

Minutes of Meeting of Board of Trustees  
El Paso Independent School District  
November 28, 2000  
5:00 p.m.  
Bowie High School Cafetorium  
801 S. San Marcial

Present: Dr. Charles Roark, President  
Mrs. Ada Gonzalez-Peterson, Vice President<sup>1</sup>  
Mr. Richard Telles, Secretary  
Dr. Gene Finke  
Miss Leonor Garcia  
Mr. Joe Rosales  
Mr. Dan Wever  
Dr. Gilberto Anzaldua, Superintendent  
Mr. Anthony Safi, School District Attorney

The meeting was called to order at 5:06 p.m. by Dr. Roark. The Pledge of Allegiance was led by Mr. Safi.

Item Withdrawn

It was announced that item no. 1, D., Approval of Interlocal Agreement with Region 19 Education Service Center for the Provision of Internet Services as the District's Internet Service Provider from the Texas General Services Commission for Fiscal Year 2000-01 (\$38,400.00), had been withdrawn from the agenda.

Consent Agenda (Item #1)

The following item was pulled from the Consent Agenda for discussion as follows:

Dr. Finke - Item 1, A., Approval of Minutes of October 10, 2000, and October 24, 2000, Meetings of the Board of Trustees

Questions on Approval of Minutes of October 10, 2000, and October 24, 2000, Meetings of the Board of Trustees (Item #1, A.)

Dr. Finke pointed out an error in the minutes for the October 24, 2000, meeting of the Board of Trustees. On item no. 17, Resolution for the Adoption of "Commitment for the Children" (in connection with EPISD 2000 Bond Election), it should read that the motion was seconded by Miss Garcia instead of Dr. Finke, as indicated.

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

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<sup>1</sup> Mrs. Gonzalez-Peterson arrived at 5:25 p.m., during the presentation of Item #3.

A. Approval of Minutes of October 10, 2000, and October 24, 2000, Meetings of the Board of Trustees

The Board approved the minutes of the October 10, 2000, and October 24, 2000, meetings of the Board of Trustees, as corrected.

B. Approval of Extension of District's Automobile Insurance Policy I-010 (\$172,865.00)

The Board authorized the administration to execute the first one-year extension to the District's Automobile Insurance Policy I-010, subject to the review and approval of the District's attorney, to Zurich Insurance Company, through Rogers & Belding Insurance, for a yearly premium in the amount of \$172,865.00.

C. Bid Requiring Board Approval – School Furniture Bid #90-00 (\$119,522.36)

School Furniture Bid #90-00 was awarded to the following vendors in the amounts indicated: Automated Office & Industrial, Items 3, 4, 6, 21, and 22, \$27,740.76, net; Business Interiors, Item 25, \$2,507.20, net; Indeco Sales, Items 1, 12-18, 23, 24, and 26, \$30,979.40, net; and Virco Mfg. Co., Items 2, 5, 7-11, 19, and 20, \$58,295.00, net, for a total amount of \$119,522.36 (copy of bid tabulation attached to the permanent file of these minutes).

E. Construction Contract Award – Josephine F. Barron Elementary School, E-9 – Site Improvements, #98.832.01 (\$79,000.00)

The Board waived the technicalities of Gateway Industries Joint Venture for failing to submit a duplicate copy of the bid form and for failing to submit the Contractor's Qualifications Statement 10 days prior to the bid date, and approved the award of Construction Contract #98.832.01, Josephine F. Barron Elementary School, E-9 – Site Improvements, subject to the review and approval of the District's attorney, to Gateway Industries Joint Venture in the amount of \$79,000.00.

F. October Report of JJAEP Placements not Appealed to the Board of Trustees

The October 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.

Discussion and Possible Action on Educational Legislative Agenda (Item #2)

Dr. Anzaldua reviewed the draft Educational Legislative Agenda, which was prepared by Region 19 Education Service Center. Three regional priorities were identified with input from the Regional Advisory Council and the Far West Texas School Boards Association for the upcoming Texas Legislative Session: (1) school funding – equalization, biennium lag, and rollback rate calculation; (2) employee health care; and (3) facilities. Dr. Anzaldua stated that it was being recommended that all Region 19 school districts pool together to fund a regional contract for lobbyist services.

It was moved by Dr. Finke, seconded by Miss Garcia, and carried unanimously that the Board approve the proposed Educational Legislative Agenda that will represent the school districts in Region 19 and be presented to the legislative delegation.

### 1999-2000 Year-End Report on District's Energy Conservation Program (Item #3)

Mr. Donald Thompson and Mr. Clay White, Energy Managers, provided background information on the District's energy management program and presented the results of the energy conservation program for the year 1990-2000. They reported a \$2,972,977.00 savings in energy costs by the District from August 1, 1999, through July 31, 2000. The savings realized over the 11 years the program has been in effect total \$21,512,212.00.

### Arrival of Board Member

Mrs. Gonzalez-Peterson arrived at 5:25 p.m. and was present to vote in any subsequent action by the Board of Trustees.

### Proposed Request for Qualifications for Project Management Services for EPISD 2000 Bond Program (Item #4)

The Board discussed various aspects of the proposed RFQ (request for qualifications) for Project Management Services for the EPISD 2000 Bond Program. Concerns were expressed regarding the organizational chart depicting the intended program structure; providing office space for the Project Manager's staff at the Education Center-Downtown; and the need for the Board to have more time to review the RFQ.

It was moved by Mr. Rosales, seconded by Mr. Telles, and carried unanimously that the Board postpone action on the Proposed Request for Qualifications for Project Management Services for EPISD 2000 Bond Program until the January 9, 2001, Board meeting so Board members can review the document and make comments/notations.

### Item Withdrawn

It was announced that item no. 5, Award of RFP for Districtwide Exclusive Beverage Services Contract #10-00, had been withdrawn from the agenda.

### Questions on Bid and Purchase Orders Requiring Board Approval (Item #6)

Purchase Orders for Computer Equipment – Apple Computers for Henderson Middle School, Purchase Order Nos. 198507 and 200456 (\$31,960.00) (Item # 6, B., 1.) and Apple Computers for Roberts Elementary School, Purchase Order No. 200571 (\$10,920.00) (Item #6, B., 5.)

Mr. Wever questioned the different parameters being used for the Internet access for the two schools, Henderson Middle School and Roberts Elementary School. Mr. Rodolfo Hernandez, Principal, Henderson Middle School, advised that the purchase is for computers that meet the current need at his school. He stated that a future order is planned for computers with additional capabilities.

Purchase Orders for Apple Laptops for Hillside Elementary School, Purchase Order No. 198583 (\$11,592.00) (Item #6, B., 2.)

Mr. Wever questioned whether policies are in place that allow parents to take laptop computers home and the procedures that will be followed if computers are stolen, lost, or damaged. Dr. Linda Holman, Principal, Hillside Elementary School, advised that parents welcome the opportunity to become computer literate in order to assist their children with the programs used during the school day. She stated that the computers will be used in the classrooms during the school day, and the parents will sign a contract stipulating that they will make restitution for any damage or loss to the computers.

Vehicle Bid #88-00 (\$209,091.50) (Item #6, A.)

Miss Garcia questioned the need for additional trucks for the Food Services Unit. Ms. Nancy Nordell, Director, Food Services, advised that one truck will replace an old vehicle and the others will be used to provide Districtwide catering services furnished by Food Services and to travel to the various schools for kitchen equipment repairs.

Bid and Purchase Orders Requiring Board Approval (Item #6)

It was moved by Miss Garcia, seconded by Mrs. Gonzalez-Peterson, and carried unanimously that the following bid and purchase orders be approved to the recommended vendors for the amounts indicated:

- A. Vehicle Bid #88-00 (\$209,091.50) was awarded to the following vendors in the amounts indicated: Casa Ford, Item 4, \$17,303.00, net; Crawford GMC Truck, Item 1, \$12,091.00, net; and Westway Dodge, Items 2 and 3, \$179,697.50, net, for a total amount of \$209,091.50 (copy of bid tabulation attached to the permanent file of these minutes).
- B. Purchase Orders for Computer Equipment
  1. Apple Computers for Henderson Middle School, Purchase Order Nos. 198507 and 200456 (\$31,960.00), were approved for purchase from Apple Computer, the sole source, in the total amount of \$31,960.00 (copy of purchase orders attached to the permanent file of these minutes).
  2. Apple Laptops for Hillside Elementary School, Purchase Order No. 198583 (\$11,592.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$11,592.00 (copy of purchase order attached to the permanent file of these minutes).
  3. Apple Computers for Beall Elementary School, Purchase Order No. 198742 (\$13,583.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$13,583.00 (copy of purchase order attached to the permanent file of these minutes).
  4. PC Computers for San Jacinto Center, Purchase Order No. 199817 (\$6,100.00), were approved for purchase from Amherst Computer Products, the lowest quote, in the amount of \$6,100.00 (copy of purchase order attached to the permanent file of these minutes).

5. Apple Computers for Roberts Elementary School, Purchase Order No. 200571 (\$10,920.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$10,920.00 (copy of purchase order attached to the permanent file of these minutes).
6. Apple Computers for Irvin High School Journalism Class, Purchase Order No. 201104 (\$23,163.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$23,163.00 (copy of purchase order attached to the permanent file of these minutes).
7. PC Computers for Communications and Travel Office, Purchase Order No. 202776 (\$8,540.00), were approved for purchase from Amherst Computer Products in the amount of \$8,540.00 (copy of purchase order attached to the permanent file of these minutes).

Approval of Recommendations on Appeals of Employee Medical Claims Denied by District's Utilization Review/Management Company (Item #7)

There was discussion on the Board's role in decisions regarding an employee's medical issue; whether Board approval is required on the appeals; and the plan document guaranteeing employees the right to appeal directly to the Board when a negative decision is received by the SPECTERA Utilization Review/Management Company.

It was moved by Mrs. Gonzalez-Peterson, seconded by Mr. Wever, and carried unanimously that the Board approve the recommendation of the administration and the Board Insurance Advisory Committee to declare the medical claims in cases #2000-01 and #2000-02 as eligible expenses and pay the medical expenses for the services described, which were denied by the District's Utilization Review/Management Company.

Board of Trustees Community Meeting Welcome by Mr. Arthur Peralta, Principal, Bowie High School (Item #9)

Mr. Arthur Peralta, Principal, Bowie High School, Bowie High School students, and Mr. Gerald Cheek, President, EPISD Council of PTAs, extended welcoming remarks to the Board of Trustees, Dr. Anzaldua, and those present for the Board meeting.

Performance by Bowie High School's "Los Osos Orgullosos" (Item #10)

A musical performance was provided by the Bowie High School mariachi group, "Los Osos Orgullosos," under the direction of Mrs. Anji Morgan-Thornton.

Performance by Henderson Middle School "Lamplighters" (Item #11)

A musical performance was provided by the Henderson Middle School "Lamplighters," under the direction of Mr. Tom Marshall.

Presentation and Signing of “Commitment for Children” for Middle and Elementary Campuses in the South/Central Region (Item #12)

Mr. Enrique Gallegos, Associate Superintendent, South/Central Region, provided information on the written commitments between the Board and the school communities which commits the District to the maintenance projects for each school and provides accountability for funds from the December 12, 2000, bond election, if approved by the voters. Each “Commitment for Children” was signed by the principal from the middle and elementary schools in the South/Central Region along with their community representatives, the Superintendent, and the Board members.

Awards to November Employees of the Month (Item #13)

Ms. Adrienne Ninos, first grade teacher at Burnet Elementary School, was recognized by the Board of Trustees as November’s Certified Employee of the Month; and Ms. Leticia Quintanilla, secretary in Custodial Operations, was recognized as November’s Non-Certified Employee of the Month. Each was presented with an engraved plaque and a check in the amount of \$150.00.

Discussion and Approval of 2000 Bond Community Oversight Committee (Item #14)

Dr. Roark provided comments on the 2000 Bond Community Oversight Committee as it relates to the bond election. He reviewed the community organizations that submitted names for selection to the Oversight Committee.

It was moved by Dr. Roark and seconded by Mr. Wever that Mr. Richard Fleager, Mr. Aldin Brown, Mr. Joe Wardy, Mr. Hank Hernandez, Mr. Marty Reyes, Mr. Arturo Weiner, Mr. Marvin Brotherton, Ms. Arvis Jones, Mr. B. L. Schmidt, Mr. Manny Pacillas, Mr. Cesar Viramontes, Mr. Stuart Schwartz, Mr. Tom Marshall, Mr. Ruben Escondon, Ms. Renee Wilfey, Mr. Terry Diaz, Mr. Robert Hough, Mr. Henry Stokes, and Mr. Gerald Cheek be selected to represent the District and the community on the Bond Oversight Committee; and that the names that were not selected be held on a supplementary list as alternates for those who cannot serve and that those names be considered for selection after the first set of one-year terms have expired.

The following people requested to speak to this item:

1. Mr. Raul Garcia spoke about the need for Board members to attend the community meetings and requested to serve on the Bond Oversight Committee.
2. Mr. Mike Mata spoke about the lack of funds for the schools and the need to raise educational standards.
3. Ms. Magdalena Hernandez expressed her gratitude for the donation of computers and spoke about the importance of people remaining at the Board meetings until all agenda items have been addressed.

Ms. Myrna Deckert, Co-Chair, 2000 Bond Committee, praised the Board of Trustees for the signing of the “Commitment for Children” and recommended that Mr. Richard Fleager, CEO, Southern Union Gas Company, be appointed as the Chairperson for the Bond Oversight Committee.

Dr. Roark amended his motion to appoint Mr. Richard Fleager as the Chairperson of the Bond Oversight Committee. Mr. Wever accepted the amendment.

The motion, as amended, reads as follows:

that Mr. Richard Fleager, Mr. Aldin Brown, Mr. Joe Wardy, Mr. Hank Hernandez, Mr. Marty Reyes, Mr. Arturo Weiner, Mr. Marvin Brotherton, Ms. Arvis Jones, Mr. B. L. Schmidt, Mr. Manny Pacillas, Mr. Cesar Viramontes, Mr. Stuart Schwartz, Mr. Tom Marshall, Mr. Ruben Escondon, Ms. Renee Wilfey, Mr. Terry Diaz, Mr. Robert Hough, Mr. Henry Stokes, and Mr. Gerald Cheek be selected to represent the District and the community on the Bond Oversight Committee; that the names that were not selected be held on a supplementary list as alternates for those who cannot serve and that those names be considered for selection after the first set of one-year terms have expired; and that Mr. Richard Fleager be appointed as Chairperson.

Upon the vote, the motion, as amended, carried unanimously.

#### Public Forum (Item #15)

The following people requested to speak on Open Forum:

1. Ms. Elizabeth Debona, parent at Guillen Middle School, spoke about the need for updated technology at the schools.
2. Mr. David Baron, Technology Director, Bowie High School, thanked the Board and Superintendent for the technology lab at Bowie.

#### Meeting Closed (Item #8)

The meeting was recessed at 8:05 p.m. to a closed meeting by Dr. Roark under Section 551.071 of the Texas Government Code as follows:

- A. Consultation with School District Attorney Regarding – State Board for Educator Certification vs Alicia Loya; SOAH Docket No. 705-01-0476.W

The closed meeting was opened at 8:10 p.m. The closed meeting ended at 8:35 p.m.

#### Meeting Opened

The meeting was reassembled in Open Session at 8:35 p.m.

#### Consultation with School District Attorney Regarding – State Board for Educator Certification vs Alicia Loya; SOAH Docket No. 705-01-0476.W (Item #8, A.)

It was moved by Mr. Wever, seconded by Miss Garcia, and carried unanimously that the Board authorize the law firm of Mounce, Green, Myers, Safi & Galatzan, P.C. to continue its representation of Alicia Loya in this complaint.

**Meeting Adjourned**

The meeting was adjourned at 8:40 p.m.

Date Approved: January 23, 2001