

Minutes of Meeting of Board of Trustees
El Paso Independent School District
March 12, 2002
5:00 p.m.
Education Center-Boeing

Present: Mr. Dan Wever, President
Dr. Gene Finke, Vice President
Miss Leonor Garcia, Secretary
Mr. Sal Mena, Jr.¹
Dr. Charles Roark²
Mr. Joe Rosales
Mr. Richard Telles³
Dr. Gilberto Anzaldua, Superintendent
Mr. Anthony Safi, School District Attorney

The meeting was called to order at 5:27 p.m. by Mr. Wever. The Pledge of Allegiance was led by Senator Eliot Shapleigh. Mr. William Goodman, Associate Superintendent, Finance, gave the Thought for the Day.

Meeting Closed (Item #28)

The meeting was recessed at 5:28 p.m. to a closed meeting by Mr. Wever under Section 551.074 of the Texas Government Code as follows:

A. Personnel Appointments

1. Principal, Lindbergh Elementary School

The closed meeting started at 5:28 p.m. The closed meeting ended at 5:35 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 5:35 p.m.

Proposed Renaming of Lindbergh Elementary School (Item #3)

The following people requested to speak to this item:

1. Mr. Larry Blaylock, teacher at Lindbergh Elementary School, spoke in support of renaming the school Mitzi Bond Elementary School or naming another facility after Mitzi Bond in the future.
2. Code Downing, student at Lindbergh Elementary School, spoke in support of renaming the school Mitzi Bond Elementary School.

¹ Mr. Mena departed the meeting at 8:50 p.m., during discussion of Item #17.

² Dr. Roark departed the meeting at 10:48 p.m., during discussion on item #25.

³ Mr. Telles departed the meeting at 6:08 p.m., following action on Item #28, A., 1.

Mrs. Mitzi Bond's husband, parents, daughters and other surviving family members present at the meeting were acknowledged by the Board of Trustees.

Mr. Mena reviewed the Board policy and guidelines to be followed by the Board School Name Committee for the naming of a District facility and read a biography of Mrs. Bond.

It was moved by Mr. Mena, seconded by Dr. Finke, and carried unanimously that the Board approve renaming Lindbergh Elementary School to Mitzi Bond elementary School.

Personnel Appointments – Principal, Lindbergh Elementary School (Item #28, A.)

It was moved by Dr. Finke and seconded by Dr. Roark that the Board accept the Superintendent's recommendation to appoint Haidi Appel, Assistant Principal at Lindbergh Elementary School, to the position of Principal at Mitzi Bond Elementary School.

Mr. Mena recommended amending the motion to include a waiver of Board Policy DC (Local) in the Board's acceptance of the Superintendent's recommendation.

Dr. Finke and Dr. Roark accepted the amendment.

The amended motion reads as follows:

that the Board waive Board Policy DC (Local) and accept the Superintendent's recommendation to appoint Haidi Appel, Assistant Principal at Lindbergh Elementary School, to the position of Principal at Mitzi Bond Elementary School.

Dr. Roark stated, for the record, that the Board's action to waive Board policy is not precedent setting but action related to a special circumstance.

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

Meeting Recessed

The meeting was recessed at 5:55 p.m. The meeting was reconvened at 6:08 p.m.

Departure of Board Member

Mr. Telles departed the meeting at 6:08 p.m. and was not present for any subsequent action taken by the Board of Trustees.

Resolution Supporting Creation of Four-Year Medical School in El Paso (Item #4)

Senator Eliot Shapleigh commented briefly on the process to establish a four-year medical school in El Paso, Texas, which will be the anchor element of the Border Health Institute. He stated that resolutions are anticipated from every school district in the El Paso area and that together, with this resolution adopted by the El Paso Independent School District and similar resolutions adopted by the City and County of El Paso, that a united front be presented to the Legislature in Austin, Texas.

Dr. Roark read into the record the Resolution in Support of Creating a Four-Year Medical School in El Paso, Texas.

It was moved by Dr. Roark, seconded by Dr. Finke, and carried unanimously that the Board adopt the El Paso Independent School District Board of Trustees' Resolution in Support of Creating a Four-Year Medical School in El Paso, Texas (copy attached to the permanent file of these minutes).

Approval of 2002-03 Instructional School Calendar (Item #11)

Ms. Alicia Ayala, Principal at Zavala Elementary School and Co-Chair of the Districtwide Educational Improvement Council (DEIC) Calendar Committee, provided information on the appointment of the DEIC Calendar Committee and the development of the proposed instructional calendar that will be recommended to the Board. She also provided information on the communication and input process.

Mr. Eric Winkelman, Principal at the Center for Career and Technology Education (CCTE), and Co-Chair of the DEIC Calendar Committee, reviewed the proposed school calendar for 2002-03, Option A, and explained the process and goals in developing the calendar. He provided the rationale for the Committee's main goal to prepare a calendar that will allow students to complete the first semester prior to the winter holiday and high school students to complete their semester tests prior to the winter break. Mr. Winkelman reviewed the dates for the first and last day of instruction, staff development, proposed holidays, and TAKS (Texas Assessment of Knowledge and Skills) tests. He advised that the majority of surveys returned indicated a preference for Option A.

Mr. Winkelman reviewed Option B of the proposed school calendar and provided information on the goals for the development of this calendar. He reviewed the dates for the first and last days of instruction, staff development, and proposed holidays.

Ms. Ayala added that instructional days were balanced equally at a number of 89 days for both semesters. She reiterated that there was a consensus from the Committee that Option A be recommended to the Board.

The following people requested to speak to this item:

1. General Howard Bromberg spoke on behalf of Ms. Nadine Woods and requested that calendar Option B be approved.
2. Ms. Karen Bloustine voiced her appreciation for the Board's consideration of a holiday for September 16, 2002, which is a Jewish holiday.
3. General Howard Bromberg spoke as a military parent in favor of Option B and in agreement with a September 16, 2002, holiday.
4. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, expressed concerns about communication and a need for more input into the school calendar before it is approved.
5. Dr. Joseph Neustin spoke about September 16, 2002, and commended the recommendation that this day be designated as a holiday.
6. Ms. Jerry Boyer spoke on behalf of the El Paso Classroom Teachers Association about the timeliness of approving a school calendar and suggested that issues being raised at this time concerning the instructional calendar be included for the 2003-04 calendar process.

There was discussion on considering concerns expressed by the military; completing the first semester prior to the winter break; and aligning the District school calendar with other educational institutions.

Ms. Gail Muñoz, a representative from the El Paso Consultation Association (EPCA), compared the calendar recommended by the EPCA to the calendars developed by DEIC and stated that consideration needed to be given to all teachers and students and not just high schools. She suggested that all three calendars (Option A, Option B, and EPCA) be sent back out to employees for input.

There was discussion on the EPCA's calendar; teachers attending both summer sessions at UTEP (University of Texas at El Paso); an August 21 start date for students being acceptable to the military; the deadline to adopt a calendar; and the waiver needed to begin school before the week in which August 21 falls.

It was moved by Dr. Finke and seconded by Mr. Wever that the Board accept the 2002-03 instructional calendar as presented by the El Paso Consultation Association. Upon the vote, the motion failed with Dr. Finke, Dr. Roark, and Mr. Wever voting in favor of the motion and Mr. Rosales, Miss Garcia, and Mr. Mena voting against the motion.

It was moved by Mr. Mena and seconded by Dr. Finke that the 2002-03 instructional school calendar be postponed and brought back to the Board at a special meeting on April 2, 2002.

Mr. Safi clarified that there were two waivers related to the school calendar. One deals with a waiver for 178 days of instruction with two days for staff development versus 180 days of instruction. This waiver is effective through the 2002-03 school year. A second waiver will be required if the District approves starting school prior to the week in which August 21 falls. Mr. Safi commented on the requirement in the Texas Education Code that prior to the time that any waiver is submitted there must be a notice published in the newspaper and a meeting held to obtain public input on a proposed calendar if an earlier start date is recommended.

Mr. Luis Villalobos, Executive Director, Communications and Business Partnerships, provided information on three community meetings that were publicized and held in February 2002.

Upon the vote, the motion carried unanimously.

Region 19 Education Service Center Trustee Election (Item #2)

The following person requested to speak to this item:

1. Mr. Marshall St. John, Chairperson, Board of Directors, Region 19 Education Service Center, requested the votes of Board members for the Region 19 Education Service Center Board of Directors' position.

Dr. Anzaldua distributed the ballots for the election of the Board of Directors for Region 19 Education Service Center, Places 2 and 5, and requested that the ballots be marked and sealed. The ballots were returned to Dr. Anzaldua to be forwarded to Region 19.

Awards to February 2002 Employees of the Month (Item #1)

Ms. Gloria Torres, fourth grade teacher at Dowell Elementary School, was recognized by the Board of Trustees as February 2002's Certified Employee of the Month; and Ms. Velia Sandoval, registrar at Chapin High School, was recognized as February 2002's Non-Certified Employee of the Month. Each was presented with an engraved plaque and a check in the amount of \$150.00.

Presentation by Rudolf Montiel, Housing Authority Interim Director, on Community Outreach Programs (Item #5)

Mr. Rudolf Montiel, Executive Director, Housing Authority of the City of El Paso (HACEP), presented two proposals to increase outreach efforts that would benefit both the EPISD and HACEP. The first proposal involves Henderson Middle School, which has a field that is in poor repair. HACEP proposes to plant the field, provide maintenance, lighting, and irrigation, with HACEP bearing the cost for the upgrades. HACEP will then be able to use the field for youth sports programs, in conjunction with a wellness program for their employees, and to provide the field for neighborhood use after school hours, with security being provided by HACEP. Mr. Montiel advised that the students' use of the field during school hours would be respected. The second proposal will provide for the use of a small strip of land for an off-street parking area at Douglass Elementary School.

There was discussion on the need for a plan to manage the requests for use of the field at Henderson Middle School; the HACEP formalizing the proposal once the Board indicates support; the District being held harmless for any after-hour accidents; and the need for a play area at Alamo Elementary School.

It was the consensus of the Board to proceed as quickly as possible on the proposed initiative.

Discussion and Possible Action on Proposed New EPISD Motto, "Success in Learning...Success in Life" (Item #6)

Mr. Luis Villalobos, Executive Director, Community and Business Partnerships, presented a recommendation from the District's Strategic Planning Committee to amend the District's motto to "Success in Learning...Success in Life." He advised that this motto was discussed during the formulation of the Strategic Plan and had been published in various versions of the Strategic Plan as it was being prepared. He stated that the motto will serve as a constant reminder of the importance of the Strategic Plan for the next five years.

There was discussion on a new motto being created through a contest in which students, teachers, and all employees can participate and a need to craft guidelines for the contest.

It was the consensus of the Board that a contest be conducted for a new District motto and that Mr. Villalobos develop the rules for the competition.

Public Forum (Item #7)

The following person requested to speak on Open Forum:

1. Mr. Mike Jordan, parent at Franklin High School, spoke about reinstating junior varsity soccer at the high schools.

Item Withdrawn

It was announced that item no. 8, C., Demand Service Contract Award – Districtwide Electrical System Renovations and Upgrades, #02.994 (\$113,442.83, had been withdrawn from the agenda.

Consent Agenda (Item #8)

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

- Dr. Roark - Item 8, B., Proposed Board Policy FNA (Local), Student Rights and Responsibilities: Student Expression
Item 8, D., Approval of Budget Amendments
- 3.) Optional Extended Year Program (OEYP) (\$1,306,322.00)
 - 4.) IDEA-B Formula (\$15,000.00)

- Miss Garcia - Item 8, B., Proposed Board Policy FNA (Local), Student Rights and Responsibilities: Student Expression
Item 8, D., Approval of Budget Amendments
- 1.) Irvin High School (\$2,043.00)
 - 2.) Rivera Elementary School (\$3,200.00)
 - 3.) Optional Extended Year Program (OEYP) (\$1,306,322.00)
 - 4.) IDEA-B Formula (\$15,000.00)
 - 5.) Title VI Class-Size Reduction Program (\$100,000.00)
 - 6.) "Walking to Improve Healthy Lifestyles" Grant – Vilas (\$2,000.00)
 - 7.) UTEP (University of Texas at El Paso) Challenge Grant for Technology in Education (\$90,000.00)
 - 9.) Amendment of General Fund Budget to Include Fund 180 Athletics budget (\$2,109,853.00)

Mr. Mena - Item 8, D., 8., Budget Amendment – Secondary Education (\$88,050.00)

Dr. Finke - Item 8, D., 12., Budget Amendment – Teacher Retirement System On-Behalf (\$17,009,128.00)

Proposed Board Policy FNA (Local), Student Rights and Responsibilities: Student Expression (Item #8, B.)

Dr. Roark expressed a concern with language regarding employees not being allowed in noncurriculum-related student group meetings and the possibility that this prohibition might be a violation of free speech rights. He also expressed concerns with text in subheading "Suspensions," which does not appear to provide for adjudication of an alleged violation.

Mr. Safi responded that the language in FNA (Local) follows FNA (Legal) which restates the provisions of the federal Equal Access Act and ensures that student religious groups can meet on school grounds on the same basis as any other noncurriculum-related student group. Mr. Safi explained the meaning of a noncurriculum-related student group and reviewed points related to a limited open form. He also suggested alternate language to address the concerns that were expressed.

It was moved by Dr. Roark, seconded by Miss Garcia, and carried unanimously that the Board approve Board Policy FNA (Local), Student Rights and Responsibilities: Student Expression, as presented and as revised by legal counsel (copy to be attached to the permanent file of these minutes).

Questions on Approval of Budget Amendments (Item #8, D.)

Irvin High School (\$2,043.00) (Item #8, D., 1.) and Rivera Elementary School (\$3,200.00) (Item #8, D., 2.)

Miss Garcia inquired about whether the supplies in the two budget amendments will be purchased from the District's warehouse. Dr. Anzaldua advised that the supplies to be purchased are for instructional purposes.

Optional Extended Year Program (OEYP) (\$1,306,322.00) (Item #8, D., 3.)

Dr. Roark requested more information on what was included in the budget amendment. Ms. Marsha Lawler, Executive Director, External Funding advised that the Optional Extended Year Program provides funds for summer school. She stated that based on past experience, the requested amount is what is anticipated to be needed for the summer school program.

IDEA-B Formula (\$15,000.00) (Item #8, D., 4.)

Dr. Roark questioned the term "transition curriculum" and whether this curriculum has been developed. Ms. Linda Corral, Associate Superintendent, Middle Schools, advised that "World of Work" is the curriculum that has been recommended by Region 19 Education Service Center and that it addresses the five areas of a transition program: leisure, postsecondary education, school-to-work, adult living, and recreation.

Title VI Class-Size Reduction Program (\$100,000.00) (Item #8, D., 5.)

Responding to a question from Miss Garcia regarding whether the funds from Title VI are for consumable materials, Ms. Marsha Lawler, Executive Director, External Funding, advised that this transfer of funds will allow the purchase of training materials needed to provide high quality, intensive, and ongoing professional development for the teachers in the Early Intervention Program.

"Walking to Improve Health Lifestyles" Grant – Vilas (\$2,000.00) (Item #8, D., 6.)

Responding to a question from Miss Garcia regarding matching funds, Mr. William Goodman, Associate Superintendent, Finance, advised that the District's matching funds have been budgeted.

UTEP (University of Texas at El Paso) Challenge Grant for Technology in Education (\$90,000.00) (Item #8, D., 7.)

Miss Garcia inquired about whether the funds were for teachers. Mr. Charles Geach, Training and Instructional Technology, advised that the funds will be dedicated to training teachers in the use and integration of technology. These teachers will then train faculty and staff at their respective campuses.

Secondary Education (\$88,050.00) (Item #8, D., 8.)

Mr. Mena inquired about whether the budget amendment amount was for one individual. Dr. Linda Holman, Associate Superintendent, Curriculum and Instruction, advised that the total amendment amount will be used for stipends for teachers to work on curriculum writing this summer.

Amendment of General Fund Budget to Include Fund 180 Athletics Budget (\$2,109,853.00) (Item #8, D., 9.)

Mr. William Goodman, Associate Superintendent, Finance, advised that the budget for Fund 180 was inadvertently left out of the Athletics budget module, and the budget amendment will correct the oversight.

Teacher Retirement System On-Behalf (\$17,009,128.00) (Item #8, D., 12.)

Responding to a question from Mr. Wever, Mr. William Goodman, Associate Superintendent, Finance, advised that this budget amendment represents the matching amounts that are paid by the state for District employees. He stated that although the state pays the amounts, the District must account for the payments.

It was moved by Dr. Roark, seconded by Mr. Mena, and carried unanimously that the items on the Consent Agenda, with the exception of Proposed Board Policy FNA (Local), Student Rights and Responsibilities: Student Expression, Item #8, B., (see above) be approved as listed including any recommended vendors for any amounts indicated.

A. Approval of Revision to Board Policy FM (Local), Student Activities

The Board approved the revision to Board Policy FM (Local), Student Activities, as presented (copy to be attached to the permanent file of these minutes).

D. Approval of Budget Amendments

The Board approved the following amendments to the 2001-02 fiscal year budget:

1. Irvin High School (\$2,043.00). The purpose of this item is to amend the Irvin High School budget in the amount of \$2,043.00. Mark Rucpich, Principal at Irvin High School, requested this amendment in a memo dated February 11, 2002. This amendment transfers funds from Travel and Professional Services to Instructional Supplies to allow adequate funds for supplies not covered by Title I and SCE (State Compensatory Education) funds.

2. Rivera Elementary School (\$3,200.00). The purpose of this item is to amend the Rivera Elementary School budget in the amount of \$3,200.00. Jayne Adame, Principal at Rivera Elementary School, requested this amendment in a memo dated February 6, 2002. this amendment transfers funds from Professional Services to Instructional Supplies to purchase materials and supplies to meet the needs of students.
3. Optional Extended Year Program (OEYP) (\$1,306,322.00). The purpose of this item is to set up the budget for the Optional Extended Year Program (OEYP) in the amount of \$1,306,322.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated February 18, 2002. The purpose of the OEYP is to provide students with additional instructional time to master the state's challenging content standards and student performance standards.
4. IDEA-B Formula (\$15,000.00). The purpose of this item is to amend the IDEA-B Formula budget in the amount of \$15,000.00. Dr. Michael Kelly, Executive Director of Special Services, requested this amendment in a memo dated February 15, 2002. Students with disabilities are required to have a transition statement at the age of 14, which begins the process of identifying what career choices they want to access in the future. When these students turn age 16, they must have a transition plan that implements their desires to access educational or vocational interests for post high school programs. The transition curriculum will provide a focus for the career to work and post educational prerequisites that these students must access under the Individual with Disabilities Education Act (IDEA).
5. Title VI Class-Size Reduction Program (\$100,000.00). The purpose of this item is to amend the Title VI Class-Size Reduction Program budget in the amount of \$100,000.00. Marsha Lawler, Executive Director of External Funding, requested this amendment in a memo dated February 19, 2002. One of the purposes of the Title VI Class-Size Reduction Program is to improve teacher quality in the primary grades by providing high quality, intensive, and ongoing professional development. This transfer is required to purchase training materials needed in the Early Intervention Program training in best practices for reading and vocabulary development for struggling readers.
6. "Walking to Improve Healthy Lifestyles" Grant – Vilas (\$2,000.00). The purpose of this item is to set up the budget for the "Walking to Improve Healthy Lifestyles" Grant in the amount of \$2,000.00. Region 19 has approved the grant for Vilas Elementary School. Rodolfo Acosta and Cecilia Levy Mena, teachers at Vilas Elementary School, applied for the grant and were awarded the money for this year's Service-Learning project. Bertha Rodriguez, Principal at Vilas Elementary School, requested this amendment in a memo dated February 26, 2002.

7. UTEP (University of Texas at El Paso) Challenge Grant for Technology in Education (\$90,000.00). The purpose of this item is to set up the budget for the UTEP (University of Texas at El Paso) Challenge Grant for Technology in Education in the total amount of \$90,000.00 (\$15,000.00 each for six campuses). The Board approved this agreement on February 12, 2002. Charles Geach, Administrator, Training and Instructional Technology, requested this amendment in a memo dated February 15, 2002. Five teachers each from Bonham, Mesita, and Vilas Elementary Schools; MacArthur Middle School; and Burges and El Paso High Schools will be trained in the use and integration of technology. They in turn will train faculty and staff at their respective campuses. Once the program has been completed, the equipment and software become the property of the school awarded the grant.
8. Secondary Education (\$88,050.00). The purpose of this item is to amend the Secondary Education budget in the amount of \$88,050.00. Dr. Linda Holman, Associate Superintendent of Curriculum and Instruction, requested this amendment in two memos dated February 22 and 26, 2002. This amendment transfers funds from the District's contingency reserve to continue curriculum writing this summer. The revision to the curriculum will assist teachers in the implementation of the Texas Essential Knowledge and Skills (TEKS) to prepare students for the Texas Assessment of Knowledge and Skills (TAKS).
9. Amendment of General Fund Budget to Include Fund 180 Athletics budget (\$2,109,853.00). The purpose of this item is to amend the current General Fund budget in the amount of \$2,109,853.00. The Athletic Department's budget is funded from two different sources, Fund 199 Local Maintenance and Fund 180 Athletics. The Fund 180 Athletics budget was inadvertently omitted from the recommended 2001-02 budget adopted by the Board. As a result, the General Fund budget will be amended to include the Fund 180 Athletics budget. While this is an amendment to the General Fund budget, it has the effect of a formal adoption and incorporation of the Fund 180 Athletics budget into the General Fund budget to correct the omission.
10. Community Scholars Program (\$73,200.00). The purpose of this item is to amend the Superintendent's budget in the amount of \$73,200.00. William Goodman, Associate Superintendent of Finance, requested this amendment in a memo dated February 27, 2002. This amendment transfers funds for the Community Scholars Program, which was approved by the Board on November 13, 2001. The program is a youth internship program conducted at UTEP (University of Texas at El Paso), which involves junior and senior students in research projects during the summer months.
11. Consultant Agreement with James Damm (\$50,000.00). The purpose of this item is to amend the Superintendent's budget in the amount of \$50,000.00. William Goodman, Associate Superintendent of Finance, requested this amendment in a memo dated February 27, 2002. On February 26, 2002, the Board approved the consultant agreement with James Damm. Because of his expertise and previous experience with the District, he was hired as the consultant/program manager to assist with the Year 4 E-Rate Grant Project through June 30, 2002. These funds will be made available from the District's Fund Balance.

12. Teacher Retirement System On-Behalf (\$127,009,128.00). The purpose of this item is to set up the budget for the Teacher Retirement System (TRS) On-Behalf payment for fiscal year 2002 as required by the Texas Education Agency. Richard Romero, Director of Budget, requested this amendment in a memo dated February 20, 2002. These payments represent the matching amounts that are paid by the state for District employees. Although the state pays these amounts, the District must account for the payments.

E. Bids and Purchase Order Requiring Board Approval

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

1. Option to Extend Existing Bid – Award Jackets, Sweaters, and Letters Bid #10-02 (approx. \$64,191.23). The Board approved the first option to extend Award Jackets, Sweaters, and Letters Bid #10-01 to Champion Fashions in the estimated annual amount of \$63,256.15 and Neff Company in the estimated annual amount of \$935.08, for a total estimated annual amount of \$64,191.23 (copy of bid tabulation attached to the permanent file of these minutes).
2. Additional Expenditure Request on Existing Bid – Library Book Bid #56-01 (\$100,000.00). The Board approved an additional expenditure on Library Book Bid #56-01 to Follett Library Resources in the amount of \$100,000.00 (copy of bid tabulation attached to the permanent file of these minutes).
3. Football, Cross Country, and Volleyball Equipment Bid #03-02 (\$101,127.50) was awarded to the following vendors in the amounts indicated: Athlete's World, Items 1, 10, 11, 13, 40, 58, 60, 73, 78, 83, 88-92, 98, 111, 112, and 115, \$20,293.04; Athletic Supply, Items 3, 9, 19, 31, 33, 54, 56, 64, 65, 70-72, 74-77, 80, 93, 103, and 110, \$36,557.75; Austin Athletic, Item 55, \$107.40; BSN Sports, Items 63 and 114, \$205.70; Cannon Sports, Items 8 and 50, \$1,481.60; Chamizal Trading, Items 18, 20-22, 24, 32, 45, 46, and 48, \$8,642.00; DVF Sports, Items 14, 23, 25, 34, 36, 41, 52, 53, 57, 66, 67, 81, 101, 102, and 105-109, \$18,223.91; Fairway Volleyball, Items 68, 69, and 82, \$644.78; Gardenswartz, Items 2, 12, 35, 37-39, 44, 47, 49, 51, 61, 79, 84-87, 97, 99, 113, and 116, \$7,954.26; Gopher Sports, Item 117, \$132.00; Healy Mfg., Items 5-7, \$606.12; Mojo Sports, Items 56 and 96, \$1,213.00; Riddell/All American, Items 4, 15-17, 42, 43, and 100, \$2,009.54; and Rock's T-Shirts, Items 94 and 95, \$3,056.40, for a total amount of \$101,127.50 (copy of bid tabulation attached to the permanent file of these minutes).
4. Band Uniform Bid #08-02 – Bowie High School (approx. \$67, 195.00) was awarded to Fruhauf Uniforms, Inc. in the estimated amount of \$67,195.00 (copy of bid tabulation attached to the permanent file of these minutes).
5. Band Uniform Bid #11-02 – Andress High School (approx. \$86,448.34) was awarded to Fruhauf Uniforms, Inc. in the estimated amount of \$86,448.34 (copy of bid tabulation attached to the permanent file of these minutes).
6. Vehicle Bid #18-02 (\$35,354.80) was awarded to Casa Ford, the low bidder, in the amount of \$35,354.80, with net terms (copy of bid tabulation attached to the permanent file of these minutes).

7. Commodity Food Processing, Purchase Order No. 221430 (additional \$22,000.00), was approved for the purchase of an additional 500 cases of processed cheese for commodity food processing to Schrieber Foods, Inc. for an additional amount of \$22,000.00 (copy of purchase order attached to the permanent file of these minutes).

F. February 2002 Personnel Report

The February 2002 Personnel Report was approved (copy attached to the permanent file of these minutes).

Interdistrict Transfer Student Tuition Waiver Appeals (Item #9)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the following tuition waivers for the students listed to the schools indicated for the remainder of the 2001-02 school year:

- A. B. G. and T. G. to Logan Elementary School
- B. H. C. to Bliss Elementary School
- C. M. E. to Milam Elementary School

Certification of State Textbooks for 2001-02 (Item #10)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board certify the recommendations of the 2001-02 EPISD Local Textbook Adoption Committee and authorize the ordering of the specified textbooks, in accordance with Texas Education Code 31.101. Dr. Finke was not present for the vote.

Approval of Instructional Materials and/or Training Costs Exceeding \$25,000.00 Requiring Board Approval (Item #12)

Questions on Balanced Literacy and Science Reform Programs from Rigby Education (approx. \$185,485.00)

Mr. Wever inquired about the rationale for waiting until September to expend funds for these programs. Mr. Terry Freiburg, Director of Purchasing, advised that the funds for the two programs were not available until January 2002 and that the projected expenditures will be made through August 31, 2002.

Ms. Diane Thomas, Program Assistant, Special Services, also provided information on training that will be provided to special education teachers in the Balanced Literacy best practices. She stated that more schools are being added and materials are being purchased to provide the teachers with the necessary tools to meet students' needs.

Questions on Pearson Education Group and Its Subsidiaries (approx. \$270,195.36) (Item #12, B., 1. – 10.)

Responding to a question from Mr. Wever, Mr. Terry Freiburg, Director of Purchasing, advised that remittances for all purchase orders issued to the subsidiary companies listed will be made to Pearson Education Group.

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the instructional materials and/or training costs to the following vendors for the amounts indicated:

A. Balanced Literacy and Science Reform Programs from Rigby Education (approx. \$185,485.00). The Board approved the purchase of Balanced Literacy and Science Reform programs, as needed, from Rigby Education, the sole source, for the estimated amount of \$185,485.00, through August 31, 2002.

B. Pearson Education Group and Its Subsidiaries (approx. \$270,195.36)

1. Addison Wesley Longman for ESL Textbook, Instructional Materials, and Software Products
2. Globe Fearon for Middle and High School Reading Materials
3. Scott Foresman for ESL Textbooks, Software, TEKS/TAKS Teacher workshops, and Spanish Vocabulary Materials
4. Pearson Learning for English and Spanish Materials, Phonics, Math Workbooks, Testing Materials, and Teacher Instructional Guides
5. Pearson Education for Middle and High School General Reading and Instructional Materials
6. Prentice Hall for ESL Textbook and Software Products Including Workbooks, Materials, and Staff Training and Inservice, and Connected Mathematics™ Program
7. Electronic Education for Waterford Early Reading Program at Elementary Schools
8. Celebration Press for English and Spanish Reading Materials at the Elementary Schools
9. Modern Curriculum Press for Instructional Reading Materials Including Sing, Spell, Read and Write at the Elementary Schools
10. Dale Seymour Publications for Mathematics and Instructional Materials and Event Based Science Program at Middle and High Schools

The Board approved the purchase of educational materials, as needed, from Pearson Education Group and its subsidiaries as listed, the sole source vendors, for the estimated annual amount of \$270,195.36, through August 31, 2002.

C. Science Reform Program from Delta Education (approx. \$123,972.00). The Board approved the purchase of the Science Reform Program, as needed, from Delta Education, the sole source, for the estimated amount of \$123,972.00, through August 31, 2002.

D. Education and Reading Materials from Sundance Publishing (approx. \$62,102.00). The Board approved the purchase of education and reading materials, as needed, from Sundance Publishing, the sole source, for the estimated amount of \$62,102.00, through August 31, 2002.

E. SAT Preparation Materials and/or Services from SureScore, Inc. (approx. \$48,000.00). The Board approved the purchase of SAT preparation materials and/or services, as needed, from SureScore, Inc., the sole source, for the estimated amount of \$48,000.00, through August 31, 2002.

Purchase Orders Requiring Board Approval (Item #13)

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

- A. Printers for Career and Technology Education, Purchase Order No. 233264 (\$6,318.00), were approved for purchase from Amherst Computer Products, the lowest quote, in the amount of \$6,318.00 (copy of purchase order attached to the permanent file of these minutes).
- B. Printers for Business Education Classrooms, Purchase Order No. 233462 (\$5,309.80), were approved for purchase from ICHI Corporation, the lowest quote, in the amount of \$5,309.80 (copy of purchase order attached to the permanent file of these minutes).
- C. Apple Computers for Collins Elementary School, Purchase Order No. 233797 (\$19,222.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$19,222.00 (copy of purchase order attached to the permanent file of these minutes).
- D. Computers for Visually Impaired Students, Purchase Order No. 233993 (\$8,015.90), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$8,015.90 (copy of purchase order attached to the permanent file of these minutes).
- E. Apple Computers for Park Elementary School, Purchase Order No. 234464 (\$16,758.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$16,758.00 (copy of purchase order attached to the permanent file of these minutes).
- F. Apple Computers for Hornedo Middle School, Purchase Order No. 234657 (\$26,970.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$26,970.00 (copy of purchase order attached to the permanent file of these minutes).
- G. Computer Hardware for Career and Technology Education, Purchase Order No. 235116 (\$62,142.66), was approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$62,142.66 (copy of purchase order attached to the permanent file of these minutes).

Approval of Advanced Placement/International Baccalaureate Examination Campus Awards – Andress, Austin, Bowie, Burges, Coronado, El Paso, Franklin, Irvin, Jefferson, and Silva Health Magnet High Schools (\$48,600.00) (Ref. Item No. 16. A.) (Item #14)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the Advanced Placement/International Baccalaureate Examination Campus awards as follows: Andress High School, \$3,400.00; Austin High School, \$1,400.00; Bowie High School, \$2,400.00; Burges High School, \$4,000.00; Coronado High School, \$15,000.00; El Paso High School, \$4,900.00; Franklin High School, \$13,300.00; Irvin High School, \$400.00; Jefferson High School, \$400.00; and the Silva Health Magnet High School, \$3,400.00, for a total award of \$48,600.00.

Approval of School Repair and Renovation Grant – Alta Vista, Bradley, Clardy, Collins, Cooley, Hart, Johnson, and Zavala Elementary Schools; Guillen and Henderson Middle Schools; El Paso High School; and Center for Career and Technology Education (\$975,000.00) (Ref. Item No. 16, B.) (Item #15)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the School Repair and Renovation Grant award from the Texas Education Agency for roof repairs at Alta Vista, Bradley, Clardy, Collins, Cooley, Hart, Johnson, and Zavala Elementary Schools; Guillen and Henderson Middle Schools; El Paso High School; and the Center for Career and Technology Education in the amount of \$975,000.00.

Approval of Budget Amendments (Item #16)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approved the following amendments to the 2001-02 fiscal year budget:

- A. Advanced Placement/International Baccalaureate Examination Campus Awards (\$48,600.00) (Ref. Item No. 14). The purpose of this item is to set up the budget for the Advanced Placement, International Baccalaureate Examination Campus Awards Grant in the amount of \$48,600.00. The intent of the program is to reward students, teachers, and campuses for high achievement. Campuses were awarded \$100.00 for each student who scored three or above on an AP examination or four or above on an IB examination administered in the 2001 school year. Campuses receiving awards are Andress, Austin, Bowie, Burges, Coronado, El Paso, Franklin, Irvin, Jefferson, and Silva Health Magnet High Schools. Marsha Lawler, Executive Director for External Funding, requested this amendment in a memo dated February 25, 2002.
- B. School Repair and Renovation Grant (\$975,000.00) (Ref. Item No. 15). The purpose of this item is to set up the budget for the School Repair and Renovation Grant in the amount of \$975,000.00. Marsha Lawler, Executive Director for External Funding, requested this amendment in a memo dated February 22, 2002. The grant will provide for urgently needed school repairs and renovations. The funds from this grant will provide roof repairs for Alta Vista, Bradley, Clardy, Collins, Cooley, Hart, Johnson, and Zavala Elementary Schools; Guillen and Henderson Middle Schools; El Paso High School; and the Center for Career and Technology Education. The Texas Education Agency approved the Notice of Grant Award on February 20, 2002.

Approval of Accelerated Beginning Spanish Reading Program for Bilingual Kindergarten Classes from Estrellita (\$40,000.00) (Item #17)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Accelerated Beginning Spanish Reading program for bilingual kindergarten classes be approved for purchase from Estrellita, the sole source, in the amount of \$40,000.00. Mr. Mena was not present for the vote.

Departure of Board Member

Mr. Mena departed the meeting at 8:50 p.m. and was not present for any subsequent action taken by the Board of Trustees.

Approval of Reading Training Materials (Item #18)

It was moved by Mr. Rosales, seconded by Mr. Wever, and carried unanimously that the following reading materials be approved from the sole source vendors listed in the amounts indicated:

- A. Harcourt Core System for Accelerated Reading Instruction (ARI), Grades K – 2, from Harcourt School Publishers (\$98,548.94).
- B. Development Reading Assessment (DRA), Grades K – 2, from Pearson Learning (\$36,283.50)
- C. Scholastic Ready-To-Go Materials and Training, Grades K – 3, from Scholastic, Inc. (\$63,094.50)

Approval of *Exploring Texas* and *Exploring the History of Our Country* Social Studies Programs for Grades 4 and 5 from George F. Cram Company, Inc. (\$125,000.00) (Item #19)

It was moved by Mr. Rosales and seconded by Dr. Finke that *Exploring Texas* and *Exploring the History of Our Country* social studies programs for grades 4 and 5 be approved for purchase from George F. Cram Company, the sole source, in the amount of \$125,000.00.

Responding to a question from Mr. Wever regarding the rationale for purchasing the programs at this time, Ms. Jeanne Fields, Facilitator, Elementary Social Studies, advised that the Title I allotment was not received until February.

Upon the vote, the motion carried unanimously. Dr. Roark was not present for the vote.

Discuss and Take Action Regarding Strategic Plan for Addressing Capital Needs Including: (Item #20)

- A. Authorizing the District's Staff, Bond Counsel and Financial Advisor to Move Forward with a Financing Plan for the Issuance of Approximately \$20.4 million of Maintenance Tax Notes for the Purpose of School Repairs, Renovations and Maintenance and to Prepare All Documentation in Connection with Such Bond Issue;
- B. Authorizing the Necessary Financing to Build a New Elementary School, Including Possibly Authorizing the Publication of a Notice of Intent to Enter into a Lease-Purchase Contract for Real Property;
- C. Authorizing the District's Staff, Bond Counsel and Financial Advisor to Move Forward with a Financing Plan for the Issuance of Approximately \$5.1 million of Unlimited Tax Refunding Bonds for the Purpose of Refunding Certain of the District's Previously-Issued Bonds and to Prepare All Documentation in Connection with Such Bond Issue.
- D. Approving a Resolution which Authorizes the District to Advance Monies for the Payment of Certain Capital Expenses in Connection with the Acquisition, Construction, Renovation, and Repair of Certain School Facilities, which Expenses shall be Reimbursed with Tax-Exempt Obligation Proceeds

Dr. Anzaldua advised that a report was presented by the District's financial advisors, First Southwest Company, to the Board Finance Committee at its meeting on March 5, 2002. He stated that a summary would be presented to the Board, taking into account recommendations from the Committee.

Mr. Dan Roseveare, First Southwest Company, provided an overview of a program that addresses short-term renovation needs and a new elementary school. He addressed the existing school renovation program and reviewed the utilization of Maintenance Tax Notes, which will address school renovations and repairs. He provided a comparison of interest costs for Maintenance Tax Notes versus General Obligation Bonds and the schedule of events for delivery of funds to the District on May 21, 2002.

Mr. Roseveare reviewed the utilization of Lease Revenue Bonds for the construction of a new elementary school in Northwest El Paso. He provided a comparison between General Obligation Bonds and Lease Revenue Bonds; a time frame of events with a bond sale on June 11 and a delivery of funds to the District on July 16, 2002. Mr. Roseveare also reviewed the Unlimited Tax Refunding Bonds, which will provide an opportunity to refinance existing General Obligation Bonds at lower interest rates. He stated that the time frame for refinancing bonds would coincide with the proposed Maintenance Tax sale.

There was discussion on the current Fund Balance; financing a new elementary school with property taxes; borrowing from the Fund Balance and reimbursing it over a specified number of years; the possibility of a General Obligation Bond issue funding a new elementary school; the critical need for a new elementary school in Northwest El Paso and repairs needed at other schools; and using a combination of financing for renovations and new construction needs.

Mr. Paul Braden, District's bond counsel, responded to a question raised at a previous Board meeting on obtaining bank financing for the construction of a new elementary school. He reviewed the sections of the Texas Education Code that address bank financing. Mr. Roseveare provided information on the terms of a commercial bank loan to a school district.

Discussion continued on the possibility of borrowing a portion of the funds for a new elementary school and the remaining funds coming from the Fund Balance; existing obligations from the Fund Balance; the District's current Fund Balance of approximately \$34 million being at the state threshold; and a strong Fund Balance positively affecting the District's credit rating.

The following person requested to speak to this item:

1. Mr. Adrian Peña was not present when called to speak.

It was moved by Dr. Finke and seconded by Mr. Wever that the Board authorize the District's staff, bond counsel, and financial advisor to move forward with a financing plan for the issuance of approximately \$20.4 million of maintenance tax notes for the purpose of school repairs, renovations and maintenance and to prepare all documentation in connection with such bond issue; that the Board approve the order directing District staff to proceed with the publication of a Notice of Intent to Enter into a Lease-Purchase Contract for Real Property (copy attached to the permanent file of these minutes); that the Board authorize the District's staff, bond counsel, and financial advisor to move forward with a financing plan for the issuance of approximately \$5.1 million of Unlimited Tax Refunding Bonds for the purpose of refunding certain of the District's previously-issued bonds and to prepare all documentation in connection with such bond issue; and that the Board approve the resolution which authorizes the District to advance monies for the payment of certain capital expenses in connection with the acquisition, construction, renovation, and repair of certain school facilities, which expenses shall be reimbursed with tax-exempt obligation proceeds (copy attached to the permanent file of these minutes), with any such advance(s) to be subject to any necessary budget amendment(s) at a future Board meeting.

Dr. Roark commented on architectural/engineering fees that the District has paid in the past and requested assurance from the administration that there will be negotiations to reduce the fees for the upcoming projects.

Mr. Hector Martinez, Associate Superintendent, Operations provided information on the "Design Build" methodology of project delivery, which is one of several delivery methodologies permitted by the Texas Education Code. He advised that under the "Design Build" scenario, the entire design team is contracted directly to the builder. He stated that the architectural consultant and designer would be a team member and work for the contractor. Mr. Martinez stated that the administration will follow the law and procedure in terms of selecting the architectural consultant, which will involve making a selection based on experience, design expertise, etc., followed by a negotiation phase for the actual fees to be paid for those services. He advised that all the contracts will come to the Board for approval before they are executed.

Upon the vote, the motion carried unanimously.

Item Withdrawn

It was announced that item no. 21, D., Action on Items Related to Year 4 E-Rate Funding – Approval of Statement of Work 8, E-Mail, had been withdrawn from the agenda.

Action on Items Related to Year 4 E-Rate Funding (Item #21)

A. Award of Servers for E-Rate Program to be Purchased by IBM Global Services

The following people requested to speak to this item:

1. Mr. Ralph Adame, Diversified Technology Services, Inc. (DTSI), spoke about the bid submitted by his company and expressed concern with the delays involved in the staggered shipments, delivery, and deployment of Dell servers to the campuses, which will cost them money if DTSI is awarded the bid.
2. Mr. Brad Lawson was not present when called to speak.
3. Mr. Wiley McDonald was not present when called to speak.

There was discussion on the funds that have been expended on the E-Rate projects and whether 30 percent of those funds have gone to local El Paso vendors; the anticipated award of this bid being a local vendor; IBM Global Services providing a recap of expenditures to date; Dell Computer's pricing being the same to both DTSI and the District; and DTSI having included a 6 percent markup on the equipment.

It was moved by Dr. Roark and seconded by Dr. Finke that the Board award the servers to DTSI (Diversified Technology Services, Inc.), the local vendor. Upon the vote, the motion failed with Dr. Finke and Dr. Roark voting in favor of the motion and Miss Garcia, Mr. Rosales, and Mr. Wever voting against the motion.

It was moved by Mr. Rosales and seconded by Mr. Wever that the base bid be awarded to Dell Computers as follows: Base Server at \$11,224.94 each; Operating System Software – Novell 6.0 at \$1,427.00 each and Windows 2000 at \$473.50 each for a total award in the estimated amount of \$3,330,744.30.

Mr. Safi advised that a non-appropriation clause used in the District's normal bid specifications provides that the District can cancel a contract if it lacks funding. He stated that this clause had been struck and modified by Dell Computers and replaced with a stipulation that either side can cancel the contract with 30-days notice.

Mr. James Damm, the District's E-Rate Consultant, advised that the standard EPISD contract provision would not be binding because the purchase would actually be made by IBM Global Services through their subcontractor agreement. Mr. Mike Miles, Project Manager, IBM Global Services, advised that relative to this bid, IBM Global Services is the responsible party in the relationship with Dell Computers.

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

- B. Change in Scope of Statements of Work 5, Server Upgrade, and 6, Web and File Server
- C. Consider Change in Statement of Work 2, Fiber Network

Mr. James Damm, the District's E-Rate Consultant, advised that the change in the scope of work for Statements of Work 5 and 6 will increase the number of servers from 52 per category to 90 per category. He further advised that item no. 21, C., Consider Change in Statement of Work 2, Fiber Network, was an information item which had been discussed at the special Board meeting held earlier in the afternoon.

It was moved by Mr. Rosales, seconded by Miss Garcia, and carried unanimously that the Board approve the plan to increase the number of servers in Statements of Work 5 and 6, with the District's share of the increase being \$263,524.00, and that the administration be authorized to transfer previously approved budget funds within the E-Rate budget to cover the cost increase.

Community Meetings Held Regarding Proposed School Attendance Zone Boundary Changes (Item #22) and Award of Law Enforcement Liability Insurance Policy RFP #02-02 (approx. \$26,128.90) (Item #23)

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that item no. 22, Community Meetings Held Regarding Proposed School Attendance Zone Boundary Changes, and item no. 23, Award of Law Enforcement Liability Insurance Policy RFP #02-02, be postponed to the March 26, 2002, Board meeting.

Approval of Request for Proposal Process for EPISD Health Care Trust Medical Plan – Third Party Administrative Services, Provider Network Services, and Pharmacy Benefits Management (Item #24)

Prior to the meeting, it was determined by the Board President and the Superintendent that item no. 24, Approval of Request for Proposal Process for EPISD Health Care Trust Medical Plan – Third Party Administrative Services, Provider Network Services, and Pharmacy Benefits Management, would be withdrawn from the agenda. Dr. Finke questioned the authority required to withdraw an item from the agenda.

Mr. Safi referenced Board Policies BE (Legal) and (Local) and advised that BE (Local) is silent on the issue of withdrawing an item from the agenda once the agenda has been posted.

It was moved by Mr. Wever that item no. 24, Approval of Request for Proposal Process for EPISD Health Care Trust Medical Plan – Third Party Administrative Services, Provider Network Services, and Pharmacy Benefits Management, be postponed for two weeks. The motion died for lack of a second.

Mr. Wever advised that information had not been provided one of the Board members who requested information on this issue. He stated that as Chair of the Board's Employee Health/Insurance Committee, he had requested that this item be placed on the agenda, but he now preferred to postpone it for two weeks.

The following person requested to speak to this item:

1. Mr. Ron Whitehead, El Paso resident, spoke about working with Assured Benefit Administrators, a local Third Party Administrator (TPA), and being provided the opportunity to bid.

Discussion reverted back to item no. 23, Award of Law Enforcement Liability Insurance Policy RFP #02-02 (approx. \$26,128.90), the item being postponed for two weeks, and the need to move forward with the insurance coverage.

Award of Law Enforcement Liability Insurance Policy RFP #02-02 (approx. \$26,128.90)
(Item #23 continued)

Ms. Elizabeth Bulos, Director, Employee Benefits, provided information on the law enforcement liability policy and advised that coverage was being provided on a month-to-month basis until it was clarified whether the District's General Liability policy afforded the same coverage. She stated that it was determined that the law enforcement liability policy was needed.

It was moved by Dr. Finke, seconded by Dr. Roark, and carried unanimously that the Board reconsider the motion to postpone item no. 23, Award of Law Enforcement Liability Insurance Policy RFP #02-02, to the March 26, 2002, Board meeting.

It was moved by Dr. Roark, seconded by Dr. Finke, and carried unanimously that the Law Enforcement Liability insurance policy, RFP #02-02, be awarded to Zurich specialties London Limited, through Rogers & Belding Insurance Agency as broker, for the estimated annual amount of \$26,128.90, with the option to extend for 24 months, 12 months at a time, and with a report to be brought back to the Board on employees purchasing personal liability insurance for use of District vehicles.

Approval of Request for Proposal Process for EPISD Health Care Trust Medical Plan – Third Party Administrative Services, Provider Network Services, and Pharmacy Benefits Management (Item #24 continued)

Dr. Finke commented on the importance of moving forward with an RFP (request for proposal) for the Health Care Trust Medical Plan.

It was moved by Dr. Finke and seconded by Mr. Rosales that a request for proposal be issued for the EPISD Health Care Trust Medical Plan in order to survey the market for Third Party Administrative services, provider network services, and pharmacy benefits management.

There was discussion on the monthly fees paid by the District for Third Party Administration services; exploring other avenues for the administration of the District's medical plan and physician management; the recommendation from the District's benefit consultant, G. P. Graham Capital Management Group, to seek competitive proposals; and exploring new health care possibilities for District employees.

Mr. Safi clarified that the RFP process was not being delegated to the District's benefit consultant but that the consultant will provide professional advice to the process.

Upon the vote, the motion carried unanimously.

Approval of Request for Proposal Process for Other EPISD Voluntary Medical Plans – Life, Disability/Income Replacement, and Cancer/Other Specified Critical Illness (Item #25)

It was moved by Dr. Finke, seconded by Dr. Finke, and carried unanimously that a request for proposal be issued in order to survey the market for other EPISD voluntary medical plans, including life, disability/income replacement, and cancer/other critical illness.

Departure of Board Member

Dr. Roark departed the meeting at 10:50 p.m. and was not present for any subsequent action taken by the Board of Trustees.

Approval of Interlocal Agreement with the City of El Paso for Park Town School Project, #01.516 (\$3,532,900.00)/Documentation on New Layout, Design, and Proposals for Project (Item #26)

It was moved by Mr. Wever, seconded by Dr. Finke, and carried unanimously that item no. 26, Approval of Interlocal Agreement with the City of El Paso for Park Town School Project, #01.516 (\$3,532,900.00)/Documentation on New Layout, Design, and Proposals for Project, be postponed for two weeks.

Approval of Procurement/Delivery Methods for Construction Contracts Exceeding \$25,000.00 (Item #27)

It was moved by Mr. Rosales, seconded by Mr. Wever, and carried unanimously that the Board approve the competitive bid methods 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. Gymnasium Renovations – Guillen Middle School, #02.305
- B. Districtwide Dishwasher Replacement 2002 – Bonham, Lindbergh, Park, and Stanton Elementary Schools, and Terrace Hills Middle School, #02.313
- C. Boiler Replacement – Burges High School, #02.320
- D. Wrought Iron Fence – Jefferson High School, #02.331
- E. Districtwide ADA Handicap Accessibility, 302.923
- F. Districtwide ADA/504 Compliance, #02.924

Item Withdrawn

It was announced that item no. 28, A., 2., Personnel Appointments – Director of Secondary Education, Curriculum, Instruction and Assessment, had been withdrawn from the agenda.

Meeting Closed (Item #28)

The meeting was recessed at 10:51 p.m. to a closed meeting by Mr. Wever under Sections 551.071, 551.072, and 551.082 of the Texas Government Code as follows:

B. Proposed Acquisition of Real Property

1. Central Northeast Elementary School E-2 (Irvin Attendance Zone)
2. Northwest Elementary School E-7 (Franklin Attendance Zone)

C. Consultation with School District Attorney

1. Contemplated Litigation Against the City of El Paso Regarding Proposed Tax Increment Financing Districts Nos. 2 and 3, and Confidential Attorney/Client Discussion Regarding Legal Aspects of Protection of EPISD's Tax Base and State Revenue
2. Texas Department of Health Notice of Alleged Violation, Case No. 200201046-a
3. Legal Issues Concerning Year 4 E-Rate Statements of Work 5, Server Upgrade, and 6, Web and File Server

The closed meeting started at 10:57 p.m. The closed meeting ended at 11:18 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 11:18 p.m.

Proposed Acquisition of Real Property – Central Northeast Elementary School E-2 (Irvin Attendance Zone) (Item #28, B., 1.)

It was moved by Mr. Rosales, seconded by Dr. Finke, and carried unanimously that the Board authorize the Superintendent to obtain surveys and an appraisal, and to proceed with negotiations or the possible purchase of approximately 16.345 acres, being more particularly described as Tract 26A and Tract 26L, Section 9, Block 81, Township 2, Texas and Pacific Railroad Survey, City of El Paso, El Paso County, Texas, from the owners of record pursuant to Board Policy CDB (Local), with the final price and terms subject to approval by the Board at a future meeting.

Proposed Acquisition of Real Property – Northwest elementary School E-7 (Franklin Attendance Zone) (Item #28, B., 2.)

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that the Board declare and determine that the location and extent of the proposed acquisition of lands constituting a portion of the HG Foster Survey, Section 262, City of El Paso, El Paso County, Texas, as described on the exhibit provided to the Board (copy attached to the permanent file of these minutes), is proper, that such acquisition should be in fee simple title except to the extent otherwise agreed by the landowners and the administration; that such acquisition is necessary for a school site and other District purposes; and that the administration, with legal counsel, is authorized to institute, on behalf of the District, eminent domain proceedings under Section 11.155 of the Texas Education Code against Colony Partners, Hunt Building Corp., and HGF Section 262 Growth, being the landowners of the property, and/or any third parties with a legally recognized interest in the property, in order to acquire such property.

Consultation with School District Attorney – Texas Department of Health Notice of Alleged Violation, Case No. 200201046-a (item #28, C., 2.)

It was moved by Mr. Rosales, seconded by Mr. Wever, and carried unanimously that the administration be authorized to pursue the appellate process, as prescribed by the Texas Department of Health, in connection with the notice of alleged violation for an unauthorized asbestos release incident at Houston Elementary School, subject to the review and approval of the District's attorney.

Discussion and Possible Action Regarding Proposed Contracts with City of El Paso Concerning Tax Increment Financing Districts Nos. 2 and 3 (Item #29)

It was moved by Mr. Wever, seconded by Mr. Rosales, and carried unanimously that the Board approve the contracts with the City of El Paso regarding the Tax Increment Districts Nos. 2 and 3, with the stipulation the EPISD can rescind in the event that the City does not amend two ordinances in order to make them conform to the contracts.

Retaining Additional Legal Counsel in Connection with Upcoming Grievance Hearing (Item #30)

It was moved by Mr. Rosales, seconded by Miss Garcia, and carried unanimously that the Board President and Superintendent be authorized to retain separate legal counsel in connection with an upcoming grievance that is being appealed to the Board.

Meeting Adjourned

The meeting was adjourned at 11:25 p.m.

Date Approved: May 28, 2002