

Minutes of Meeting of Board of Trustees
El Paso Independent School District
February 10, 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 Dodge¹
Miss Leonor Garcia
Dr. Charles Roark
Miss Carolyn Grantham, Associate Superintendent, Human Resources
Mr. Anthony Safi, School District Attorney

Absent: Mr. Charles L. Tafoya, Superintendent

The meeting was called to order at 5:01 p.m. by Mr. Mena. The Pledge of Allegiance was led by Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships. Ms. Elfida Gutierrez, Associate Superintendent, Elementary/Middle Schools Division I, gave the Thought for the Day.

1. Recognition of February 2004 Partner of the Month

Trans Health was recognized.

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

Mr. Harry Gregory, a volunteer at Austin High School, and Miss Denise Montoya, a student at Burleson Elementary School, were recognized.

3. Awards to January 2004 Employees of the Month

Mr. Enrique Garay, teacher at Stanton Elementary School, was recognized as the Certified Employee and Ms. Irma Sotelo, cook at Travis Elementary School, was recognized as the Non-Certified Employee.

4. Public Forum

There were no speakers on Open Forum.

5. Consent Agenda

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

Mr. Mena for Mr. Dodge - Item C., 2.

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, with the exception of item no. C., 2., Purchases Requiring Board Approval – Energy Management System Module Control Upgrade CSP #01-04 (\$94,714.98).

¹ Mr. Dodge arrived at 6:22 p.m., during discussion of Item #13, A., during Closed Session.

- A. Revision to Board Policy EFA (Local), Instructional Resources: Instructional Materials Selection and Adoption (copy attached to the permanent file of these minutes).
 - B. Budget Amendments
 - 1. Barron Elementary School (\$1,000.00). This item is to provide funds for professional growth for the mandatory SASA (School Administrator Skills Assessment) training for administrators.
 - 2. White Elementary School (\$800.00). This item is to purchase instructional materials for classrooms and incentives for students.
 - 3. Zavala Elementary School (\$1,570.00). This item is to purchase a multipurpose table with chairs to be used by various meeting groups and at special functions.
 - 4. Charles Middle School (\$3,620.00). This item is allow the campus to send a group of faculty and staff to the State Middle School Conference, which will provide teachers the opportunity to learn new strategies that will enhance teaching at the middle school level.
 - C. Purchases Requiring Board Approval
 - 1. Modular Furniture for Departmental Renovations and Relocations on Region 19 RFP #02-5326 (approx. \$300,000.00) was awarded to Rio Grande Contract Furnishing dba BPSI, Lot 1, #6 (copy of bid tabulation attached to the permanent file of these minutes).
 - 3. CNC (Computerized Numerical Controller) Lathe Bid #05-04 (\$43,655.00) was awarded to Champions Machine Tool, the lowest bid (copy of bid tabulation attached to the permanent file of these minutes).
 - D. Electric Company Easement – Portion of Lot 64, Block 39, Ridge View Estates Unit 22 (Tippin Elementary School), No. 4091-3180, subject to the review and approval of the District's attorney (copy of documentation attached to the permanent file of these minutes).
6. Proposed 2004-05 Instructional School Calendar

Ms. Patty Hughes, Co-Chair, DEIC (Districtwide Educational Improvement Council) Calendar Committee, reviewed the change in Draft A of the 2004-05 calendar and advised that because of the TAKS testing dates, the holiday scheduled for Presidents Day on February 21, 2005, was moved to April 25, 2005, which will follow the second round of testing.

Responding to questions from Dr. Roark, Ms. Hughes advised that the proposed calendar has no observances of any specific religious or Mexican holidays and does not conflict with the Parent/Teacher Conferences.

It was moved by Miss Garcia, seconded by Mr. Cordova, and carried unanimously that the Board approve this 2004-05 Instructional School Calendar as presented.

7. Consultant Agreement with Bayridge Consortium for Inclusion Workshops and Campus Training (\$27,600.00)

It was moved by Mr. Cordova, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board approve this agreement for the provision of professional services by Dr. Richard Villa.

8. Budget Amendment – Adjustment of Debt Service Budget to Reflect Bond Closing Sale of January 8, 2004 (Phase One of 2003 Bond Election) (\$19,660,000.00)

Responding to Dr. Roark, Mr. Walt Byers, Treasury Manager, advised that a savings of more than \$250,000.00 was realized this year in Debt Service payments due to refunding. Mr. Byers stated that he would locate the total net savings amount and provide this information to the Board members

It was moved by Miss Garcia, seconded by Ms. Colquitt-Muñoz, and carried unanimously that this amendment to the 2003-04 fiscal year budget be approved to reflect changes in principal, interest, and debt fees related to the bond sale of January 8, 2004 (Phase One of the 2003 Bond Election).

9. Sole Source Instructional Materials, Training, or Software Purchases

Responding to an inquiry from Dr. Roark, Dr. Linda Holman, Associate Superintendent, Elementary/Middle Schools Division II, advised that the total amount was an aggregate of anticipated campus spending for these materials from all four vendors. Ms. Elfida Gutierrez, Associate Superintendent, Elementary/Middle Schools Division I, commented on the Spanish language assessment materials that would be purchased for grades K through 12.

It was moved by Miss Garcia, seconded by Mr. Cordova, and carried unanimously that the Board approve the following sole source purchases in the amounts indicated, through August 31, 2004:

- A. Instructional Materials from Curriculum Associates®, Inc. (approx. additional expenditure \$200,000.00)
- B. Rosetta Stone Language Program from Killen Management Systems, Inc. (approx. \$55,000.00)
- C. TAKS and TEKS Critical Thinking Flip Charts from TAKS Tornado (approx. \$65,000.00)
- D. English and Spanish TEKS Instructional Materials from KAMICO® Instructional Media, Inc. (approx. \$40,000.00)

10. Purchase Requiring Board Approval – Athletic Training Supplies & Equipment Bid #111-03 (\$22,014.44)

It was moved by Mr. Cordova, seconded by Miss Garcia, and carried unanimously that this bid be awarded as follows, with Item #48 being awarded to A-Athletic & Medical Supply Co., pursuant to the tie-breaking procedure: A-Athletic & Medical Supply Co., Items 1-5, 7-12, 17-19, 21, 22, 25, 26, 28, 29, 33, 34, 36, 37, 39, 40, 45-48, 50-54, 56a-c, \$17,773.77, net 30; Armstrong Medical Ind., Inc., Item 14, \$48.95, net 30; DVF Sporting Goods, Item 43, \$69.78, net 30; Medco Supply Co., Inc., Items 13, 15, 16, 23, 24, 32, 35, 38, 41, 42, 44, and 49, \$3,493.15, net 30; Moore Medical Corporation, Items 27, 30, and 31, \$498.09, net 30; and School Health Corporation, Items 6, 20, and 55, \$130.70 (copy of bid tabulation attached to the permanent file of these minutes).

11. Final Payment for Construction Contract Exceeding \$100,000.00 – Districtwide Priority 1 Critical Maintenance, Phase 2, #02.971 (\$42,870.50, total cost \$713,846.00)

It was moved by Miss Garcia, seconded by Mr. Cordova, and carried unanimously that the Board approve the final payment to High Point Electric Co., subject to the review and approval of the District's attorney.

12. Procurement/Delivery Method for Construction Contract Exceeding \$15,000.00 – Districtwide Gas Piping Pressure Testing/Replacement, Phase 4, #04.374

Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, provided information on the procedure followed for gas line testing.

It was moved by Miss Garcia, seconded by Mr. Cordova, and carried unanimously that the job order process be utilized for this construction contract, subject to the review and approval of the District's attorney, and that the advertisement and issuance of relevant documents be authorized to qualified bidders/proposers.

Meeting Closed

The meeting was recessed at 5:33 p.m. to a closed meeting by Mr. Mena under 551.071, 551.072, 551.074, 551.082, and 551.0821 of the Texas Government Code as follows:

13. Closed Meeting

- A. Parent Complaint – Mr. and Mrs. P. G., Terrace Hills Middle School
- B. Grievance Hearing – George White, Teacher, Roberts Elementary School
- C. Personnel Appointments
 - 1. Principal, Bowie High School
 - 2. Principal, Terrace Hills Middle School
 - 3. Principal, Lamar Elementary School
- D. Consultation with School District Attorney Regarding Pending Litigation
 - 1. El Paso Independent School District (Self-Insured), Plaintiff vs. James Thomas Bond (Beneficiary), Defendant; In the County Court at Law No. Five, El Paso County, Texas; Cause No. 2002-5718
 - 2. Lillian W. Crouch, Plaintiff, v. El Paso Independent School District, Defendant; In the 327th Judicial District Court, El Paso County, Texas; Cause No. 2002-5419
- E. Property Acquisition for Site for New South/Central Elementary School
 - 1. Lot 15, Block 49, Campbell Addition, El Paso, El Paso County, Texas
 - 2. Easterly 60 feet of Lot 3, Block 49, Campbell Addition, El Paso, El Paso County, Texas

The closed meeting started at 5:38 p.m. The closed meeting ended at 5:48 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 5:50 p.m.

13. The action taken was as follows:

C. Personnel Appointments

1. Principal, Bowie High School

It was moved by Mr. Cordova, seconded by Dr. O'Donnell, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Lionel Rubio, Principal at Magoffin Middle School, to the position of Principal, Bowie High School.

2. Principal, Terrace Hills Middle School

It was moved by Dr. O'Donnell, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board accept the Superintendent's recommendation to appoint James D. Anderson, Assistant Principal at Chapin High School, to the position of Principal, Terrace Hills Middle School.

3. Principal, Lamar Elementary School

it was moved by Dr. O'Donnell, seconded by Ms. Colquitt-Muñoz, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Christine Althoff, Assistant Principal at Barron Elementary School, to the position of Principal, Lamar Elementary School.

Meeting Closed

The meeting was recessed at 5:51 p.m. to a closed meeting by Mr. Mena under the authority previously cited:

13. Closed Meeting

The closed meeting started at 5:52 p.m. The closed meeting ended at 7:31 p.m.

Arrival of Board Member

Mr. Dodge arrived at 6:22 p.m. and was present to vote in any subsequent action by the Board of Trustees.

Meeting Opened

The meeting was reassembled in Open Session at 7:32 p.m.

13. The action taken was as follows:

A. Parent Complaint – Mr. and Mrs. P. G., Terrace Hills Middle School

It was moved by Mr. Dodge, seconded by Miss Garcia, and carried unanimously that the Board of Trustees deny the request of Mr. and Mrs. P. G. to change their son's (A. G.'s) grade.

B. Grievance Hearing – George White, Teacher, Roberts Elementary School

It was moved by Mr. Dodge, seconded by Dr. O'Donnell, and carried unanimously that the Board uphold the decision of the Superintendent's designee that the grievance filed by George White is untimely and considered waived.

5. Consent Agenda

C., 2. Energy Management System Module Control Upgrade CSP #01-04 (\$94,714.98)

Mr. Dodge requested clarification on several aspects of this CSP. Mr. Hector Martinez, Associate Superintendent, Operations, and Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, provided information on the replacement modules that would provide an upgrade to the system and the field work on the installations that would be provided by Operations energy management staff. Mr. Martinez reviewed the specifications related to substitutions to the ALC (Automated Logic Corporation) product and the audit conducted by Marcus, Fairall, Bristol & Co., LLP and Edge, McLagan, Nugent & Co., EPISD forensic auditors, and the report presented to the Board in March 2003, which determined that the energy management control/facility management control system (EMC/FMC) was not sole source and should be competitively bid.

Mr. Dodge commented on the Montreal Protocol and advised that this was a replacement of an existing system and that a one-to-one replacement of parts on an existing system does not require a substitution of control parts other than those from the original manufacturer. He reviewed the company names on the vendor list to which the CSP was made available and stated that the one-to-one replacement disallowed a company other than PC Automated Controls, Inc. from bidding. Mr. Dodge requested that the Board be provided with the manual used by the Energy Managers to control the energy equipment in the District and information on the utility costs for individual schools.

There was further discussion on the District's vendor list and the updating procedures; the criteria used for maintaining the energy management system; the report on the forensic audit; new control systems being available from various vendors; and negotiating with the local ALC product representative for the best cost containment agreement. Mr. Safi clarified that a CSP would allow the District to negotiate with the sole proposer for a better price than what was initially offered.

It was moved by Mr. Dodge, seconded by Miss Garcia, and carried unanimously that the administration be instructed to negotiate for the energy management system control modules upgrade with PC Automated Controls, Inc. to see if a more favorable pricing structure can be arranged for the purchase of this needed equipment, with the results of the negotiations to be brought back to the Board at a future meeting for approval.

Meeting Adjourned

The meeting was adjourned at 8:07 p.m.

Date Approved: April 13, 2004