

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

Present Dr. Charles Roark, President¹
 Mrs. Ada Gonzalez-Peterson, Vice President
 Mr. Richard Telles, Secretary²
 Dr. Gene Finke
 Mr. Joe Rosales³
 Mr. Dan Wever
 Dr. Gilberto Anzaldua, Superintendent
 Mr. Anthony Safi, School District Attorney

Absent: Miss Leonor Garcia

In the absence of the Board President, the meeting was called to order at 5:07 p.m. by Mrs. Gonzalez-Peterson, Vice President. The Pledge of Allegiance was led by Dr. Finke.

Public Meeting to Discuss Preliminary Budget for Fiscal Year 2000-01 and Proposed 2000 Property Tax Rate (Item #1)

No speakers requested to speak to this item.

Arrival of Board Member

Mr. Rosales arrived at 5:13 p.m. and was present to vote in any subsequent action by the Board of Trustees.

Adoption of Preliminary Budget for Fiscal Year 2000-01 (Item #2)

Mr. Joe Loya, Deputy Superintendent, provided a summary of the 2000-01 preliminary budget by fund and function. The Operating Fund totals \$334,472,000.00, including \$7,000,000.00 for Contractual Obligations; Special Revenues totals \$48,093,403.00; Debt Service Fund totals \$20,145,000.00; Construction Fund totals \$22,000,000.00 for a total budget amount of \$424,710,403.00. He advised that the projected revenues total \$327,472,000.00, including \$7,000,000.00 for Contractual Obligations. Mr. Loya reviewed the preliminary budget by function, including the Contractual Obligations.

Discussion followed on the 2000-01 budget being less than the 1999-2000 budget; the increase in the budget for Instruction; and the creation of proposed new positions being funded in the budget upon approval of the budget.

¹ Dr. Roark arrived at 5:25 p.m., during discussion on Item #2, and departed at 10:30 p.m., during the closed meeting on Item #17, B., 2.

² Mr. Telles departed at 10:30 p.m., during the closed meeting on Item #17, B., 2.

³ Mr. Rosales arrived at 5:13 p.m., during discussion on Item #1.

Discussion continued on the filling of teacher and administrative positions below a certain level; information being provided to the Board on proposed new positions; proposed new positions in the Finance Unit; positions at Level 8 and higher being brought to the Board; and part-time help in the Food Services Unit.

Arrival of Board Member

Dr. Roark arrived at 5:25 p.m. and was present for any subsequent action by the Board of Trustees.

It was moved by Mrs. Gonzalez-Peterson, seconded by Mr. Telles, and carried unanimously that the Board adopt the 2000-01 Preliminary Budget in the amounts shown by fund and function as presented by the administration (copy of sheets attached to the permanent file of these minutes).

Adoption of 2000 Property Tax Rate (Item #3)

Mr. Kevin Allred, Treasury Manager, provided a comparison of the proposed tax rate with the last five years' tax rates and an analysis on the impact the proposed tax rate will have for the average homeowner. The proposed tax rate reflects no change from the effective rate for local tax purposes and reflects a decrease of 5.1 percent from the effective rate for state purposes.

It was moved by Mr. Telles, seconded by Dr. Finke, and carried unanimously that the Board adopt the tax rate on \$100 valuation for the District for tax year 2000 as follows: \$1.450479 for purposes of maintenance and operation and \$0.101100 for the payment of principal and interest on debt of the District, for a total tax rate of \$1.551579.

Report on Districtwide Facility Assessment/Educational Adequacy Study, #00.976 (Item #16)

Dr. Anzaldua stated that this presentation is the first installment of the Facility Assessment Study that was conducted by 3D/International, Inc., Perspectiva, Inc. and Magellan Consulting, Inc. He advised that a summary of the findings was provided to the Board, including a sample report from Canyon Hills Middle School. He stated that the report will highlight the pluses and minuses of each building site in the District and provide a projected Educational Adequacy review of the building, as well as costs for either repairing or razing a particular building. The report will be the framework over the next five to ten years of the District's needs and will serve as "homework" material for the 2000 Bond Committee. Dr. Anzaldua advised that each Board member will receive a binder with reports on all the schools in his or her region.

Mr. Hector Martinez, Associate Superintendent of Operations, reported that the Facility Assessment /Educational Adequacy Study has identified \$428 million worth of deferred maintenance costs which are categorized under one of five priority ratings. Information will be disseminated to the 2000 Bond Committee to begin identifying a total value for the bond referendum.

Mr. Casey Morris, Project Manager, 3D/International, Inc., provided information on the results of the Facility Assessment. He stated that existing deficiencies are broken down into five priorities/classifications: Priority 1 – Critical, deficiencies that require short-term correction; Priority 2 – Urgent, problems that interfere with the educational mission and should be replaced because of risk of very near-term failure; Priority 3 – Medium, deficiencies that require long-term correction; Priority 4 – Low, necessary or desirable repairs for the

optimal performance of the facility; and Priority 5 – Optional, other repairs or enhancements that aid in improving the educational mission of the facility. He advised that the bulk of the deficiencies fall under Priority 3 – Medium.

Mr. Morris reviewed the total deficiencies by category; i.e., Capital Renewal, Code Compliance, Deferred Maintenance, District Needs, Educational Adequacy, Warranty Repair, and Level 1 Life Cycle Deficiencies. He stated that the bulk of the deficiencies, or 70 percent of the cost, falls in Capital Renewal. He stated that Mechanical and Electrical took up the bulk of the dollars of the eight building systems that were categorized.

Mr. Sam Wilson, Magellan Consulting, Inc., reported on the school additions that will be part of the program. He provided information on the evaluation of the number of portables being used for classroom use at each campus. Mr. Wilson addressed the facility condition index (FCI), which is the cost of repairs divided by the cost of replacement, and provided information on determining the amount for a bond election.

Discussion followed on the difference between capital renewal and repair; priorities assigned at schools; the difference between deficiencies and systems that have exceeded the expected useful life; timeframe for the five priorities; demolition and new construction versus repairs; and refrigerated air conditioning versus evaporative air conditioning. Discussion continued on the “Rank by School Type” assigned to the schools; recommendations that the Board can use for its decision-making process being part of the dialog by the 2000 Bond Committee; getting input from the community; the Board being able to evaluate the Facility Assessment; “soft” costs associated with building construction; and the Board setting policy guidelines regarding certain aspects of new construction.

Mr. Lorenzo Aguilar, Perspectiva, Inc., presented the Facility Executive Summary Report for Canyon Hills Middle School. He reviewed deficiencies classified in the Survey Detail Report and the pie charts on the estimated costs by deficiency category and by building system.

Mr. Wilson reviewed the educational adequacy findings at Canyon Hills. He stated that the eight categories reviewed were capacity, support for programs, technology, supervision and security, instructional aids, physical characteristics, learning environment, and relationship of spaces. He advised that the information derived from the eight categories results in a score, which is the indicator of how the school meets its educational mission. The information also determines which deficiencies can be corrected.

Discussion followed on the how much of the anticipated bond amount will be identified for deferred maintenance; the relationship between the deficiencies and priorities to the categories; providing the information in the Facility Assessment report in different formats in order to disseminate the information with more clarity; the timeframe to correct identified deficiencies; the criteria used to determine whether a building is fulfilling its educational mission; and presenting the information in the report to the community.

Public Forum (Item #4)

The following people requested to speak on Open Forum:

1. Mr. Joaquin Castro was not present when called to speak.

2. Ms. Cindy Valles, teacher at Putnam Elementary School, spoke about holding the construction companies accountable for the repairs made at Putnam and recognizing parents for the District's award on "Tools for Schools."
3. Mr. Gerald Cheek, President, El Paso Council of PTAs, requested that consideration be given to naming the new Northeast Elementary School after Mary Tippin.
4. Ms. Pat de la Garza, parent at Putnam Elementary School, spoke about concerns regarding information provided in the Facility Assessment report and about schools that have been worked on still not being repaired.

Item Withdrawn

It was announced that item no. 5, D., 2., Bids and Purchase Orders Requiring Board Approval – Evaporative Air Conditioning Units Bid #56-00 (\$91,120.00), had been withdrawn from the agenda.

Consent Agenda (Item #5)

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

Dr. Finke - Item 5, E., Demand Service Contract Award – Districtwide Portable Building Relocation, #01.438 (\$106,800.00)

Questions on Demand Service Contract Award – Districtwide Portable Building Relocation, #01.438 (\$106,800.00) (Item #5, E.)

Dr. Finke questioned the recommended vendor not being the low bid. Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, advised that the recommended vendor was not the low bid, but the vendor with the low bid requested that the bid be withdrawn.

It was moved by Mr. Rosales, seconded by Dr. Finke, and carried unanimously that the following items on the Consent Agenda be approved as listed including any recommended vendors for any amounts indicated. Dr. Roark was not present for the vote.

A. Approval of Budget Amendments

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

1. Title I, Part A Capital Expenses (\$58,450.00). The purpose of this item is to access the Title I, Part A Capital Expenses funds in the amount of \$58,450.00. Bob Mena, Director of External Funding, requested this amendment in a memo dated August 4, 2000. The Texas Education Agency approved this grant on September 27, 1999. The program will help defray the costs of current year capital expenses incurred in providing Title I, Part A services to students attending private, religiously affiliated schools.

2. TRS On-Behalf Payments (\$13,300,000.00). The purpose of this item is to increase the budget for the Teacher Retirement System (TRS) On-Behalf Payments in the amount of \$13,300,000.00. Esther Jacobo, Campus Accountant, requested this amendment in a memo dated August 4, 2000. These payments represent the matching amounts that are paid by the state of Texas for District employees. Although the state pays these amounts, the District must account for the payments, which is done at year-end once the budget is established.
3. Finance (\$500,000.00). The purpose of this item is to amend the budget for salaries in various functions in the amount of \$500,000.00. Esther Jacobo, Campus Accountant, requested this amendment in a memo dated August 7, 2000. This amendment will adjust the budget amendment for the compensation package approved by the Board of Trustees on August 24, 1999 (agenda item no. 5, Approval of Compensation Proposal for Hourly and Daily Employees and Other Compensation Recommendations for 1999-2000).

B. Approval of Agreement to Participate in Cooperative Purchasing Program with Region 19 Education Service Center, Purchase Order No. 195613 (\$500.00)

The Board approved the District's continued participation in the Cooperative Purchasing Program with Region 19 Education Service Center for the period of September 1, 2000, through August 31, 2001, and Purchase Order No. 195613 in the amount of \$500.00 to cover administrative costs incurred in processing the general purpose bids.

C. Approval of EPISD's Continued Participation in the Texas General Services Commission (GSC) Bid #714-A5 Copier Rental Program (approx. \$717,855.20)

The Board approved the District's continued participation in the Texas General Services Commission (GSC) Bid #714-A5, Copier Rental Program, for the 2000-01 fiscal year for an estimated total amount of \$717,855.20, with the selection of copier to be made by each school or unit.

D. Bids and Purchase Orders Requiring Board Approval

The following bid and purchase orders were approved to the recommended vendors for the amounts indicated.

1. Option to Extend Existing Bid – Kodak 220/225 Maintenance/Service Bid #55-99 (approx. \$26,800.00) – The Board approved the option to extend Kodak 220/225 Maintenance/Service Bid #55-99 to Danka Office Imaging for the 2000-01 school year for an estimated annual amount of \$26,800.00, subject to the approval of the 2000-01 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
3. Annual Lease/Purchase Payment for the AS/400 Computer Systems, Purchase Order No. 195545 (\$170,463.00) was approved to IBM Corporation in the amount of \$170,463.00, subject to the approval of the 2000-01 budget (copy of purchase order attached to the permanent file of these minutes).

4. Annual Support for CIMS Software, Purchase Order No. 195546 (\$35,228.04) was approved to National Computer Systems, the sole source, in the amount of \$35,228.04, subject to the approval of the 2000-01 budget (copy of purchase order attached to the permanent file of these minutes).
5. NovaNET Learning Inc., Purchase Order No. 195558 (\$297,560.00) was approved to NovaNET Learning Inc., the sole source, for the renewal of subscription fees for NovaNET ports in the amount of \$297,560.00 (copy of the purchase order attached to the permanent file of these minutes).
6. Commodities Storage and Delivery Service, Purchase Order No. 195625 (approx. \$150,000.00) was approved to Professional Food Systems in the estimated annual amount of \$150,000.00 (copy of purchase order attached to the permanent file of these minutes).

E. Demand Service Contract Award – Districtwide Portable Building Relocation, #01.438 (\$106,800.00)

The Board approved the award of Demand Service Contract #01.438, Districtwide Portable Building Relocation, to Rick Little Enterprises, Inc. for an annual amount of \$106,800.00, subject to the review and approval of the District’s attorney and the approval of the 2000-01 preliminary budget.

Approval of Contract Renewals for Voluntary Employee Benefit Plans (Item #6)

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the Board approve the renewal of the contract for the optional employee vision benefit insurance plan to Vision Service Plan; for the optional employee indemnity dental insurance plan to SafeHealth Dental Plans; and for the optional employee cancer benefit insurance plan to Central States of Omaha at the increased rates for the 2001 plan year as presented by the administration for coverage effective January 1, 2001. Dr. Roark was not present for the vote.

Naming of Northeast Elementary School (Patriot Village Subdivision) (Item #7)

Mrs. Gonzalez-Peterson reviewed the process followed by the Board School Name Committee in selecting a name for the new Northeast Elementary School. She announced that it was the consensus of the Committee that the names of Esperanza Moreno, Mary Tippin, and Josephine “Jo” Barron be submitted to the Board for consideration.

It was moved by Mr. Telles and seconded by Mr. Wever that the new elementary school in the Patriot Village Subdivision in Northeast El Paso be named Josephine “Jo” Barron Elementary School.

The following people requested to speak to this item:

1. Ms. Linda Baca spoke in support of Esperanza Moreno as the name for the new Northeast Elementary School.
2. Mr. Jose Acosta, brother of Esperanza Moreno, spoke in support of Esperanza Moreno as the name for the new Northeast Elementary School.

Discussion followed on the nominations submitted for the school; the criteria used for the selection of a name for a school; the possibility of naming the school after all three nominees; and the rationale for each Board member's selection.

Upon the vote, the motion carried unanimously.

Award of One Year Fraud and Forensic Investigative Services RFP #57-99 (Item #8) and Award of Legal Services RFP #58-99 (Item #9)

Dr. Finke reviewed the background of the two RFPs (request for proposals). He advised that the Board Investigative Services Committee, the Board Legal Services Committee, or the Board as a whole had not been able to come to a consensus regarding the selection of a firm on either RFP.

Regarding item no. 8, Award of One Year Fraud and Forensic Investigative Services RFP #57-99, Dr. Finke reviewed the responses submitted by EXFED Investigative Services, Inc.; KPMG, LLP; Lauterbach, Borschow & Company; Marcus, Fairall, Bristol & Co. LLP/James D. Edge & Associates; Gilbert Pineda & Co.; Starr, Colton, Peña, Vogel & Co., PC; and Stecrisom Private Detective Agency. He stated that two of the firms were not qualified because they did not meet the RFP's requirement of having CPAs (Certified Public Accountants) on staff, and a third firm was non-responsive because a risk assessment was not included in the firm's response.

Dr. Finke stated that one of the firms that responded to the RFP is currently the District's external auditor; however, it was his belief that the District is looking for a firm that will report exclusively to the Board on suspected fraud and other improprieties within the District. It was his recommendation that the One Year Fraud and Forensic Investigative Services RFP #57-99 be awarded to Marcus, Fairall, Bristol & Co., LLP/James D. Edge & Associates.

It was moved by Dr. Finke and seconded by Dr. Roark that the Board approve the award of One Year Fraud and Forensic Investigative Services RFP #57-99 to Marcus, Fairall, Bristol & Co., LLP/James D. Edge & Associates.

Discussion followed on the Board needing additional information from the current external auditor and not an investigation of fraud; and a request for more information on the strength and reputation of the recommended company, the cost involved, the scope of work, the impact of any findings that might result from an investigation, and the procedures that would be followed to report those findings.

Discussion continued on the Board having the authority under the Education Code to hire an external auditor for investigative purposes; the understanding that the work would be defined as issues presented themselves, in cooperation with the Superintendent; the cost being determined on a case-by-case basis; and whether funds will be available for these services.

Dr. Anzaldúa advised that although funds have not been budgeted, money can be reallocated internally if the Board determines there is a need for these investigative services.

Discussion continued on whether the recommended firm will agree to an "as needed" basis; the priorities for the investigations, developing guidelines for the Board to decide on what will be investigated, procedures for reporting on the investigations, and the protocol that will be followed by the Board members; and how this concept fits in with the compliance plan previously presented by Mr. Joe Loya, Deputy Superintendent. Dr. Anzaldua stated that since the RFP for investigative services had been dormant, it was believed that the compliance plan would serve in lieu of those services.

It was determined that the Board Investigative Services Committee will meet again and address the issues raised by Board members and an item brought back to the Board with specific recommendations.

Upon the vote, the motion carried unanimously.

Regarding item no. 9, Award of Legal Services RFP #58-99, Dr. Finke questioned the amount budgeted for legal fees for 2001. Mr. Joe Loya, Deputy Superintendent, advised that \$700,000.00 had been budgeted due to upcoming legal issues. Dr. Finke stated that the local law firms of Mounce, Green, Myers, Safi & Galatzan, PC, and Dunbar, Armendariz, Crowley & Hegeman, LLP, have expertise in school law. He stated that he felt one firm should not provide services to a governmental agency for a "generational" period of time.

It was moved by Dr. Finke that Legal Services RFP #58-99 be awarded to Dunbar, Armendariz, Crowley & Hegeman, LLP. The motion died for lack of a second.

Mrs. Gonzalez-Peterson commented on the benefits of "generational" relationships with professional services and praised the services provided by Mounce, Green, Myers, Safi & Galatzan, PC, the law firm currently serving the District.

It was moved by Mrs. Gonzalez-Peterson, seconded by Mr. Telles, and carried unanimously that the Board retain the law firm of Mounce, Green, Myers, Safi & Galatzan, PC, for the provision of legal services.

Discussion and Possible Action on Selection of 2000 Bond Counsel (Item #10)

Mr. Joe Loya, Deputy Superintendent, advised that the 2000 Bond Committee is scheduled to meet early in September 2000 and that bond counsel should be present to assist the Committee.

It was moved by Mr. Telles and seconded by Mr. Wever that the Board approve the law firm of Delgado, Acosta, Braden and Jones, P.C., to serve as bond counsel for the 2000 bond election at the rates quoted in the transaction fee schedule (fee schedule attached to the permanent file of these minutes).

Discussion followed on the criteria used to select the recommended law firm; the firm's past performance with the District; the absence of quotes from other law firms; the rates quoted being within market rates; the District's financial advisor, First Southwest Corp., providing the District with advice on all bond transactions; the timelines on the selection of bond counsel; and bids not being required for professional services agreements.

Upon the vote, the motion carried unanimously.

Approval of Support Agreement; Regional Academy Program Agreement, Version 2.1; and Addendum to Regional Academy Program Agreement for the CCTE, with Cisco Systems, Inc. (\$19,800.00) (Item #11)

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the Board approve the Support Agreement; Regional Academy Program Agreement, Version 2.1; and the Addendum to the Regional Academy Program Agreement for the Center for Career and Technology (CCTE), with Cisco Systems, Inc. for Phase II of the Cisco Systems Networking Academy program in the amount of \$19,800.00.

Maintenance & Service Contract Award – Districtwide Automatic Fire Sprinkler Systems, #01.423 (approx. \$35,090.00) (Item #12)

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the Board waive the technicality of Century Fire Systems, LLC, failing to acknowledge Addendum No. 1, failing to sign the proposal at a second designated location, and for mathematical errors made on their proposal evaluation form and that the award of Maintenance & Service Contract #01.423, Districtwide Automatic Fire Sprinkler Systems, be approved to Century Fire Systems, LLC, for the provision of inspection and/or maintenance services in the estimated amount of \$35,090.00, subject to the review and approval of the District's attorney and the approval of the 2000-01 preliminary budget.

Demand Service Contract Awards (Item #13)

A. Districtwide Sound/Clock/Bell Systems, #01.419 (\$90,000.00)

Responding to a question from Mr. Wever, Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, advised that Sound & Signal has a parent company in New Mexico which explains why some of their vehicles are registered in New Mexico.

The following people requested to speak to this item:

1. Ms. Ceci Morales, Texas Business Systems, reviewed errors on her competitor's bid and spoke about pricing on specific portions of the bid.
2. Mr. Dean Hulsey, Sound & Signal Systems of Texas, Inc., spoke about his company's bid, his company's past relationship with the District, and about the distributorship provided by his company. He advised that Sound & Signal Systems of Texas, Inc., is a Texas corporation and that the company leases trucks from a company that has trucks in both Texas and New Mexico.

It was moved by Dr. Finke and seconded by Mr. Wever that the Board approve the award of Demand Service Contract #01.419, Districtwide Sound/Clock/Bell Systems, to Sound & Signal Systems of Texas, Inc. for an annual amount of \$90,000.00, subject to the review and approval of the District's attorney and the approval of the 2000-01 preliminary budget. Upon the vote the motion carried unanimously. Mrs. Gonzalez-Peterson abstained from the vote.

B. Districtwide Reproduction/Printing Services, #01.430 (\$34,474.40)

It was moved by Mrs. Gonzalez-Peterson, seconded by Mr. Wever, and carried unanimously that the Board waive the technicality of the mathematical calculation errors on the proposal evaluation form submitted by El Paso Reprographics and that the award of Demand Service Contract #01.430, Districtwide Reproduction/Printing Services, be approved to El Paso Reprographics for an annual amount of \$34,474.40, subject to the review and approval of the District's attorney and the approval of the 2000-01 preliminary budget.

Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$25,000.00 (Item #14)

It was moved by Mr. Wever, seconded by Mr. Telles, and carried unanimously that the Board approve the competitive bid method for the solicitation of the following construction projects, subject to the review and approval of the District's attorney, and authorize the advertisement and issuance of relevant documents to prospective bidders/proposers.

- A. Districtwide Security System Upgrades – Bassett, Henderson, Ross, and Terrace Hills Middle Schools, #93.755.02
- B. Districtwide Security System Upgrades – Beall, Bliss, Clardy, Crockett, Crosby, and Vilas Elementary Schools, \$93.755.03
- C. Districtwide Security System Upgrades – Dowell, Fannin, Hughey, Logan, Lee, and MacArthur Elementary Schools, #93.755.04
- D. Districtwide Fire Alarm Systems, Phase 7, #97.755.04

RFP, RFCO, Bid, and Purchase Orders Requiring Board Approval – Propane Fuel for School Buses Bid #68-00 (approx. \$554,850.00) (Item #15, C.)

The following people requested to speak to this item:

1. Mr. David Blackman, Supro Energy, spoke about the requirements of the bid and about his company's experience and knowledge of the service to be provided to the District.
2. Mr. John Pendergrass, Amerigas, Inc., spoke about the services that his company will provide to the District if awarded the contract.

Discussion followed on Amerigas, Inc. having smaller delivery trucks, which will require more deliveries at an increased cost to the District for receiving; the vendor having the capability of delivering 4,000 gallons of propane gas in a single delivery; and the inspection services that the vendor will provide to the District.

Mr. Safi referenced Section 44.031(b) of the Texas Education Code and reviewed the items that the Board can consider when determining the award of a contract.

It was moved by Mr. Wever and seconded by Mr. Rosales that Propane Fuel for School Buses Bid #68-000 be awarded to Supro Energy Co., for the estimated annual amount of \$556,905.00, with net terms and an option to extend for an additional 24 months, 12 months at a time, subject to the approval of the 2000-01 preliminary budget. Upon the vote, the motion carried with Mrs. Gonzalez-Peterson and Dr. Finke voting against the motion (copy of bid tabulation attached to the permanent file of these minutes).

Item Withdrawn

It was announced that item no. 15, B., PC and Printer RFCO (Request for Catalog Offer) #72-00, had been withdrawn from the agenda.

RFP, RFCO, Bid, and Purchase Orders Requiring Board Approval (Item #15)

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the following RFP and purchase orders be approved to the following vendors in the amounts indicated.

- A. Discount from Catalog Prices for Science RFP #53-00 (approx. \$195,000.00) was awarded to the vendors listed on the tabulation for purchases on an "as needed basis" for the 2000-01 school year for the estimated amount of \$195,000.00, subject to the approval of the 2000-01 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).

- D. Journalism Computers for Burges and Chapin High Schools, Purchase Order Nos. 192733 and 193825 (\$13,913.00) were approved for purchase from Apple Computer, the sole source, for Chapin High School, Purchase Order No. 192733, in the amount of \$8,633.00, and for Burges High School, Purchase Order No. 193825, in the amount of \$4,931.00, for a total amount of \$13,564.00 (copy of purchase orders attached to the permanent file of these minutes).

- E. IBM Computer Maintenance Contract Renewal, Purchase Order No. 195544 (approx. \$50,000.00) was approved to IBM Corporation in an amount not to exceed \$50,000.00, subject to the approval of the 2000-01 preliminary budget (copy of purchase order attached to the permanent file of these minutes).

Item Withdrawn

It was announced that item no. 17, A., 1., Grievance Hearings – F. David Cordova, Project Engineer, Facilities, had been withdrawn.

Meeting Closed (Item #17)

The meeting was recessed at 9:30 p.m. to a closed meeting by Dr. Roark under Sections 551.071, 551.074, and 551.082 of the Texas Government Code as follows:

- A. Grievance Hearings
 - 2. Ricardo Juarez, Records Management Officer, Technology and Information Systems

B. Personnel

1. Personnel Appointments

- a. Director, Career and Technology Education
- b. Principal, Canyon Hills Middle School

2. Proposed Resignation Agreement with Term Contract Administrator

C. Consultation with District's Attorney Regarding Pending or Contemplated Litigation

1. El Paso Independent School District v. Bruce Gregory; TEA Docket No. 095LH6003
2. Dona Ray and Faith Greathouse v. Canutillo ISD, TEA Docket No. 115-R6-800
3. Richard Vasquez and Kathleen Vasquez, et al, Plaintiffs vs. Mark Ochoa, Adolfo Ortiz, et al, including El Paso Independent School District, Defendants; In the 120th Judicial District Court of El Paso County, Texas; No. 2000-2427

The closed meeting was opened at 9:37 p.m. The closed meeting ended at 10:58 p.m.

Departure of Board Members

Dr. Roark and Mr. Telles departed the meeting at 10:30 p.m. and were not present to vote in any subsequent action taken by the Board of Trustees.

Meeting Opened

The meeting was reassembled in Open Session at 10:58 p.m.

Grievance Hearings – Ricardo Juarez, Records Management Officer, Technology and Information Systems (Item #17, A., 2.)

It was moved by Mr. Wever, seconded by Dr. Finke, and carried unanimously that the Board uphold the Superintendent's response to deny the corrective measures requested in the grievance filed by Ricardo Juarez. Mrs. Gonzalez-Peterson did not vote.

Personnel Appointment – Director, Career and Technology Education (Item #17, B., 1., a.)

It was moved by Mr. Rosales, seconded by Dr. Finke, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Rosa Gandara, Business Education Facilitator in Career and Technology Education, to the position of Director, Career and Technology Education.

Personnel Appointment – Principal, Canyon Hills Middle School (Item #17, B., 1., b.)

It was moved by Mr. Rosales, seconded by Mr. Wever, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Ernest D. Watts, Assistant Principal at Bowie High School, to the position of Principal at Canyon Hills Middle School.

Proposed Resignation Agreement with Term Contract Administrator (item #17, B., 2.)

It was moved by Mr. Wever, seconded by Dr. Finke, and carried unanimously that the Board reject the Superintendent's recommendation to accept the resignation agreement with Eugenio Hinojosa, term contract administrator. Mrs. Gonzalez-Peterson did not vote.

Consultation with District's Attorney Regarding Pending or Contemplated Litigation – El Paso Independent School District v. Bruce Gregory; TEA Docket No. 095LH600 (Item #17, C., 1.)

It was moved by Dr. Finke and seconded by Mr. Rosales that the Board approve the proposed settlement agreement regarding the Bruce Gregory termination proceeding. Upon the vote, the motion carried with Mr. Rosales, Dr. Finke, and Mr. Wever voting in favor of the motion and Mrs. Gonzalez-Peterson voting against the motion.

Consultation with District's Attorney Regarding Pending or Contemplated Litigation – Richard Vasquez and Kathleen Vasquez, et al, Plaintiffs vs. Mark Ochoa, Adolfo Ortiz, et al, including El Paso Independent School District, Defendants; In the 120th Judicial District Court of El Paso County, Texas; No. 1000-2427 (Item #17, C., 3.)

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that the Board authorize Mr. Anthony Safi and the law firm of Mounce, Green, Myers, Safi & Galatzan, PC, to represent the District in this case.

Meeting Adjourned

The meeting was adjourned at 11:03 p.m.

Date Approved: October 10, 2000