

Minutes of Meeting of Board of Trustees  
El Paso Independent School District  
July 8, 2003  
5:00 p.m.  
Education Center-Boeing

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

Absent: Dr. Charles Roark  
Mr. Richard Telles

The meeting was called to order at 5:24 p.m. The Pledge of Allegiance was led by Mr. Dodge. Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, gave the Thought for the Day.

1. Resolution of Support for Unification of Local Governmental Bodies

Subsequent to Mr. Dodge reading the resolution into the record, it was moved by Mr. Mena, seconded by Mr. Cordova, and carried unanimously that the Board adopt the resolution.

2. Public Forum

The following people requested to speak on Open Forum:

1. Ms. Lilibeth Amaro, parent at Highland Annex, voiced concerns about the closure of the Highland Annex and students being transferred to their respective home campuses.
2. Mr. Javier Diaz, counselor, Sunset High School, spoke about Sunset moving to the Highland Annex facility and the need for a permanent location for the high school.

3. Consent Agenda

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

Mr. Dodge - Item E.  
Mr. Mena - Item G.

Questions on Item E., Extension of Agreement with New Beginnings of Texas, Inc. for Future Graduates Program (Ref. RFP #46-02) (\$454,825.00)

Mr. Dodge inquired about an evaluation on the elements and services of this program. Mr. Art Jordan, Executive Director, Research, Evaluation and Planning, provided a progress report on the achievements realized during the program's first year and advised that a summative evaluation of the three-year program would be available once students in the program advance into the ninth grade.

Questions on Item G., Construction Contract Award – Mary N. Tippin Elementary School (E-7), #02.602 (\$7,031,600.00)

Mr. Mena acknowledged Mr. John Carson and Mr. Steve Franco, CF Associates Architects, for their design of Mary N. Tippin Elementary School.

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

A. April 2003 Minutes

1. April 8, 2003, and April 22, 2003, Board Finance Committee Meetings; and April 8, 2003, Board School Name Committee Meeting
2. April 1, 2003; April 8, 2003; and April 22, 2003, Meetings of the Board of Trustees

B. Human Resources Administrator to Sign Teacher Service Records. Al Quintela, Director of Elementary Personnel in Human Resources, was authorized to sign Teacher Service Records.

C. Budget Amendments

1. State Compensatory Education (SCE) – Franklin High School (\$35,000.00). This item is to purchase computers for a math lab.
2. Facilities, Maintenance and Construction (\$50,000.00). This item is for the construction of approximately 16,000 square feet of additional parking at the Highland Annex due to the relocation of Sunset High School.

D. Commodity Food Processing through West Texas Food Service Cooperative (approx. \$421,650.11) was approved as follows: H & H Foods, charbroil patty, \$51,012.24; Land O'Lakes, macaroni and cheese, \$17,759.44; Nardone Brothers, cheese pizza and cheese wedge pizza, \$107,489.39; Gilardi, pizza sticks, \$28,308.95; Oak Valley Farms, roast turkey and ground turkey, \$36,095.91; Goldkist, chicken fajita strips, \$31,783.63; Tyson, breaded chicken and hot & spicy chicken, \$42,108.35; Sunny Fresh Foods, French toast bagels, \$11,991.00; and Schreiber, American sliced cheese, \$95,101.20 (copy of bid tabulation attached to the permanent file of these minutes).

E. Extension of Agreement with New Beginnings of Texas, Inc. for Future Graduates Program (Ref. RFP #46-02) (\$454,825.00), the first extension option, through August 31, 2004 (copy of bid tabulation attached to the permanent file of these minutes).

F. Purchases Requiring Board Approval

1. Option to Extend Existing Bids/RFP
  - a. Pre-Bound Book Bid #55-01 (approx. \$360,000.00), the final option to extend, as follows: Hardback: Bound to Stay Bound, including \$4.20 prebinding charges and \$.85 processing, 30 percent discount; Paperback: Follett, 45 percent discount; Perma-Bound, 25 percent discount; and Perfection Learning, 28 percent discount, for the period of August 1, 2003, through July 31, 2004, subject to the approval of the 2003-04 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).

- b. Library Book Bid #56-01 (approx. \$750,000.00), the final option to extend, to Follett Library Resources, for the period of August 1, 2003, through July 31, 2004, subject to the approval of the 2003-04 preliminary budget (copy of bid tabulation attached to the permanent file of these minutes).
  - c. Travel Services RFP #06-02, the first option to extend, to House of Travel and Tumbleweed Travel through August 31, 2004, subject to the requirements of House Bill 898 and the District's right to utilize the travel services contract of the Texas Building and Procurement Commission (copy of bid tabulation attached to the permanent file of these minutes).
- 2. Annual Cleaning Products Bid #55-03 (\$86,437.00) was awarded as follows: American Spectrum, Item 5, \$5,467.20, 2 percent; Baron Chemical Co., Inc., Items 1-4, 6, 8-14, and 16-19, \$66,413.20, net; Laun-Dry Supply Co., Inc., Item 7, \$4,296.60, 1 percent; and Regal Supply & Chemical Co., Item 15, \$10,260.00, net, subject to the approval of the 2003-04 preliminary budget, and with the option to extend for an additional 24 months, 12 months at a time (copy of bid tabulation attached to the permanent file of these minutes).
- 3. Client/Server Workstations for Richardson Middle School, Purchase Order Nos. 267963 and 269895 (\$31,000.00), from I-Next, Inc., the lowest quote (copies of purchase orders attached to the permanent file of these minutes).
- 4. Computers for Bowie High School, Purchase Order No. 271693 (\$25,385.40), from Dell Marketing LP, the lowest quote (copy of purchase order attached to the permanent file of these minutes).
- 5. Wireless Mobile Lab for Alta Vista Elementary School, Purchase Order No. 272137 (\$22,278.77), from Dell Marketing LP, the lowest quote (copy of purchase order attached to the permanent file of these minutes).
- 6. Apple Wireless Mobile Labs for Kohlberg Elementary School, Purchase Order No. 272138 (\$51,318.00), from Apple Computer, the sole source (copy of purchase order attached to the permanent file of these minutes).
- 7. Cabling for Sunset High School (Highland Annex), Purchase Order No. 272874 (\$14,230.00), from Amherst, the lowest quote (copy of purchase order attached to the permanent file of these minutes).
- G. Construction Contract Award – Mary N. Tippin Elementary School (E-7), #02.602 (\$7,031,600.0) to Banes General Contractors, subject to the review and approval of the District's attorney.
- H. Demand Service Agreement Contract Extensions as follows for the period of September 1, 2003, through August 31, 2004, or until the value of the contract is reached, subject to the approval of the 2003-04 preliminary budget:
  - 1. Districtwide Sound, Bells, Clocks, #02.419.03 (\$95,544.57), with Sound & Signal Systems.
  - 2. Districtwide Campus Telephone Systems, #02.422.03 (\$56,555.00), with Communication Experts.
  - 3. Districtwide Plumbing System Repairs, #02.452.03 (\$107,800.00), with Action Mechanical, Inc.
  - 4. Districtwide Communication Cabling MACs (Moves, Adds, Changes) and Repairs, #02.497.03 (\$47,080.00), with Telecomm Unlimited.

5. Districtwide Communication Equipment Repairs, #03.424.02 (\$17,250.00), with Rio Grande Communications.
  6. Districtwide Electrical System Repairs, #03.451.02 (\$103,852.00), with El Paso Rio Electric.
- I. Maintenance and Service Agreement Contract Extensions as follows for the period of September 1, 2003, through August 31, 2004, or until the value of the contract is reached, subject to the approval of the 2003-04 preliminary budget:
1. Districtwide Scoreboards, #02.413.03 (\$20,420.00), with Nu-Con Safety & Sound.
  2. Districtwide Water Softener Systems, #02.421.03 (\$38,022.30), with Culligan Water.
  3. Districtwide Automatic Fire Sprinkler Maintenance, #02.423.03 (\$28,990.00), with Century Fire Systems.
  4. Districtwide Hazardous Waste Disposal, #02.435.03 (\$78,370.55), with Rinchem Company, Inc.
  5. Districtwide Grease Trap Maintenance, #02.411.02 (\$85,775.00), with Bio Remedies.
  6. Districtwide Elevator Maintenance, #03.412.02 (\$98,824.00), with ThyssenKrupp Elevator.
  7. Districtwide Stadium Lighting System Maintenance, #03.417.03 (\$22,886.00), with Kendrick Electric.
  8. Districtwide Water Treatment Systems, #03.418.02 (\$143,533.00), with El Paso Corrosion, Inc.
  9. Districtwide Weed and Lawn Services, #03.482. (\$87,700.00), with Lester Humphrey Pest Control.

H. June 2003 Personnel Report (copy attached to the permanent file of these minutes).

4. Selection of Delegate and Alternate to TASB Delegate Assembly

It was moved by Miss Garcia, seconded by Dr. O'Donnell, and carried unanimously that Dr. Charles Roark be designated as delegate and Mr. Sal Mena, Jr., as the alternate to the 2003 Texas Association of School Boards Delegate Assembly in Dallas, Texas. Mr. Dodge was not present for the vote.

5. Contract Renewals for EPISD Health Care Trust Plan and Other Voluntary Employee Benefit Plans

The following person requested to speak to Item 5, C.:

1. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, spoke about concerns related to UNUM and problems employees are encountering.

It was moved by Miss Garcia, seconded by Dr. O'Donnell, and carried unanimously that the Board approve the renewal of the contracts as presented by the administration for the period of January 1, 2004, through December 31, 2004, in the amounts indicated. Mr. Mena abstained from the vote.

- A. SPECTERA (Utilization Review/Utilization Management) with no change in fee.
- B. UNUM Life Insurance (Basic, AD&D, Retiree, Optional & AD&D, and Dependent) with no increase in current premium rates.
- C. UNUM Disability/Income Protection with no increase in premium rates.

- D. Vision Service Plan (VSP) with a 4 percent premium increase effective January 1, 2004.
- E. Safeguard Dental with a 3.5 percent increase in premiums for the Indemnity Dental Plan (VC-2322) and the Reimbursement Dental Plan (SR-32), and no increase in premium for the Discount Dental Plan (ADC-3) (Prepaid Dental Plan [TX 300D] effective January 1, 2004).

- 6. Extension of Agreement with G. P. Graham Capital Management Group for Consulting and Actuarial Services (RFP #26-01) (\$77,000.00)

It was moved by Dr. O'Donnell, seconded by Miss Garcia, and carried unanimously that the Board approve the renewal of this agreement with Gale Patrick Graham, individually and d/b/a G. P. Graham Capital Management Group, for the period of August 1, 2003, through July 31, 2004.

- 7. Approval of an Order by the Board of Trustees of the El Paso Independent School District Calling a Bond Election to be Held Within the District on October 4, 2003, for Authorization to Issue and Sell Bonds in the Principal Amount of \$207,435,000; Making Provisions for the Conduct of the Election and the Giving of Notice of the Election; and Containing Provisions Related Thereto

Mr. Paul Braden, Delgado Acosta Braden & Jones PC and District Bond Counsel, provided information on the Bond Election Order and the two propositions to be included on the election ballot. There was discussion on the designated early voting sites and the sites for the actual election on October 4.

It was moved by Mr. Cordova, seconded by Mr. Dodge, and carried unanimously that the Board approve the Order as presented by the District's bond counsel (copy attached to the permanent file of these minutes).

- 8. Renewal of Program Implementation Master Contract with Success for All Foundation, Inc. for *Success for All*™ Program at Lee, Wainwright, and Roberts Elementary Schools (\$31,200.00)

It was moved by Miss Garcia, seconded by Mr. Dodge, and carried unanimously that the Board approve the renewal of this program as follows: Lee Elementary School, \$11,700.00; Wainwright Elementary School; \$11,700.00; and Roberts Elementary School, \$7,800.00.

- 9. Purchase of *TIME for Kids Non-Fiction Readers* from Teacher Created Materials® for All Elementary Campuses (\$50,046.00)

It was moved by Dr. O'Donnell, seconded by Miss Garcia, and carried unanimously that the Board approve this sole source purchase.

- 10. Additional Expenditure Request on Purchase Order No. 250416 to INTLMED (\$56,193.00)

It was moved by Miss Garcia, seconded by Mr. Cordova, and carried unanimously that this additional expenditure be approved for payment of 8 percent contract fees, subject to the District receiving additional funding from the state.

11. Maintenance and Customer Support Services for Districtwide Network Electronic Equipment to Cisco Systems for July 1, 2002, through June 30, 2003 (Purchase Order No. 272528) (\$164,157.00)

Mr. Jack Johnston, Executive Director, Technology and Information Systems (TIS), provided information on the maintenance and support services provided by Cisco Systems for the network electronic equipment installed throughout the District. The Year 5 E-Rate grant, which was denied, was the anticipated funding source for these services.

There was discussion on funding being provided from the TIS budget; the E-Rate funding process; paying for the services on a month-by-month basis until E-Rate funding is determined; E-Rate not reimbursing for payments made prior to the receipt of funding; and the District setting aside the total amount for services to be used in the event E-Rate funds are not received.

It was moved by Mr. Cordova, seconded by Dr. O'Donnell, and carried unanimously that the Board approve the payment for these maintenance and customer support services.

12. Award of High Speed Wide Area Network RFCSP #56-03 (\$2,268,000.00)

Mr. James Damm, EPISD Consultant for Finance, reported on funding for this item, which would come from Fund Balance and be reimbursed from bond funds, if the October 4, 2003, bond election passes. Mr. Jack Johnston, Executive Director, Technology and Information Systems, reviewed the rationale for BNI Solutions, LLC/Time Warner Cable completing the District's fiber wide area network to the remaining 36 locations, which will improve Internet access at all campuses.

There was discussion on postponing approval of the RFCSP until after the bond election; equity issues related to the connection of a high-speed fiber network to the campuses not included in Year 4 E-Rate funding; the possible effect of this award on the Fund Balance; a potential liability being placed on the unapproved 2003-04 budget; and maintaining the District's relationship with Time Warner. Ms. Carolyn Garland, Time Warner Cable, provided assurance of her company's commitment to the EPISD and reviewed services provided to other area school districts.

It was moved by Dr. O'Donnell, seconded by Mr. Dodge, and carried unanimously that this item be postponed until after the bond election on October 4, 2003.

13. Purchases Requiring Board Approval

It was moved by Mr. Cordova, seconded by Mr. Mena, and carried unanimously that the following purchases be approved to the recommended vendors for the amounts indicated:

- A. Printer Ribbon & Toner Cartridge Bid #44-03 (\$82,346.76) was awarded as follows, with Item #10 being awarded to Computer Express, pursuant to the tie-breaking procedure: Computer Express, Items 10-13, 17, 18, and 28, \$12,569.40; Corporate Express, Items 1-3, 5, 6, 26, and 30, \$15,785.04; Dallas Distributors, Items 4, 14-16, and 24, \$15,828.72; Professional Document Systems, Items 23, 31, and 32, \$3,384.00; and Tree House, Inc., Items 7-9, 19-22, 25, 27, and 29, \$34,779.60 (copy of bid tabulation attached to the permanent file of these minutes).

- B. Pen, Pencil, and Visual Aid Pens Bid #53-03 (\$36,377.10) was awarded as follows, with Item #21 being awarded to Pyramid School Products, pursuant to the tie-breaking procedure: Pyramid School Products, Items 3, 8-10, 15, 10, and 21, \$15,605.52, net 30; and Standard Stationery Supply, Items 1, 2, 4-7, 11-14, 16-19, 22, and 23, \$20,771.58, net 30 (copy of bid tabulation attached to the permanent file of these minutes).
- C. Office/School Supply Bid #59-03 (\$203,310.17) was awarded as follows, with Item #13 and #28 being awarded to Standard Stationery Supply and Item #49 being awarded to Pyramid School Products, pursuant to the tie-breaking procedures: AFP Industries, Items 5, 6, 37, 38, 52-54, and 56, \$57,675.00, net 30; Corporate Express, Items 7 and 17, \$20,637.60, net 30; El Paso Office Products, Items 8, 10, 47, and 55, \$14,163.72, net 30; Elgin School Supply, Items 19 and 50, \$2,691.18, net 30; Pyramid School Products, Items 1, 4, 18, 23, 24, 26, 39-44, 46, 49, 51, 58, and 59, \$59,124.53, net 30; and Standard Stationery Supply, Items 2, 3, 9, 11-15, 20-22, 25, 27-36, 45, 48, 57, and 60, \$49,018.14, net 30 (copy of bid tabulation attached to the permanent file of these minutes).
- D. Laser Engraving System Bid #60-03 (\$26,651.00) was awarded to The Engravers Network on a five-year lease/purchase, to be expensed in each budget year subject to the approval of each year's funding, with the 2003-04 fiscal year amount to be in the amount of \$5,330.00 (copy of bid tabulation attached to the permanent file of these minutes).

#### Item Withdrawn

It was announced that item no. 14, Purchase of Tennis Court from El Paso Tennis Center, had been withdrawn from the agenda.

#### 15. Procurement/Delivery Methods for Construction Contracts Exceeding \$15,000.00

It was moved by Mr. Cordova, seconded by Mr. Dodge, 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. Drainage Improvements – Lamar Elementary School and Wiggs Middle School, #03.646
- B. Stadium Light Pole Upgrades – Austin High School, #03.733
- C. Highland Annex Parking Lot Improvements, #03.735

#### Item Withdrawn

It was announced that item no. 16, B., Grievance – Elco Ramos, Principal, Delta Academy, had been withdrawn from the agenda.

#### Meeting Closed

The meeting was recessed at 7:38 p.m. to a closed meeting by Mr. Mena under Sections 551.071, 551.072, 551.074, and 551.082 of the Texas Government Code as follows:

#### 16. Closed Meeting

- A. Personnel Appointment – Morehead Middle School
- C. Acquisition of Real Property – South Central (Park Town) Elementary School

D. Consultation with School District Attorney Regarding Pending Litigation

1. United States of America ex rel. Ramesh Gudur v. Texas Department of Health, et al.; In the United States District Court, Texas; Houston Division; Case No. C.A. No. H-00-1169
2. Silva's Super Market, Inc., Silva Diversified, Inc. and Silva Investment Partnership, Plaintiffs vs. El Paso Independent School District, Defendant; In the 120th Judicial District Court, El Paso County, Texas; Cause No. 2003-1388

The closed meeting started at 7:53 p.m. The closed meeting ended at 8:47 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 8:49 p.m.

16. The action as a result of items discussed in closed meeting was as follows:

A. Personnel Appointment – Principal, Morehead Middle School

It was moved by Miss Garcia, seconded by Mr. Dodge, and carried unanimously that the Board accept the Superintendent's recommendation to appoint James Lamonica, Assistant Principal at Coronado High School, to the position of Principal, Morehead Middle School.

D., 2. Consultation with School District Attorney Regarding Pending Litigation – Silva's Super Market, Inc., Silva Diversified, Inc. and Silva Investment Partnership, Plaintiffs vs. El Paso Independent School District, Defendant; In the 120<sup>th</sup> Judicial District Court, El Paso County, Texas; Cause No. 2003-1388

It was moved by Mr. Dodge, seconded by Mr. Cordova, and carried unanimously that the Board authorize the law firm of Mounce, Green, Myers, Safi & Galatzan, PC to notify the legal counsel for the plaintiffs in this case of the District's agreement to the extension of the abatement in this pending lawsuit until September 15, 2003, subject to earlier termination if either party does so in writing with 24 hours notice, to allow them time for an additional appraisal in response to appraisals that have been performed on behalf of the District; and that the Board not grant any further requests for extensions because the District is committed to this school site.

Meeting Adjourned

The meeting was adjourned at 8:50 p.m.

Date Approved: September 9, 2003