

Minutes of Meeting of Board of Trustees
El Paso Independent School District
February 13, 2001
5:00 p.m.
Education Center-Boeing

Present: Dr. Charles Roark, President
Ms. Ada Gonzalez, Vice President
Mr. Richard Telles, Secretary¹
Dr. Gene Finke
Miss Leonor Garcia
Mr. Joe Rosales
Mr. Dan Weaver
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. Raul Garcia, a citizen in the audience. Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, gave the Thought for the Day.

Awards to January Employees of the Month (Item #1)

Ms. Diana Gilliland, orchestra teacher at Wiggs Middle School, was recognized by the Board of Trustees as January's Certified Employee of the Month; and Mr. Vicente Peña, technical assistant in Technology and Information Systems, was recognized as January's Non-Certified Employee of the Month. Each was presented with an engraved plaque and a check in the amount of \$150.00.

Meeting Closed (Item #19)

The meeting was recessed at 5:13 p.m. to a closed meeting by Dr. Roark under Section 551.071 of the Texas Government Code as follows:

C. Consultation with School District Attorney Regarding Pending or Contemplated Litigation

3. Contemplated Litigation About Lead-Based Paint

The closed meeting was opened at 5:15 p.m. The closed meeting ended at 5:37 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 5:38 p.m.

¹ Mr. Telles departed the meeting at 8:42 p.m., during the closed meeting.

Consultation with School District Attorney Regarding Pending or Contemplated Litigation - Contemplated Litigation About Lead-Based Paint (Item #19, C., 3.)

It was moved by Dr. Finke and seconded by Ms. Gonzalez that the Board approve a proposed engagement agreement and authorize the law firm of Provost-Umphrey Law Firm, L.L.P., to proceed to finalize preparations to file a lawsuit in the name of the EPISD related to lead-based paint in the District's buildings and that the draft petition be brought back to the Board for approval prior to the filing of the lawsuit. Upon the vote, the motion carried with Mr. Telles voting against the motion.

Ms. D'Juana Parks, Provost-Umphrey Law Firm, L.L.P., provided information on lead-based paint remediation procedures in the EPISD and stated that the basis for the law suit is to have the remediation costs shared with the various paint manufacturers. She reviewed testing procedures followed by certified lead-based paint inspectors in four of the District's schools and shared the documentation found on the paint specifications in those four schools.

Public Forum (Item #2)

The following person requested to speak on Open Forum:

1. Ms. Paula Villalobos, representative of United Blood Services, was not present when called to speak.

Consent Agenda (Item #3)

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

A. Approval of Minutes

The Board approved the minutes of the December 1, 2000, Board Finance Committee, and the December 5, 2000; December 11, 2000; and December 15, 2000, meetings of the Board of Trustees

- B. Purchase Order Requiring Board Approval – UTEP/Don Haskins Center for Commencement Ceremonies, Purchase Order No. 205031 (\$30,000.00) was approved to the University of Texas at El Paso for commencement ceremonies for EPISD high schools, with the exception of Sunset and El Paso High Schools, in the amount of \$30,000.00 (copy of purchase order attached to the permanent file of these minutes).

C. Approval of Budget Amendments

The Board approved the following amendments to the 2000-01 fiscal year budget:

1. Title I Schoolwide – Crosby Elementary School Budget Transfer (\$2,500.00). The purpose of this item is to transfer funds in the amount of \$2,500.00. Christine Mosier, Principal, Crosby Elementary School, requested this amendment in a memo dated December 20, 2000. This amendment will transfer funds from other payroll payments and overtime accounts to professional services and substitute teacher accounts.

2. State Compensatory Education (SCE) – Jefferson High School Budget Transfer (\$50,000.00). The purpose of this item is to amend the Jefferson High School State Compensatory Education (SCE) budget in the amount of \$50,000.00. Ralph Chavez, Principal, Jefferson High School, requested this amendment in a memo dated December 5, 2000. The amendment transfers funds from Professional Guidance, Counseling and Staff Development Services to hire an additional parent liaison and purchase additional computers and printers.
3. Kohlberg Elementary School Budget Increase (\$13,500.00). The purpose of this item is to increase the Kohlberg Elementary School budget in the amount of \$13,500.00. Because the campus is in need of additional personnel due to the high student enrollment, Carolyn Grantham, Principal at Kohlberg Elementary School, requested this amendment in a memo dated December 11, 2000. The funds are being transferred from a surplus in the amount budgeted for districtwide campus per capita adjustments. The budget increase will enable the principal to hire three temporary personnel for the remainder of the 2000-01 school year.

D. January Personnel Report

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

E. November/December 2000 and January 2001 Report of JJAEP Placements not Appealed to the Board of Trustees

The November/December 2000 and January 2001 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.

Certification of Required Hours of Continuing Education for Board Members (Item #4)

Dr. Roark announced that Board members exceeding the continuing education required by Texas Administrative Code 61.1 are Dr. Finke, Miss Garcia, Dr. Roark, Mr. Rosales, and Mr. Wever. Board members who are deficient, due to scheduling conflicts, are Ms. Gonzalez and Mr. Telles. Ms. Gonzalez and Mr. Telles are scheduled to attend upcoming sessions that will provide the required continuing education hours prior to May 1, 2001, if the sessions are attended.

Order Calling Election of Trustees for May 5, 2001 (Item #5)

Mr. Safi presented the Order calling for the election of Trustees for May 5, 2001. He advised that the only change to the Order since a draft Order was first presented to the Board on January 23, 2001, is the location for a new polling place for Precinct 117 in District 1. He reviewed the recommended early voting locations, dates, and hours; the dates for the filing period; and the date, place, and time for the drawing for ballot positions.

It was moved by Dr. Finke, seconded by Miss Garcia, and carried unanimously that the Board adopt the "Order Calling Election of Trustees for May 5, 2001," as presented by Mr. Anthony Safi, the District's attorney (copy attached to the permanent file of these minutes).

Approval of Interlocal Governmental Agreement with City of El Paso Regarding Joint Election on May 5, 2001 (Item #6)

It was moved by Mr. Rosales, seconded by Dr. Finke, and carried unanimously that the Board approve the Interlocal Governmental Agreement between the City of El Paso and the EPISD for the May 5, 2001, Board of Trustees election, which includes early voting on a consolidated basis and the sharing of expenses.

Approval of Contract for Election Services with the El Paso County Elections Department (Item #7)

It was moved by Mr. Telles, seconded by Mr. Wever, and carried unanimously that the Board approve the Contract for Election Services with the County of El Paso Elections Department for the May 5, 2001, election for the estimated amount of \$22,144.00 (copy attached to the permanent file of these minutes).

Report on Preliminary Formative Evaluation of 1999-2000 Pilot of Special Education Balanced Literacy Program in Special Education at Crosby, Dr. Green, Hart, Hughey, Kohlberg, Newman, Rusk, and Vilas Elementary School (Item #8)

Ms. Marsha Lawler, Associate Superintendent, Curriculum, Instruction and Assessment (CI&A), advised that the balanced literacy program in special education is parallel with the program used in regular education. She advised that the next steps are to increase activity in the bilingual education area and in the use of technology.

It was moved by Miss Garcia, seconded by Mr. Rosales, and carried unanimously that the Report on Preliminary Formative Evaluation of 1999-2000 Pilot of Special Education Balanced Literacy Program in Special Education at Crosby, Dr. Green, Hart, Hughey, Kohlberg, Newman, Rusk, and Vilas Elementary School be approved as presented by the administration.

Approval of Texas Education Agency Maximum Class Size Waiver Request and District Spring 2001 Compliance Plan – Bradley, Crosby, Dowell, Bonham, Crockett, Dr. Green, Lindbergh, and Roberts Elementary School (Item #9)

It was moved by Mr. Telles, seconded by Mr. Wever, and carried unanimously that the Board approve the submission of a request to the Texas Education Agency for a maximum class size waiver for Bradley, Crosby, Dowell, Bonham, Crockett, Dr. Green, Lindbergh, and Roberts Elementary Schools and the accompanying District spring 2001 compliance plan.

Approval of Interlocal Governmental Agreement Between EPISD and City of El Paso for the Joint Use of Property Located at Hawkins Elementary School as Public Recreational Facility (Item #10)

Mr. Enrique Gallegos, Associate Superintendent, South/Central Region, provided background information on the proposed joint use of District property at Hawkins Elementary School as a public recreation area. He advised that the interlocal agreement between the EPISD and the City of El Paso will allow the EPISD to apply for funding of the recreation area through a Community Development Block Grant. He briefly reviewed the goals and objectives of the project and benefits to the District.

Ms. Rosie Natividad, Principal, Hawkins Elementary School, reviewed the architectural design of the area around Hawkins School and the hours for public use of the park area, which will be posted. Mr. Richard Garcia, Parks and Recreation Department, City of El Paso, provided information on permits for practice and league play by sports teams and, responding to a question from Dr. Roark, reported that grant requirements would not favor condemnation of surrounding property for the project. There was also discussion of liability issues after 3:30 p.m.

The following person requested to speak to this item:

1. Mr. Alfredo Borrego, PTA President, Hawkins Elementary School, reviewed the development of the project and spoke in favor of the Board's approving the interlocal agreement.

It was moved by Ms. Gonzalez, seconded by Mr. Rosales, and carried unanimously that the Board approve the Interlocal Agreement between the City of El Paso and the EPISD for the joint use of property located at Hawkins Elementary School as a public recreational facility, contingent upon Community Development Block Grant funding and subject to finalization of language in the agreement and the review and approval of the District's attorney.

Approval of Plan for EPISD Personnel to Vacate the Education Center-Downtown (Blue Flame Building) (Item #11)

Dr. Anzaldua reviewed the Board's action at its January 23, 2001, meeting regarding the vacating of the Education Center-Downtown and advised that the Board needs to take action on the plan that will be used. He recommended Option 1, which will relocate the workforce housed at the Education Center-Downtown (Blue Flame Building) to the Education Center-Boeing and the Professional Development Center at a cost of approximately \$350,000.00.

Mr. Hector Martinez, Associate Superintendent of Operations, provided information on preliminary studies conducted on space planning and advised that the relocated workforce can be temporarily accommodated and have Sunset High School remain in its present location at the Education Center-Boeing. Mr. Martinez reviewed a plan to renovate Education Center-Boeing, which was cancelled in 1989.

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that Option 1, as presented by the administration, be approved as the plan for vacating the Education Center-Downtown, which will relocate the workforce currently housed at the Education Center-Downtown to the Education Center-Boeing and the Professional Development Center for an estimated cost of \$347,000.00, subject to future approval of a conforming budget amendment.

Appointment of Blue Ribbon Committee to Make Recommendations on the Blue Flame Building (Education Center-Downtown) (Item #12)

Dr. Anzaldua reviewed the Board's action at its January 23, 2001, meeting regarding the formation of the Blue Ribbon Committee to make recommendations on vacating the Blue Flame Building (Education Center-Downtown). He advised that Dr. Roark and the Central Business Association (CBA) have submitted names for the committee and that recommendations are needed from the other Board members.

There was discussion on this item being tabled until later in the meeting to allow Board members the opportunity to decide on names; the qualifications needed to be on the committee; the objective of the committee; and the anticipated time commitment.

Dr. Anzaldua commented on the Blue Ribbon Committee developing alternate-use plans for the building and reporting back to the Board at the end of three months. He recommended a committee with a membership from a cross section of the community and stated that the CBA is prepared to meet immediately to begin developing recommendations for the Board's consideration.

It was moved by Dr. Finke and seconded by Mr. Wever that item no. 12, Appointment of a Blue Ribbon Committee to Make Recommendations to the Blue Flame Building (Education Center-Downtown), be tabled until later in the meeting.

Discussion followed on extending the deadline for the submission of names for the committee; whether Board action is needed; and the Blue Ribbon Committee being a Board-appointed group.

Dr. Finke withdrew his motion to table item no. 12, Appointment of a Blue Ribbon Committee to Make Recommendations to the Blue Flame Building (Education Center-Downtown), until later in the meeting.

It was moved by Ms. Gonzalez and seconded by Mr. Rosales that the deadline to submit names for the Blue Ribbon Committee to recommend plans for the Blue Flame Building be extended until 5 p.m., February 14, 2001.

Following a suggestion from Mr. Wever, Ms. Gonzalez amended her motion to authorize Dr. Anzaldua to appoint members to the Blue Ribbon Committee and inform the Board of the appointees.

The amended motion reads as follows:

that the deadline to submit names for the Blue Ribbon Committee to recommend plans for the Blue Flame Building be extended to 5 p.m., February 14, 2001, and that the Superintendent be authorized to appoint members to the Blue Ribbon Committee and inform the Board of the appointees.

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

Item Withdrawn

It was announced that item no. 13, Proposed Additional Reorganization of EPISD Administrative Services, had been withdrawn from the agenda.

Approval of Additional Funding for 2000-01 Natural Gas Budget (Item #14)

Mr. Nicholas Corona, Executive Director, Facilities, Maintenance and Construction, provided information on the increase in natural gas prices and the additional, estimated funding needed for the District's 2000-01 natural gas budget. He advised that the additional \$1.034 million is a projection based on the District's consumption last year and should be a sufficient amount for the remainder of this fiscal year.

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the Board approve the award of natural gas services to Southern Union Gas Company, the sole source utility in the El Paso area, subject to the review and approval of the District's attorney, for an estimated annual amount of \$1.8 million, contingent upon a conforming budget amendment being brought back to the Board of Trustees for approval.

Construction Contract Award – Josephine F. Barron Elementary School, E-9, #98.832.02 (\$6,205,800.00) (Item #15)

It was moved by Mr. Telles and seconded by Ms. Gonzalez that the Board approve the award of Construction Contract #98.832.02, Josephine F. Barron Elementary School, E-9, subject to the review and approval of the District's attorney, to T. C. Enterprises, Inc. in the amount of \$6,118,363.00.

Mr. Nicholas Corona, Executive Director, Facilities, Maintenance and Construction, provided information on the evaluation process used for the nine competitive sealed bids received on the construction project for Barron Elementary School. He advised that legal counsel reviewed the bids and supporting documents and advised that although T. C. Enterprises, Inc. is qualified to do business in Texas, its principal place of business appears to be in the state of New Mexico. Mr. Corona stated that T. C. Enterprises, Inc. is a non-resident bidder and by Texas Law, the District cannot award the contract to T. C. Enterprises, Inc. unless its bid is at least 5 percent less than the lowest responsible Texas resident bidder's bid, which is Dantex Construction Co., Inc.

Discussion followed on the \$90,000.00 actual difference between the bids submitted by T. C. Enterprises, Inc. and Dantex Construction Co., Inc. and the approximate \$300,000.00 difference needed using the 5 percent calculation.

The following people requested to speak to this item:

1. Mr. David Pierce, attorney representing Dantex Construction Co., Inc. spoke about T. C. Enterprises, Inc. being a New Mexico business and Dantex Construction Co., Inc. being a local El Paso contractor and the state law requiring out-of-state contractors bidding in Texas being treated in the same manner that Texas contractors bidding out of state are treated and about Dantex Construction Co.'s history with the District and the City of El Paso.
2. Mr. Farley Daniels, President, Dantex Construction Co., Inc. spoke about his company's history and the projects it has completed for the District.
3. Mr. Mark Berry, attorney representing T. C. Enterprises, Inc., quoted the Texas Education Code regarding the award of construction contracts and voiced his opinion about the District using retaliation provisions in old law that is in conflict with new law.
4. Mr. Larry Ramos, construction superintendent, T. C. Enterprises, Inc., spoke about the contractors and personnel to be used on the project being from El Paso and not from New Mexico.
5. Ms. Elizabeth Pull, owner, T. C. Enterprises, Inc., spoke about her company being in business in El Paso and requested that the Board determine the best value to the District.

6. Mr. Carlos Garcia, T. C. Enterprises, Inc., spoke about the business that the local office conducts in El Paso.

Meeting Closed

The meeting was recessed at 7:13 p.m. to a closed meeting by Dr. Roark under Section 551.071 of the Texas Government Code for advice from legal counsel related to the award of the construction contract for Barron Elementary School.

The closed meeting was opened at 7:13 p.m. The closed meeting ended at 7:32 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 7:33 p.m.

Responding to questions from Dr. Finke, Mr. Hector Martinez, Associate Superintendent of Operations, advised that the principal place of business for T. C. Enterprises, Inc. was reported as Albuquerque, New Mexico, and the principal place of business for Dantex Construction Co., Inc. was reported as El Paso, Texas.

Upon the vote, the motion failed with Mr. Telles voting in favor of the motion, and Mr. Wever, Miss Garcia, Ms. Gonzalez, Dr. Finke, Mr. Rosales, and Dr. Roark voting against the motion.

It was moved by Dr. Finke and seconded by Miss Garcia that the Board approve the award of Construction Contract #98.832.02, Josephine F. Barron Elementary School, E-9, subject to the review and approval of the District's attorney, to Dantex Construction Co., Inc. in the amount of \$6,205,800.00. Upon the vote, the motion carried with Dr. Finke, Mr. Rosales, Mr. Wever, Miss Garcia, Ms. Gonzalez, and Dr. Roark voting in favor of the motion and Mr. Telles voting against the motion.

Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$25,000.00 (Item #16)

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the Board approve the competitive bid process for 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. Track Renovations – Coronado High School, #00.813.02
- B. Improvement Design – Irvin High School Running Track, #00.997
- C. PPFCO (Public Property Finance Contractual Obligations) Projects, Phase 1 – Austin High School; Ross Middle School; and Crockett, Hawkins, Hughey, Lamar, and Logan Elementary Schools, #99.523.01

Purchase Order Requiring Board Approval – Insurance Consulting and Actuarial Services, Purchase Order No. 203753 (\$31,882.00) (Item #17)

Mr. Safi provided background information on the expenses incurred since the term ended on the previously awarded contract for Insurance Consulting and Actuarial Services. He advised that the contract provides it remaining in place for a reasonable period of time while the District goes through another procurement process. In addition, because the contract involves actuarial services, it would normally be considered a professional service and be exempt from other procurement requirements of Section 44.031 of the Education Code.

There was discussion about a contract for consulting and actuarial services being awarded in 1997 with no actual contract being completed and concerns about services being rendered without a signed contract.

It was moved by Mr. Wever, seconded by Miss Garcia, and carried unanimously that insurance consulting and actuarial services, Purchase Order No. 203753, be approved to Towers Perrin in the amount of \$31,882.00, for consulting and actuarial services rendered June 2000 through December 2000. Mr. Rosales was not present for the vote.

Item Withdrawn

It was announced that item no. 18, F., Approval of Purchase Orders for Computer Equipment Requiring Board Approval – Computer Equipment for Putnam Elementary School, Purchase Order No. 206054 (\$15,570.00), had been withdrawn from the agenda.

Purchase Orders for Computer Equipment Requiring Board Approval (Item #18)

Questions on Apple Computers for Bassett Middle School, Purchase Order No. 202283 (\$15,181.00) (Item #18, A.); Apple Computers for Rivera Elementary School, Purchase Order No. 204932 (\$7,644.00) (Item #18, C.); and Apple Computers for Hart Elementary School, Purchase Order No. 204932 (\$7,644.00) (Item #18, D.)

Mr. Wever announced special pricing that is available from Apple Computer and recommended revising and/or combining purchase orders to take advantage of the current, special pricing.

Discussion followed on revising the three purchase orders; establishing the practice of combining computers purchases from various schools; developing a capital outlay plan for computers, printers, and other peripherals; whether purchasing extra computers is appropriate due to the rapid changes in technology; the need for a technology plan; the possibility of postponing action on these items; and the Board's prior direction that computer purchases be made for individual schools rather than bundling them together.

Mr. Joe Loya, Associate Superintendent, Finance, advised that purchase orders for computer equipment reflect the best prices that are available at the time the item is submitted for the agenda. He stated that a technology site plan which identifies new computer purchases or replacements at the schools would allow the District to plan for computer purchases on a monthly basis.

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

- A. Apple Computers for Bassett Middle School, Purchase Order No. 202283 (\$15,181.00), were approved for purchase, as revised, from Apple Computer, the sole source, in the amount of \$14,980.00 (copy of purchase order attached to the permanent file of these minutes).
- B. Computers for Center for Career and Technology Education, Purchase Order No. 204166 (\$29,237.34), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$29,237.34 (copy of purchase order attached to the permanent file of these minutes).
- C. Apple Computers for Park Elementary School, Purchase Order No. 204636 (\$8,694.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$8,694.00 (copy of purchase order attached to the permanent file of these minutes).
- D. Apple Computers for Rivera Elementary School, Purchase Order No. 204932 (\$6,552.00), and E. Apple Computers for Hart Elementary School, Purchase Order No. 204932 (\$7,644.00)

Apple Computers for Rivera and Hart Elementary Schools, subsequently assigned Purchase Order No. 208555, which replaces Purchase Order Nos. 204932 and 204652, were approved for purchase from Apple Computer, the sole source, in the (discounted) total amount of \$11,622.00 (copy of purchase order attached to the permanent file of these minutes).

Meeting Closed (Item #19)

The meeting was recessed at 8:04 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. Public Complaint by Sue L.G. Regarding Educational Environment of Son, J.P.G.
- B. Personnel
 - 1. Appointment of Director, Elementary Personnel, Human Resources
 - 2. Associate Superintendent, Finance – Contract and Compensation
- C. Consultation with School District Attorney Regarding Pending or Contemplated Litigation
 - 1. Leonard Amburn, Plaintiff v. EPISD, Defendant; In the United States District Court, Western District of Texas; Cause No. EP00CA0162
 - 2. Roshern J. Amie v. El Paso Independent School District, EEOC Charge No. 361 97 1064
 - 4. Dianne Jones, Former EPISD Principal

Ms. Gonzalez recused herself from item no. 19, B., 2., Personnel – Associate Superintendent, Finance – Contract and Compensation, and was not present during the discussion of the item. Mr. Rosales recused himself from item no. 19, C., 4., Consultation with School District Attorney Regarding Pending or Contemplated Litigation – Dianne Jones, Former EPISD Principal, and was not present during the discussion of the item.

The closed meeting was opened at 8:10 p.m. The closed meeting ended at 9:29 p.m.

Departure of Board Member

Mr. Telles departed the meeting at 8:42 p.m. and was not present for any subsequent action taken by the Board of Trustees.

Meeting Opened

The meeting was reassembled in Open Session at 9:30 p.m.

Public Complaint by Sue L.G. Regarding Educational Environment of Son, J.P.G. (Item #19, A.)

It was moved by Mr. Wever, seconded by Miss Garcia, and carried unanimously that the Board uphold the Superintendent's response in the public complaint filed by Sue L.G. and that the special education team appointed by the Associate Superintendent, West Region, continue to work with J.P.G.

Personnel Appointment – Director, Elementary Personnel, Human Resources (Item #19, B., 1.)

It was moved by Mr. Rosales, seconded by Miss Garcia, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Carolyn Grantham, Principal at Kohlberg Elementary School, to the position of Director, Elementary Personnel, Human Resources.

Consultation with School District Attorney Regarding Pending or Contemplated Litigation – Roshern J. Amie v. El Paso Independent School District, EEOC Charge No. 361 97 1064 (Item #19, C., 2.)

It was moved by Miss Garcia, seconded by Ms. Gonzalez, and carried unanimously that the Board authorize the law firm of Mounce, Green, Myers, Safi & Galatzan, PC, to make a counter offer in this case in the amount of \$11,000.00, and if the EEOC requests mediation that the mediation take place and a report brought back to the Board.

Meeting Adjourned

The meeting was adjourned at 9:37 p.m.

Date Approved: March 27, 2001