

Minutes of Meeting of Board of Trustees
El Paso Independent School District
August 8, 2000
5:00 p.m.
Education Center-Boeing

Present: Dr. Charles Roark, President
Mrs. Ada Gonzalez-Peterson, Vice President
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 5:05 p.m. by Dr. Roark. The Pledge of Allegiance was led by Mrs. Gonzalez-Peterson. Mr. John Doran, Associate Superintendent, Northeast Region, gave the Thought for the Day.

Public Forum (Item #1)

No one requested to speak on Open Forum.

Items Withdrawn

It was announced that item no. 2, G., 1., Maintenance and Service Contract Awards – Districtwide Automatic Fire Sprinkler Systems, \$01.423 (approx. \$35,090.00), and item no. 2, I., 2., Demand Service Contract Awards – Districtwide Portable Building Relocation, #01.438 (\$93,230.00), had been withdrawn from the agenda.

Consent Agenda (Item #2)

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

- Mr. Wever - Item 2, E., 2., Bids Requiring Board Approval – Annual Small Kitchen Equipment Bid #57-00 (\$127,233.64)
- Dr. Roark - Item 2, H., 3., Construction Contract Awards – Districtwide Evaporative Cooler Replacement, Phase 1, #00.858 (\$89,897.00)
Item 2, J., July Personnel Report

Bids Requiring Board Approval – Propane Fuel for School Buses Bid #68-00 (approx. \$554,850.00) (Item #2, E., 3.)

The following person requested to speak to this item:

1. Mr. David Blackman, President, Supro Energy Co., spoke about the service his company has provided to the District, his company having purchased additional equipment for safety considerations, and the technicians that are on staff to service the District.

Discussion followed on whether the District will sustain any additional costs by changing from Supro Energy Co., the current vendor, to a new vendor; having a continuing relationship with a vendor; whether the recommended new vendor, Amerigas, Inc., has the facilities to provide the needed services to the District; the number of propane deliveries that Amerigas, Inc., will be required to make on a daily basis and the additional cost to the District associated with additional deliveries; and the possibility of the District not accepting the low bid due to the additional delivery costs.

Mr. Safi reviewed the portion of the Texas Education Code on awarding a contract. He suggested that prior to the Board taking final action, notice should be given to the lowest bidder that the bid might be awarded to the second lowest bidder, and that the lowest bidder be provided the opportunity to appear before the Board to answer questions pertaining to the bid.

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that Propane Fuel for School Buses Bid #68-00 be postponed until the next regularly scheduled Board meeting on August 22, 2000, and that notice of the Board's contemplated action to award the bid to the second lowest bidder be given to Amerigas, Inc., the lowest bidder, and an opportunity provided for Amerigas representatives to make a presentation to the Board.

Questions on Bids Requiring Board Approval – Annual Small Kitchen Equipment Bid #57-00 (\$127,233.64) (Item #2, E., 2.)

Responding to a question from Mr. Wever, Ms. Nancy Nordell, Director, Food Services, advised that this bid is for small kitchen equipment, such as pots and pans, and that the large kitchen equipment bid has not been re-bid.

Questions on Construction Contract Awards – Districtwide Evaporative Cooler Replacement, Phase 1, #00.858 (\$89,897.00) (Item #2, H., 3.)

Dr. Roark expressed concerns about the price range between the lowest bid and the other bids. Mr. Nick Corona, Director, Planning, Engineering and Construction, advised that the evaporative coolers are not part of the actual bid. The contract calls for the contractor to install owner-furnished coolers. He stated that ESA Construction Co. of Texas, Inc. has successfully completed many construction projects for the District. He advised that the vendor provided a letter indicating that they can perform the scope of work called for in the construction documents for the amount quoted and can meet all specifications.

Questions on July Personnel Report (Item #2, J.)

Dr. Roark expressed concerns regarding the number of teachers leaving the District to accept other positions. He requested that the Personnel Reports include information on where the exiting employees are going.

It was moved by Mrs. Gonzalez-Peterson, seconded by Mr. Telles, and carried unanimously that the items on the Consent Agenda, with the exception of item no. 2, E., 3., be approved as listed including any recommended vendors for any amounts indicated.

A. Approval of Minutes

1. June 13, 2000, Board Finance Committee Meeting; June 20, 2000, Board Compensation Committee Meeting; and June 27, 2000, Board School Name Committee Meeting
2. June 13, 2000; June 20, 2000; and June 27, 2000, Meetings of the Board of Trustees

The Board approved the minutes of the June 13, 2000, Board Finance Committee meeting; the June 20, 2000, Board Compensation Committee meeting; the June 27, 2000, Board School Name Committee meeting; and the June 13, 2000; June 20, 2000; and June 27, 2000, meetings of the Board of Trustees.

B. Approval of Correction to Minutes of the April 11, 2000, Meeting of the Board of Trustees

The Board approved the correction to the minutes of the April 11, 2000, meeting of the Board of Trustees.

C. Approval of 2000-01 Student Tuition Rates

The Board approved the 2000-01 student tuition rates as follows: \$70.00 for Child Development Laboratory; \$303.00 for Grades 1-12 county transfers; \$670.00 for Grades 1-12 out-of-state or 21 years of age or older as of September 1, and \$134.00 per course for fewer than five courses.

D. Approval of Budget Amendments – Transportation

The Board approved the budget amendment to the 1999-2000 fiscal year to amend the Transportation budget in the amount of \$300,000.00. Hector Martinez, Associate Superintendent of Operations, requested this amendment in a memo dated July 18, 2000. This amendment transfers funds from Facilities, Maintenance and Construction to Transportation to cover substitute drivers and fuel costs.

E. Bids Requiring Board Approval

The Board approved the following bids to the recommended vendors for the amounts indicated:

1. 2000-2001 School Individual Pictures Bid #29-00 was awarded to Campos School Portraits, L. A. Flores Photography, and Lifetouch to provide individual school pictures for the elementary and middle schools with the selection of vendor to be made by each school principal (copy of bid tabulation attached to the permanent file of these minutes).

2. Annual Small Kitchen Equipment Bid #57-00 (\$127,233.64) was awarded to the following vendors in the amounts indicated: A. J. Premier Food Service Equip., 26 items, \$8,443.26; Border Restaurant Supply, 14 items, \$5,479.35; Lee Equipment, 27 items, \$11,681.69; and National Restaurant Supply, 117 items, \$101,629.34, for a total amount of \$127,233.64 (copy of bid tabulation attached to the permanent file of these minutes).

F. Contract Extensions on Maintenance and Service Agreements

The Board authorized the administration to execute one-year contract extensions on the following Maintenance and Service Agreements for the amounts indicated for the period of September 1, 2000, through August 31, 2001, or until the value of the contract is reached (copy of contract information/fact sheet attached to the permanent file of these minutes):

1. Districtwide Water Treatment Maintenance, #00.418 (\$144,917.00), to El Paso Corrosion, Inc., for the estimated basic service fee of \$144,917.00.
2. Districtwide Elevator Maintenance, #00.412 (\$104,545.00), to Thyssen/Dover Elevator Co., for the estimated basic service fee of \$104,545.00.
3. Districtwide Electrical System Repairs, #00.451 (\$78,825.00), to Kendrick Electric Corporation, for the estimated basic service fee of \$78,825.00.
4. Education Center-Downtown Elevator Maintenance Service Contract, \$99,473 (\$48,896.16), to Emco Elevators, Inc., for the estimated basic service fee of \$48,896.16.

G. Maintenance and Service Contract Awards – Portable Fire Extinguishers, #01.453 (\$26,665.80)

2. The Board approved the award of Maintenance and Service Contract #01.453, Portable Fire Extinguishers, to Protech Fire & Safety, LLC, for the provision of inspection and/or maintenance services in the amount of \$26,665.80, subject to the review and approval of the District's attorney and the approval of the 2000-01 preliminary budget.

H. Construction Contract Awards

The Board approved the award of the following construction contracts, subject to the review and approval of the District's attorney, to the recommended construction contracting firms for the construction/installation of the projects described for the amounts indicated:

1. PPFCO (Public Property Finance Contractual Obligations) Projects, Phase 5 – Schuster Elementary School, #99.527.04 (\$82,255.00) was awarded to Matyear Construction Co., Inc., in the amount of \$82,255.00.
2. Stadium Lighting Repairs – Irvin High School, #00.841 (\$41,333.00) was awarded to El Paso ARC Electric, Inc., in the amount of \$41,333.00.

3. Districtwide Evaporative Cooler Replacement, Phase 1, #99.858 (\$89,897.00) was awarded to ESA Construction Company of Texas, Inc., in the amount of \$89,897.00.

Dr. Roark expressed, for the record, his personal concern about the validity of this bid and requested that administration pay careful attention because the bid award price is so low in comparison to the competing bids.

I. Demand Service Contract Awards

1. The Board approved the award of Demand Service Contract #01.425, Districtwide Pest Control, to Orkin Pest Control for an estimated annual amount of \$58,000.00, subject to the review and approval of the District's attorney and the approval of the 2000-01 preliminary budget.

J. July Personnel Report

The July Personnel Report was approved (copy attached to the permanent file of these minutes).

Revisions to Board Policy DEC (Local), Compensation and Benefits: Leaves and Absences (Item #3)

Dr. Anzaldua advised that revisions to this policy relate to the \$1.5 million settlement with the Department of Labor (DOL) regarding compensatory time. He stated that the funds to settle all compensatory time claims were not budgeted in the current budget but will be budgeted in the 2000-01 preliminary budget.

Mr. Joe Loya, Deputy Superintendent, reviewed the proposed changes to DEC (Local), specifically the catastrophic sick leave bank and compensatory time. He stated that compensatory time will be allowed to continue, and the deadline to liquidate the outstanding compensatory time balance was extended from June 30, 2000, to December 31, 2000. He added that the \$1.5 million was being incorporated into the 2000-01 budget.

Discussion followed on the employee choosing when to take accumulated compensatory time; whether the proposed revisions to the policy will continue the compensatory time concept; employees being paid for work performed; and the number of supervisors responsible for correctly managing the compensatory time system.

Dr. Anzaldua commented that the proposed revisions to the policy address compliance, which is included in the settlement agreement with the DOL and agreed to by the District and the Board. He reminded the Board that the District is due for another DOL visit. He stated the importance of a beginning set of guidelines being in place to provide direction to all of the administrators and that the District comply with the settlement agreement.

Mr. Safi advised that an employer is not required to offer compensatory time but can instead pay overtime for all hours an employee works over 40 hours in one week. He added that there is no requirement that the District provide compensatory time as opposed to paying overtime.

Discussion continued on approving the policy for one year and reconsider the item after that year; the administration awarding compensatory time rather than overtime; whether the proposed revisions on compensatory time and the catastrophic sick leave bank were presented to the El Paso Consultation Association; and determining a specific time period for the use of accumulated compensatory time.

Mr. Loya provided information on the catastrophic sick leave bank. He advised that the policy defines who is eligible to use the sick leave bank and that the revised language will not allow subjective decisions to be made.

Discussion followed on the 30-day limit providing more employees the opportunity to utilize the sick leave bank; reviewing the policy in six months to determine its benefit; removing the cap of 500 days in the sick leave bank; the requirement for medical certification after a specific number of absences; the standard business practice of requiring a doctor's certification after a three-day continuous absence; and guarding against uneven implementation of the medical certification requirement.

The following person requested to speak to this item:

1. Ms. Gale Muñoz, El Paso Consultation Association (EPCA), commended the District for creating a catastrophic sick leave bank and spoke about the administration of the bank being handled by a committee, with a school nurse being a contributing member; defining the timely response as two working days; and specifying that the appeal process be to the Board of Trustees.

Discussion continued on the employees deciding what to do with their accumulated compensatory time and determining a period of time for employees to use compensatory time.

It was moved by Mr. Wever and seconded by Mr. Rosales that the Board approve the revisions to Board Policy DEC (Local), Compensation and Benefits: Leaves and Absences, as presented; that the administration implement the policy through the end of December 2000 and bring it back to the Board for review; and that the proposed new language under subheading "Medical Certification" be eliminated (copy attached to the permanent file of these minutes). Upon the vote, the motion carried with Dr. Roark voting against the motion.

RFPs, Bid and Purchase Orders Requiring Board Approval (Item #4)

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

- A. Option to Extend Existing RFP – Program for Pregnancy, Education & Parenting RFP #93-00 (\$171,909.00) – The Board approved the first option to extend the Program for Pregnancy, Education & Parenting RFP #93-00 to the YWCA for an additional 12 months beginning September 1, 2000, and ending August 31, 2001, in the amount of \$171,909.00, which includes an increase of \$8,183.00 from the original approved contract, subject to the approval of the 2000-01 preliminary budget.

- B. Discount from Catalog Prices for Trophies, Medals, and Plaques RFP #67-00 (approx. \$61,000.00) was awarded to Roy Lown Inc. and Meza Trophies & Plaques based on the discounts and services offered, with an option to extend for 24 months, 12 months at a time, for an estimated annual amount of \$61,000.00, subject to the approval of the 2000-01 preliminary budget (copy of tabulation attached to the permanent file of these minutes).
- C. P.E. Equipment and Supplies Bid #63-00 (\$48,471.54) was awarded to the following vendors in the amounts indicated, with item no. 6 being awarded to Sportime pursuant to the tie-breaking procedure: Bill Fritz, Item 15, \$576.00; Cannon Sports, Items 2, 4, 5, 7, 14, 17, 22, 25, 30-32, 34, 36, 38, 40-43, 45-48, 52, 53, 58, and 59, \$26,918.05; Flaghouse, Items 26 and 44, \$1,403.52; Gopher Sports, Items 10-13, 33, 55, and 56, \$4,519.09; Sportime, Items 1, 6, and 16; \$1,114.74; and U.S. Games, Items 3, 8, 9, 18-21, 23, 27-29, 35, 37, 39, 49, 50, 51, 54, and 57, \$13,940.15, for a total amount of \$48,471.54 (copy of bid tabulation attached to the permanent file of these minutes).
- D. Purchase Orders for Computer Equipment
1. PC Equipment for Pupil Services, Purchase Order No. 192366 (\$9,944.00) was approved for purchase from Allstar Systems, the lowest quote, in the amount of \$9,944.00 (copy of purchase order attached to the permanent file of these minutes).
 2. PC Equipment for ESOL and Language Programs at Chapin High School, Purchase Order No. 194332 (\$16,525.02) was approved for purchase from CompUSA, the lowest quote, in the amount of \$16,525.02 (copy of purchase order attached to the permanent file of these minutes).
 3. Laptops for Science Programs at Chapin High School, Purchase Order No. 194469 (\$19,354.95) was approved for purchase from Microwarehouse, the lowest quote, in the amount of \$19,354.95 (copy of purchase order attached to the permanent file of these minutes).
 4. Computers for Math Lab at Chapin High School, Purchase Order No. 194576 (\$17,925.00) was approved for purchase from Amherst Computer Products Southwest LP, the lowest quote, in the amount of \$17,925.00 (copy of purchase order attached to the permanent file of these minutes).
 5. PCs and Printers for Writing Lab at Chapin High School, Purchase Order Nos. 194942 and 195381 (\$34,608.75) was approved for purchase from Dell Marketing LP for printers, Purchase Order No. 194942, in the amount of \$3,658.75, and from Microwarehouse for PC computers, Purchase Order No. 195381, in the amount of \$30,950.00, for a total amount of \$34,608.75 (copy of purchase orders attached to the permanent file of these minutes).
 6. Laptops for Chapin High School, Purchase Order No. 195029 (\$11,825.90) was approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$11,825.90 (copy of purchase order attached to the permanent file of these minutes).
 7. Computers for Burges High School, Purchase Order No. 195338 (\$19,432.00) was approved for purchase from Macwarehouse, the lowest quote, in the amount of \$19,432.00 (copy of purchase order attached to the permanent file of these minutes).

8. PC Computers/Printers for Chapin High School and Moreno Elementary School, Purchase Order No. 195339 (\$31,495.00) was approved for purchase from Rio Grande Computerland, the lowest quote, in the amount of \$31,495.00 (copy of purchase order attached to the permanent file of these minutes).

Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$25,000.00 – Classroom Remodeling, Highland Modular Campus, #00.109

It was moved by Miss Garcia, seconded by Mr. Telles, and carried unanimously that the competitive bid process be utilized for Project #00.019, Classroom Remodeling – Highland Modular Campus, 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. Mrs. Gonzalez-Peterson and Mr. Wever were not present for the vote.

Scheduling of Public Meeting to Discuss Budget and Proposed Tax Rate (Item #7)

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that the Board approve a Public Meeting date of August 22, 2000, to discuss the 2000-01 preliminary budget and proposed tax rate.

Meeting Recessed

The meeting was recessed at 6:52 p.m. The meeting was reconvened at 7:07 p.m.

Approval of 2000-01 Compensation Proposal (Item #6)

Dr. Anzaldúa stated that the proposed compensation package is within the dollar range directed by the Board and includes some of the recommendations from the El Paso Consultation Association (EPCA) Compensation Committee. The proposed compensation package includes a two-step increase for teachers, librarians, counselors, nurses, and speech therapists, with the employees at the maximum pay level receiving an equivalent of a step increase, effective August 9, 2000; a \$1,000.00 increase for daily employees, with the exception of counselors, nurses, and speech therapists, effective August 9, 2000; a \$.40 per hour increase for all hourly employees, with experience parity adjustments only if their current rate is below the experience parity rate of ten years in the position, effective August 9, 2000; and all the stipends previously approved by the Board, including ESOL teachers, science teachers, and dance instructors for extra performance pay.

Mr. Joe Loya, Deputy Superintendent, reviewed the details of the recommended compensation package. He advised that the two-step increase for teachers and librarians will total \$6,061,000.00; the \$.40 per hours increase for all hourly employees, including experience parity where applicable, will total \$2,031,569.00; and the \$1,000.00 increase for all daily employees will total \$534,000.00. The two-step equivalent increase will total \$204,000.00 for counselors, \$130,000.00 for nurses, and \$78,000.00 for speech therapists, for a total of \$412,000.00. A renewed stipend for ESOL teachers and a \$1,000.00 stipend for all science teachers will total \$190,000.00, plus a \$1,000.00 stipend for all dance instructors.

Discussion followed on teachers at the maximum years on the TBA and TGD pay scales and the maximum increases that will be provided.

It was moved by Mr. Rosales and seconded by Mr. Telles that the Board approve the compensation schedules for 2000-01, as presented by the administration as base pay adjustments, which include 1) a two-step increase, or equivalent, for teachers and librarians, with those employees whose 1999-2000 annual base compensation exceeds the maximum scheduled amount on the applicable 2000-01 schedule also receiving the equivalent of a two-step increase, effective August 9, 2000; 2) a \$1,400.00 increase in the annual rate of pay for counselors, nurses, and speech therapists, effective August 9, 2000; 3) a \$1,000.00 increase in the annual rate of pay for employees on the daily pay schedule, with the exception of counselors, nurses, and speech therapists, effective August 9, 2000; 4) a \$.40 per hour increase for hourly employees, in addition to experience parity adjustments only if their current rate is below the experience parity rate through ten years in the position, effective August 9, 2000; and 5) stipends and extra performance pay as presented, with the addition of a \$1,000.00 stipend for all science teachers and a \$1,000.00 stipend for dance teachers, effective with the beginning of the covered activity, for a total additional cost of \$9,498,433.00.

Discussion followed on the source of the funding for the compensation increases; the \$3 million previously budgeted for the state-mandated step increase; additional funds being generated from general supplies and lapsed salaries; providing information on a monthly basis on what general supplies will not be covered and the types of positions that will be lapsed; and deferred maintenance.

The following person requested to speak to this item:

1. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, and Chair, El Paso Consultation Association Salary Committee, spoke in support of the compensation package presented by the administration.

Upon the vote, the motion carried unanimously.

Departure of Board Member

Mrs. Gonzalez-Peterson departed the meeting at 7:38 p.m. and was not present for any subsequent action taken by the Board of Trustees.

Meeting Closed (Item #8)

The meeting was recessed at 7:38 p.m. to a closed meeting by Dr. Roark under Section 551.074 of the Texas Government Code as follows:

A. Personnel Appointments

1. Executive Director, Facilities, Maintenance and Construction
2. Principal, Clardy Elementary School
3. Principal, Hart Elementary School
4. Principal, Putnam Elementary School

Meeting Opened

The meeting was reassembled in Open Session at 7:40 p.m.

Personnel Appointments (Item #8, A.)

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the Board accept the Superintendent's recommendations for the following positions:

1. Executive Director, Facilities, Maintenance and Construction – Mr. Nicholas P. Corona, Director of Planning, Engineering and Construction, to the position of Executive Director, Facilities, Maintenance and Construction.
2. Principal, Clardy Elementary School – Mr. Guillermo Aguilar, Assistant Principal at Burleson Elementary School, to the position of Principal at Clardy Elementary School.
3. Principal, Hart Elementary School – Ms. Maria A. Flores, Assistant Principal at Alta Vista Elementary School, to the position of Principal at Hart Elementary School.
4. Principal, Putnam Elementary School – Mr. Mark Brooker, Assistant Principal at Coldwell Elementary School, to the position of Principal at Putnam Elementary School.

Meeting Adjourned

The meeting was adjourned at 7:44 p.m.

Date Approved: October 10, 2000