FNCC (Local), Student Conduct: Hazing, be approved as presented (copy attached to the permanent file of these minutes).

Approval of Change Order No. 1 to Demand Service Contract for Districtwide Electrical Systems Repairs, #00.451 (\$17,760.00) (Item #7)

Mr. Nick Corona, Director, Planning, Engineering and Construction, advised that this change order is to amend the value of the Demand Service Contract to take advantage of Kendrick Electric Corporation's expertise at core drilling and the poring of two lighting pole foundations at Irvin High School.

Discussion followed on the rationale for obtaining a quote from the vendor rather than putting the job out for bid; having a concrete company pour the concrete for the foundations and Kendrick install the electrical wiring; and the work involving expertise that is confined to only three El Paso-area electrical contractors.

It was moved by Mrs. Gonzalez-Peterson and seconded by Mr. Wever that the Board approve Change Order No. 1 to Kendrick Electric Corporation, Demand Service Contract for Districtwide Electrical Systems Repairs, #00.451, subject to the review and approval of the District's attorney, for the installation of new concrete pole bases at the Irvin High School Stadium in the amount of \$17,760.00. Upon the vote, the motion carried with Dr. Roark voting against the motion. Dr. Roark stated, for the record, his concern about the use of electricians to pour concrete.

Approval of Procurement/Delivery Methods for Contracts Over \$25,000.00 – Districtwide Electrical System Repairs – Demand Service Contract, #00.483 (Item #8)

It was moved by Mr. Wever, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that the competitive bid process be utilized for Project No. 00.483, Demand Service Contract for Districtwide Electrical Systems Repairs, subject to the review and approval of the District's attorney, and that the advertisement and issuance of relevant documents be authorized to prospective bidders/proposers.

Construction Project Status Report – February 2000 (Item #9)

Mr. Ed Sevcik, Executive Director, Facilities, Maintenance and Construction, and Mr. Nick Corona, Director, Planning, Engineering and Construction, presented a status report on projects currently in the planning, design, bid and construction phases as of January 31, 2000, and specifically addressed the completion of various repairs at Moreno Elementary School; the roof repairs at Richardson Middle School; the PPFCO (Public Property Finance Contractual Obligations) projects, specifically at Crosby Elementary School; the

cafeteria floor repairs at El Paso High School; and the air conditioning system at Andress High School.

Approval of Budget Amendment – Urban Systemic Program (USP) #528 (\$770,610.00) (Item #10)

Mrs. Gonzalez-Peterson expressed concerns regarding the Urban Systemic Program (USP). She commented on the “diminishing” funds that will be provided to the District by the National Science Foundation (NSF) for this five-year project; whether a contract has been signed; the source of the District-provided funds; and the availability of a graph which will chart the money to be put into the program for the next five years.

Ms. Georgina Alva, Interim Director, USP, advised that the \$770,610.00 amount is provided by UTEP (University of Texas at El Paso) and is the budget for the first year, September 1999 through August 2000. She stated that NSF will monitor the program on a yearly basis and decide whether to continue with the USP. She advised that Dr. Anzaldua signed the contract.

Following discussion on whether the contract for USP requires Board approval, Mr. Safi stated that there is language in the contract regarding EPISD cost sharing non-federal dollars in the amount of \$1.864 million. Because that appears to be a commitment of cost sharing of District funds, ideally the Board would have approved the contract. Discussion continued on portions of USP that are District funded and federally funded; the amount designated for USP in the current budget; the existence of a line item specifically for USP; providing the Board with a full accounting of the cost sharing; the annual budget for USP being in excess of \$2.6 million; and bringing this item back so more information can be provided to the Board.

It was moved by Mrs. Gonzalez-Peterson, seconded by Dr. Roark, and carried unanimously that approval of the budget amendment for the Urban Systemic Program (USP) be postponed until the Board receives a presentation from the El Paso Collaborative and Ms. Georgina Alva in order for the Board to fully understand the five-year commitment required for the USP.

Bid and Purchase Orders Requiring Board Approval (Item #11)

A. Laser Printer RFP #03-00 (\$78,192.22)

Mr. Wever questioned the Okidata #24DXN printers that were bid by AAA Computers being labeled as “Not as Specified.” Mr. Terry Freiburg, Director of Purchasing, advised that the RFP (request for proposal) stipulated 25 ppm (pages per minute) and that the Okidata processed only 24 ppm. Mr. Wever commented on the one page difference between the Okidata and Lexmark printers; the higher megabytes of RAM in the Okidata printer; the larger paper capacity of the Okidata printer compared to the Lexmark and the respective cost-per-page to print; and the significantly lower cost of the Okidata.

It was moved by Mr. Wever and seconded by Mr. Rosales that Laser Printers RFP #03-00, Item 1, be awarded to AAA Computers in the amount of \$48,484.00.

Discussion followed on postponing Board action on this item until more information is provided by administration.

Mr. Wever withdrew his motion and Mr. Rosales accepted.

B. Apple Computers for Coronado High School and Bassett Middle School, Purchase Order Nos. 179870, 181167 and 181168 (\$42,987.00)

It was moved by Mr. Wever, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that Apple computers be approved for purchase from Apple Computer, the sole source, for Coronado High School, Purchase Order No. 179870, in the amount of \$20,227.00 and for Bassett Middle School, Purchase Order Nos. 181167 and 181168, in the amount of \$22,760.00, for a total amount of \$42,987.00 (copy of purchase orders attached to the permanent file of these minutes).

C. Information Back-Up Units, Purchase Order No. 183203 (\$41,794.00)

Responding to a question from Mr. Wever regarding the kind of back-up units currently in the schools, Mr. Fred Alvarez, Administrator of Hardware Support, Technology and Information Systems, advised that the units are made by Exabyte and hold approximately 50 gigabytes of memory. He stated that the units by Hewlett Packard, which are recommended for purchase, will hold 20 gigabytes, which is ample storage capacity.

Discussion followed on the rationale for obtaining quotes rather than issuing an RFP (request for proposal); the lower price but high quality of the Hewlett Packard units; the expense involved in repairing the Exabyte units currently in place; the likelihood that a bid process will result in the same recommended product; the ten tapes required at each location; the possibility of splitting the order and purchasing the back-up units and the tapes from the vendor that provides the lowest respective quote; whether ICHI Corporation, the recommended vendor, will agree to split the order; and postponing action on this item and bringing it back to a future Board meeting.

Meeting Closed (Item #12)

The meeting was recessed at 7:03 p.m. to a closed meeting by Dr. Roark under Sections 551.071 and 551.074 of the Texas Government Code as follows:

- A. Proposed Termination of Continuing Contract Teacher
- B. Consultation with School District Attorney Regarding Contemplated Litigation Involving the Estate of Carmen E. Herrera, Deceased

The closed meeting was opened at 7:17 p.m. The closed meeting ended at 7:30 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 7:32 p.m.

Proposed Termination of Continuing Contract Teacher (Item #12, A.)

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the Board approve the proposed termination of Ms. Concepcion Monrreal, a continuing contract employee who was provided notice of her proposed termination and who did not request a hearing.

Consultation with School District Attorney Regarding Contemplated Litigation Involving the Estate of Carmen E. Herrera, Deceased (Item #12, B.)

It was moved by Mr. Rosales, seconded by Dr. Finke, and carried unanimously that the Board authorize legal counsel and the administration to accept the settlement demand that has been made by the estate of Carmen E. Herrera, Deceased, subject to the settlement amount being a 50-50 split between the District and Lafayette Life Insurance Company, the execution of settlement documentation that is acceptable to legal counsel and the administration, entry of an appropriate order by the probate court in which the estate is pending, and any necessary conforming budget amendment being brought to the Board at a future meeting.

Meeting Adjourned

The meeting was adjourned at 7:35 p.m.

Date Approved: March 28, 2000