

Minutes of Meeting of Board of Trustees
El Paso Independent School District
November 9, 2004
5:00 p.m.
Education Center-Boeing

Present: Mr. Sal Mena, Jr., President
Dr. Lorraine O'Donnell, Vice President
Mr. Carlos Cordova, Secretary
Ms. Lisa Colquitt-Muñoz
Mr. David Dodge
Miss Leonor Garcia
Dr. Charles Roark¹
Mr. Charles L. Tafoya, Superintendent
Mr. Anthony Safi, School District Attorney

The meeting was called to order at 5:00 p.m. by Mr. Mena. The Pledge of Allegiance was led by Mr. Hector Martinez, Associate Superintendent, Operations. Ms. Martha Piekarski, Executive Director, Accounting Services, gave the Thought for the Day.

Item Withdrawn

It was announced that item no. 12, Consideration of Rescinding Board's Action on September 2, 2004, in Awarding Construction Contract #01.394 - Building Addition Project #4 - Franklin Field House, to Lloyd Hamilton, LLC, had been withdrawn from the agenda.

1. Recognition of "Underage Drinking Initiative" Drawing Competition Winners

Francis Hernandez, Juan Ramirez, Ivan Valdez, and Talitha Juarez, students at El Paso High School, were recognized.

2. Recognition of October 2004 Volunteer of the Month and Youth Volunteer of the Month

Ms. Gertrude Medicke, a volunteer at Dr. Green Elementary School, and Gustavo Chavez, a student at Burleson Elementary School, were recognized.

3. Recognition of November 2004 Partner of the Month

KDBC television station was recognized.

4. Awards to October 2004 Employees of the Month

Mr. Martin Z. Alvarado, teacher at Hillside Elementary School, was recognized as the Certified Employee and Ms. Christina Melendez, cook at Guerrero Elementary School, was recognized as the Non-Certified Employee.

5. Naming of Irvin High School Gymnasium

It was moved by Dr. O'Donnell, seconded by Dr. Roark, and carried unanimously that the Irvin High School Gymnasium be named the Gerald Cheek Memorial Gymnasium.

¹ Dr. Roark arrived at 5:14 p.m., during the recognition on Item #2.

6. Public Forum

The following person requested to speak on Public Forum:

1. Mr. Lloyd Hamilton, Lloyd Hamilton, LLC, thanked the Board for its patience and the awarding of the construction contract to his company.

8. Renewal of Letter of Agreement with Paul Colbert for Legislative Services (approx. \$91,000.00)

Mr. Tafoya stated that this item was originally brought to the Board on September 28, 2004, and postponed until further information was provided. He advised that Mr. Colbert was available to respond to any questions the Board might have regarding the services he has provided for the District.

It was moved by Dr. Roark and seconded by Ms. Colquitt-Muñoz that the Board accept the option to extend RFP #132-02 and renew the agreement with Paul Colbert as the District lobbyist and legislative consultant through August 31, 2006, for the estimated amount of \$91,000.00.

Mr. Dodge suggested that there be provisions added to the Letter of Agreement that the District be informed if Mr. Colbert elects to represent additional school districts other than the El Paso and Houston ISDs, that he will represent only the low-wealth districts, and that there be a negotiation of his fees if a special legislative session is called.

Mr. Colbert responded to the concerns expressed by Mr. Dodge and advised that the contract currently contains a provision that his fee would be reduced if he represents another school district. He stated that he will not represent wealthy (Chapter 41) school districts and would like to establish a coalition of low-wealth school districts. Mr. Colbert advised that the District will be billed the higher cost only during the regular session and for a special session if it is focused on education.

Dr. O'Donnell requested that Mr. Colbert provide the Board with reports via e-mail on his activities during the legislative session.

Mr. Colbert provided additional information on his primary focus on school finance and issues related to financing the District.

It was moved by Dr. Roark that the debate be closed and an immediate vote be taken on the pending question.

Reference minutes
of 01/25/2005

Upon the vote, the motion carried, ~~unanimously~~ with Miss Garcia abstaining from the vote.

7. Consent Agenda

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

Dr. O'Donnell - Item B.

Questions on Item B, New Board Policy BDD (Local), Board Internal Organization: Attorney

Dr. O'Donnell recommended that language be added that if any Board member takes exception to the recommendation of a specific attorney that it be brought before the entire Board. The Board concurred with the recommendation.

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

- A. Revisions to Board Policies (copies attached to the permanent file of these minutes).
 - 1. BF (Local), Board Policies
 - 2. CV (Local), Facilities Construction
 - 3. DFBA (Local), Term Contracts: Suspension/Termination During Contract
 - B. New Board Policy BDD (Local), Board Internal Organization: Attorney, as modified.
 - C. Amendment to Memorandum of Understanding with Tenet Hospitals Limited d/b/a Providence Memorial Hospital for the Provision of Medical and Educational Services to EPISD School-Age Children with Disabilities allowing for the automatic annual renewal of the MOU.
 - D. Amendment to Interlocal Agreement for the Provision of General Educational Development (GED) Hours Program, effective through December 24, 2004, for an increased amount of \$5,300.00 for instructional materials and supplies, for a total amount not to exceed \$43,300.00.
 - E. Purchases Requiring Board Approval
 - 1. Option to Extend Existing CSP and RFP
 - a. Athletic/Physical Education Supplies CSP #96-02 (approx. \$360,000.00, final option to extend, to the vendors as listed in the discounts indicated (copy of bid tabulation attached to the permanent file of these minutes).
 - b. Sports Officiating Services RFP #92-03 (approx. \$145,000.00), first option to extend, to TASO (Texas Association of Sport Officials) local officiating chapters, according to negotiated rates, to be used during each sport season as follows: El Paso Umpires Association, Soccer Referees Association of El Paso, El Paso Chapter-Football, and El Paso Chapter-Basketball (copy of bid tabulation attached to the permanent file of these minutes).
 - 2. Texas Reading First Staff Development RFP #85-04 (\$76,560.00) to Scholastic Red, with the option to extend 24 months, 12 months at a time (copy of bid tabulation attached to the permanent file of these minutes).
 - F. Electric Company Easement – Portion of Land Out of Sections 32-B and 32-C, Block 81, Township 2, Section 9, T&P RR Surveys, City of El Paso, El Paso County, Texas (Magoffin Middle School), #04.831, as shown on the documentation presented.
 - G. Construction Contract Award – Parking Lot Addition- Crockett Elementary School, #04.524 (\$100,500.00), subject to the review and approval of the District's attorney, to Southwest Growth Corporation.
9. Student Trips Requiring Board Approval
- A. Chapin High School “Sapphires” Dance Team Trip/Cruise to Cozumel, México

In response to a request from Dr. Roark, Dr. Carla Gonzales, Principal, Chapin High School, provided information on the educational benefits of this trip and stated that the students will miss only a half day of actual class time.

It was moved by Dr. Roark, seconded by Mr. Cordova, and carried unanimously that the Board approve this student trip on March 18 through 23, 2005, at no expense to the District.

B. Franklin High School Orchestra Trip to Quebec, Canada

It was moved by Miss Garcia, seconded by Dr. O'Donnell, and carried unanimously that the Board approve this student trip on May 30 through June 5, 2005, at no expense to the District.

10. 2004-05 Campus Improvement Plans

It was moved by Miss Garcia and seconded by Mr. Cordova that the Board approve the goals and objectives of the Campus Improvement Plans submitted by each campus for the 2004-05 school year.

Miss Garcia described the purpose of the District and Campus Improvements Plans and reviewed the Texas Education Code requirements. Dr. O'Donnell suggested that Campus Improvement Teams develop their own goals, which should align with programs and District goals, but that the goals should not be identical.

Ms. Elfida Gutierrez, Associate Superintendent, Elementary Schools Supervision and Instruction, advised that a new template is being looked at, which will include what is required by law and the flexibility for principals to add additional goals.

Dr. Roark encouraged schools to include goals that relate to issues occurring at the campuses. Ms. Colquitt-Muñoz suggested that the goals and activities be aligned to campus programs in order to measure the success of the programs. Mr. Dodge suggested that the campuses consider doing things differently to make greater achievements. Mr. Tafoya stated that a summative review is planned to determine successes and failures.

It was moved by Miss Garcia that the debate be closed and an immediate vote be taken on the pending question.

Upon the vote, the motion carried unanimously.

11. Report by New Beginnings on Implementation of Gang Intervention and Prevention Program

Dr. Chilo Madrid, New Beginnings, Inc., provided a report on the program being implemented at Bowie, Irvin, and Andress High Schools and Guillen Middle School that prevents gang activities through interventions and prevents and reduces truanancies. He reviewed the success of the gang interventions from August through October 2004, of parent engagement in 2003-04, and expedited truancy cases from September through October 2004. Dr. Madrid provided a comparison of truancy cases last year at Bowie versus the reduction in periods of absences from August 16 through September 24, 2004.

In response to an inquiry from Miss Garcia, Dr. Madrid advised that truancy courts are held once a month at different schools but that they might be held more often due to the caseloads.

Mr. Mark Rupcich, Principal, Irvin High School, spoke about the program at his school and the success of the courts.

13. Final Payment for Construction Contracts Exceeding \$100,000.00

- A. Districtwide ADA (Americans with Disabilities Act) Deficiencies, Phase 2 – Crockett Elementary School; Henderson and Ross Middle Schools; and Austin and Jefferson High Schools, #02.371 (\$42,345.22, total cost \$1,133,600.00), to Dantex Construction Co.
- B. HVAC Upgrade to Administration and Library – Alta Vista Elementary School, #03.746 (\$11,891.45, total cost \$155,236.00), to Thermodyn Contractors, Inc.

It was moved by Dr. O'Donnell, seconded by Miss Garcia, and carried unanimously that the Board approve the final payment for the construction contracts as listed in the amounts indicated as recommended by the administration, subject to the review and approval of the District's attorney.

Meeting Closed

The meeting was recessed at 6:58 p.m. to a closed meeting by Mr. Mena under Section 551.071 of the Texas Government Code as follows:

14. Closed Meeting

- A. Consultation with School District Attorney Regarding Pending Litigation
 - 1. Lynn E., as next friend of A. E., Plaintiff, v. El Paso Independent School District, Defendant; In the U. S. District Court, Western District of Texas, El Paso Division; Cause No. EP04CA0393
 - 2. Irma J. Lopez, Plaintiff, v. El Paso Independent School District, Defendant; In the County Court at Law No. 3, El Paso County, Texas; Cause No. 2004-4376

The closed meeting started at 7:08 p.m. The closed meeting ended at 7:15 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 7:15 p.m.

14. The action was as follows:

- A. Consultation with School District Attorney Regarding Pending Litigation
 - 1. Lynn E., as next friend of A. E., Plaintiff, v. El Paso Independent School District, Defendant; In the U. S. District Court, Western District of Texas, El Paso Division; Cause No. EP04CA0393
 - 2. Irma J. Lopez, Plaintiff, v. El Paso Independent School District, Defendant; In the County Court at Law No. 3., El Paso County, Texas; Cause No. 2004-4376

It was moved by Dr. Roark, seconded by Mr. Mena, and carried unanimously that the Board authorize the law firm of Mounce, Green, Myers, Safi & Galatzan, PC to represent the District in the cases as listed.

Meeting Adjourned

The meeting was adjourned at 7:16 p.m.

Date Approved: January 25, 2005