

Minutes of Meeting of Board of Trustees
El Paso Independent School District
August 13, 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.
Dr. Charles Roark
Mr. Joe Rosales
Mr. Richard Telles
Dr. Gilberto Anzaldúa, Superintendent
Mr. Anthony Safi, School District Attorney

The meeting was called to order at 5:05 p.m. by Mr. Wever. The Pledge of Allegiance was led by Mr. Safi. Dr. Linda Holman, Associate Superintendent, Curriculum and Instruction, gave the Thought for the Day.

Meeting Closed (Item #26)

The meeting was recessed at 5:06 p.m. to a closed meeting by Mr. Wever under Sections 551.071 and 551.074 of the Texas Government Code as follows:

A. Personnel Appointments

1. Principal, Lincoln Middle School
2. Assistant Principal, Bowie High School
3. Assistant Principal, Alamo Elementary School
4. Assistant Principal, Douglass Elementary School

B. Consultation with School District Attorney

1. Betty C. Grinstead v. El Paso Independent School District (Self-Insured); Docket No. 2002-087; In the 41st Judicial District court, El Paso County, Texas

C. Consultation with Attorney Regarding Potential Environmental Contamination Litigation

The closed meeting started at 5:07 p.m. The closed meeting ended at 6:05 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 6:07 p.m.

Personnel Appointments – Principal, Lincoln Middle School (Item #26, A., 1.)

It was moved by Mr. Rosales, seconded by Dr. Finke, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Edmund Brezinski, Assistant Principal at Morehead Middle School, to the position of Principal at Lincoln Middle School. Dr. Roark was not present for the vote.

Personnel Appointments – Assistant Principal, Bowie High School (Item #26, A., 2.)

It was moved by Mr. Rosales, seconded by Mr. Telles, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Raquel Rodriguez, mathematics teacher with the Socorro Independent School District, to the position of Assistant Principal at Bowie High School.

Personnel Appointments – Assistant Principal, Douglass Elementary School (Item #26, A., 4.)

It was moved by Mr. Telles, seconded by Mr. Rosales, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Mark Casavantes, mathematics teacher at Guillen Middle School, to the position of Assistant Principal at Douglass Elementary School.

Consultation with Attorney Regarding Potential Environmental Contamination Litigation (Item #26, C.)

It was moved by Dr. Finke and seconded by Mr. Telles that that the Board approve Mithoff & Jacks, L.L.P. and local counsels, Gary Weiser and Enrique Moreno, to file appropriate action against ASARCO, Inc. for any and all relief to protect the interests of EPISD, specifically including damages for soil remediation, diminution in value of EPISD property, loss of use of such property, and for any other relief including injunctive relief. Upon the vote, the motion carried with Dr. Roark voting "present."

Consultation with School District Attorney – Betty C. Grinstead v. El Paso Independent School District (Self-Insured); Docket No. 2002-087; In the 41st Judicial District Court, El Paso County, Texas (Item #26, B., 1.)

It was moved by Mr. Wever, seconded by Miss Garcia, and carried unanimously that the Board authorize legal counsel to negotiate a settlement with the plaintiff's attorney up to a maximum amount set out in privileged correspondence with the District.

Public Forum (Item #1)

The following people requested to speak on Open Forum:

1. Ms. Josie Harrison, Special Education Paraprofessional, Burges High School, and member of the El Paso Consultation Association (EPCA) and Budget Review Committee, spoke on behalf of the District hourly employees about concerns with the pay increases for hourly employees and the employees cost sharing on health insurance.
2. Mrs. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, spoke about the NTAP (New Teachers Assistance Program), questions received regarding signing bonuses, and rules on signing bonuses being provided in writing with a presentation being given at the next Board meeting.

3. Mr. Raul Peña was not present when called to speak.
4. Mr. Joe Loya spoke about negative information being sought regarding the Superintendent, a software purchase made by the District, and accountability of the Board of Trustees.
5. Mr. Bruce Gordon, teacher and coach at Austin High School, spoke about the award for insurance coverage and Washington National providing employee disability coverage.

Public Meeting to Discuss Preliminary Budget for Fiscal Year 2002-03 and Proposed 2002-03 Proposed Property Tax Rate (Item #2)

Mr. William Goodman, Associate Superintendent, Finance, advised that the tax rate to support the Maintenance & Operation (M&O) budget portion of the budget would be \$1.490479, which is a one cent increase over last year. He stated that the Debt Service tax rate will going down one cent to \$.081100, for a total tax rate of \$1.571579. He introduced the members of the Budget Review Committee and Board Finance and Board Compensation Committees. He provided a summary report on the proposed budget and reviewed budget goals and requirements and budget highlights. Mr. Goodman stated that the total budget was \$424 million, with a net budget of \$414 million after projected lapsed costs.

Dr. Rene Rosas, Chairperson, Budget Review Committee, spoke about the budget and the Budget Review Committee's role in the budget process. Mr. Ruben Harris, Vice Chairperson, Budget Review Committee, praised the administration and the Board of Trustees on their commitment to keeping the tax rate at its current level.

The following person spoke to this item:

1. Mr. Leopoldo Sierra spoke about the Board of Trustees honoring the Superintendent's contract and the spending of tax dollars.

Insure El Paso Week Resolution (Item #3)

It was moved by Miss Garcia, seconded by Mr. Telles, and carried unanimously that the Board adopt the resolution supporting Insure El Paso Week scheduled for the week of August 17 – 23, 2002 (copy of resolution attached to the permanent file of these minutes).

Approval of Letter of Support from Board of Trustees for Study Technology™ Book Program in EPISD School Libraries as Presented by Jody Kincaid, D. V. M. (Item #4)

It was moved by Mr. Mena, seconded by Dr. Roark, and carried unanimously that the Board approve a letter of support from the Board of Trustees for the Study Technology™ book program in the EPISD school libraries as presented by Jody Kincaid, D.V.M.

Presentation on Geothermal Energy Program and Procurement and Funding of Program by Mike Ramos, Enlink Geoenergy Services, Inc.; Susan Kramer, P.E., Business Development Manager; and Theresa Sifuentes, State Energy Conservation Office, Lone Star of Texas Loan Program, and Possible Action Regarding Same (Item #5)

Mr. Mike Ramos, El Paso District Manager, EnLink Geoenergy Services, Inc., made a presentation on the Geothermal Energy Program. He reviewed a school district's yearly facilities budget needs and the guidelines for a performance contract; the benefits of the energy conservation program and the guaranteed performance as stipulated in the Texas Education Code. He provided information on how a performance contract works and reviewed the geothermal systems energy solution; the advantages of geothermal versus chiller/boiler systems; and the 2000 geothermal study of the Birdville ISD.

Mr. Ramos explained the services available from EnLink Geoenergy Services, Inc., and advised that EnLink Geoenergy Services, Inc. is a Rebuild America partner with the Department of Energy. Mr. Ramos requested that the Board authorize his company to put together three feasibility studies on EPISD chiller/boiler systems that need to be replaced and where a lighting retrofit would be applicable.

Mr. Hector Martinez, Associate Superintendent, Operations, advised that the Operations Unit had already identified a lighting retrofit project and that a Memorandum of Understanding had been submitted to Lone Star of Texas. If the project is approved, Lone Star will set aside funds for the District. Mr. Martinez stated that the administration will come back to the Board with a recommendation for a pilot project that will enable the District to work with Lone Star of Texas and learn about the process for performance contracting.

Award of Third Party Administrator (TPA) and Medical Network RFP #47-02 (TPA Services, Network Provider, Flexible Spending Account Administration, and COBRA Administrative Services) (Item #15)

The following people requested to speak to this item:

1. Mr. Kevin Collier, Humanities teacher, Lincoln Middle School, spoke in support of the District's current TPA (Third Party Administrator), Ameribens Solutions (ABS), and the Texas True Choice (TTC) medical network.
2. Ms. Caroll Mackay, Ameribens Solutions, thanked the Board for allowing ABS to serve the District for the last three years.
3. Ms. Stephanie McAdams, math teacher, Lincoln Middle School, spoke in support of the Board keeping ABS as the TPA and TTC as the medical network.
4. Mr. Frank Apodoca, Managing Shareholder and Chief Operating Officer, Access Health Source, assured a smooth transition and thanked the Board for its favorable recommendation in the award of the medical TPA and network contracts.
5. Ms. Frances Wever, President, El Paso Federation of Teachers and Support Personnel, spoke about the District's previous problems with Access and urged the Board to carefully review the history of both TPA firms.

6. Ms. Bertha Gallardo, Director of Managed Care, Las Palmas Del Sol Regional Healthcare System, requested that their hospitals be included in the medical network.

Mr. Wever compared the performance records of Ameribens Solutions (ABS) and Access Administrators as Third Party Administrators (TPAs); the \$3.5 million savings projected for the District by Access Administrators; and Socorro ISD changing to Access Administrators as its TPA in 2000-01.

Dr. Roark announced that he would be recusing himself from the vote on the award of Third Party Administrator (TPA) and Medical Network RFP #47-02.

Mr. Charles Tafoya, Associate Superintendent, Human Resources, reviewed the process followed by the Employee Health Insurance Advisory Committee, a subcommittee of the Board's Employee Health/Insurance Committee, in evaluating the proposals; the procedures followed to determine a recommendation to the Board; and the options submitted by Access for TPA services.

Mr. Mena advised that the recommendation of the Board's Employee Health/Insurance Committee was to award Third Party Administrator (TPA) and Medical Network RFP #47-02 to Access Administrators.

It was moved by Dr. Finke and seconded by Mr. Rosales that the Board accept the Employee Health/Insurance Committee's recommendation for RFP #47-02 to award Access Administrators the District's Medical TPA Services and Advantage Care Network as the Medical Network Provider (Option 5), subject to finalization of the contracts for RFP #47-02 being brought back to the Board for final approval at a future meeting. Upon the vote, the motion carried with Mr. Mena, Mr. Rosales, Mr. Telles, and Dr. Finke voting in favor of the motion and Miss Garcia and Mr. Wever voting against the motion. Dr. Roark recused himself from the vote.

Meeting Recessed

The meeting was recessed at 8:32 p.m. The meeting was reconvened at 8:50 p.m.

Approval of Renewal of Educators Legal Liability (Errors & Omissions) and General Liability Insurance Policy, RFP #05-02 (approx. \$173,628.00) (Item #14)

It was moved by Mr. Mena, seconded by Mr. Wever, and carried unanimously that the Board approve the renewal of the Educators Legal Liability (Errors & Omissions) insurance policy in the estimated amount of \$102,492.00, and the renewal of the General Liability insurance policy in the estimated amount of \$71,136.00, RFP #05-02, as underwritten by the Texas Association of Public Schools, through Rogers and Belding Insurance Agency as broker, for the period of September 1, 2002, through August 31, 2003, in the estimated total amount of \$173,628.00.

Award of Supplemental Insurance RFP #48-02 (Basic Life, AD&D, Optional/Supplemental Life, Retiree Life, Other Voluntary Benefit Plans, Voluntary Cancer Insurance Plans, and Voluntary Accident/Sickness Disability [Income Protection] Insurance Plans) (Item #16)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board accept the Employee Health/Insurance Committee's recommendation for RFP #48-02 to award UNUM Life Insurance Company the Basic Life, AD&D, Optional/Supplemental Life, and Retiree Life Insurance and the Voluntary Accident/Sickness Disability (Income Protection) Insurance Plans, subject to finalization of the contracts for RFP #48-02 being brought back to the Board for final approval at a future meeting.

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the motion by the Board to accept the Employee Health/Insurance Committee's recommendation to award UNUM Life Insurance Company the Basic Life, AD&D, Optional/Supplemental Life, Retiree Life Insurance and the Voluntary Accident/Sickness Disability (Income Protection) Insurance Plans be rescinded until after speakers to this item have been heard.

The following people requested to speak to this item:

1. Mr. Dennis Shaver, representative of Washington National Insurance Company, spoke about his company's relationship to Conseco, Inc., the problems Conseco, Inc. was having, and their affect on Washington National.
2. Ms. Gail Van Dalen, Senior Vice President, Conseco, Inc., provided information on the Conseco corporate structure and spoke in support of Washington National's 63-year relationship with the EPISD.
3. Mr. James Albright, representative of UNUM Providence, spoke about UNUM's history with the EPISD and the benefits that his company can provide.
4. Mr. Michael Devine, Educational Diagnostician, Northeast Assessment, spoke in support of keeping Washington National for the disability insurance.

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board accept the Employee Health/Insurance Committee's recommendations for RFP #48-02 to award UNUM Life Insurance Company the Basic Life, AD&D, Optional/Supplemental Life, and Retiree Life Insurance, subject to finalization of the contracts for RFP #48-02 being brought back to the Board for final approval at a future meeting.

It was moved by Mr. Mena that the Board accept the Employee Health/Insurance Committee's recommendation to award UNUM Life Insurance Company the Voluntary Accident/Sickness Disability (Income Protection) Insurance Plan. The motion died for lack of a second.

It was moved by Dr. Roark, seconded by Mr. Wever, and carried unanimously that the Board postpone the award of the Voluntary Accident/Sickness Disability (Income Protection) Insurance Plan until the August 27, 2002, Board meeting.

Award of Workers' Compensation TPA, Cost Containment, and Medical Supervision of Wellness Clinic Services RFP #72-02 (Third Party Administrator [TPA] Services, Workers' Compensation Cost Containment Services, and Medical Supervision of Employee Wellness Clinic for Treatment of Work-Related Injuries) (Item #17)

It was moved by Mr. Mena, seconded by Mr. Wever, and carried unanimously that the Board accept the Employee Health/Insurance Committee's recommendation to postpone any action on RFP #72-02 (Workers' Compensation TPA Services, Workers' Compensation Cost Containment Services, and Medical Supervision of Employee Wellness Clinic for Treatment of Work-Related Injuries), pending the finalization of the contracts for RFP #47-02 (Medical TPA Services and Medical Network Provider), and that the Board approve the option to extend RFP #43-99 (Workers' Compensation TPA Services and Workers' Compensation Cost Containment Services) to Ward North America (TPA) and Argus Services Corporation (Medical Review/Cost Containment Services), one month at a time for a maximum of three months in the amount of \$28,266.66 per month or a total estimated amount of \$84,800.00 for three months.

Item Withdrawn

It was announced that item no. 6, G., 1., Franklin High School Drainage Improvements, #02.311 (\$91,500.00), had been withdrawn from the agenda.

Consent Agenda (Item #6)

The following person requested to speak to item no. 6, G., 2., Construction Contract Awards – Wrought Iron Fence – Jefferson High School, #02.331 (\$81,518.00):

1. Mr. Gerald Cheek voiced concerns about spending District funds on a wrought iron fence and requested that the Board reconsider this item.

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

Mr. Mena - Item 6, I., Maintenance and Service Agreement Contract Extension – Stadium and Gymnasium Scoreboards, #02.413.02 (\$20,420.00)

Questions on Maintenance and Service Agreement Contract Extension – Stadium and Gymnasium Scoreboards, #02.413.02 (\$20,420.00) (Item #6, I.)

Mr. Mena inquired about whether new scoreboards would be installed. Mr. Hector Martinez, Associate Superintendent, Operations, advised that this item was for maintenance of existing scoreboards.

It was moved by Mr. Mena, seconded by Mr. Wever, and carried unanimously that the items on the Consent Agenda, except item no. 6, G., 2., Construction Contract Awards – Wrought Iron Fence – Jefferson High School, #02.331 (\$81,518.00), be approved as listed including any recommended vendors for any amounts indicated.

A. Approval of Affiliation Agreement with The Evangelical Lutheran Good Samaritan Society, d/b/a White Acres Good Samaritan Retirement Village, for EPISD Health Science Technology Students

The Board approved the affiliation agreement with The Evangelical Lutheran Good Samaritan Society, d/b/a White Acres Good Samaritan Retirement village, for health science technology students at the Center for Career and Technology Education and Maxine L. Silva Magnet High School for Health Care Professions to obtain practical healthcare experience.

B. Revisions to Board Policies

1. BJCF (Local), Superintendent: Nonrenewal
2. BQB (Local), Planning and Decision-Making Process: Campus-Level
3. CLB (Local), Buildings, Grounds, and Equipment Management: Maintenance
4. DHE (Local), Employee Standards of Conduct: Searches and Alcohol/Drug Testing
5. EIE (Local), Academic Achievement: Promotion, Retention, and Placement
6. FDA (Local), Admissions and Attendance: Interdistrict Transfers

The Board approved revisions to Board Policies BJCF (Local), Superintendent: Nonrenewal; BQB (Local), Planning and Decision-Making Process: Campus-Level; CLB (Local), Buildings, Grounds, and Equipment Management: Maintenance; DHE (Local), Employee Standards of Conduct: Searches and Alcohol/Drug Testing; EIE (Local), Academic Achievement: Promotion, Retention, and Placement; and FDA (Local), Admissions and Attendance: Interdistrict Transfers, as presented (copies attached to the permanent file of these minutes).

C. Approval of Budget Amendments

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

1. Houston Elementary School (\$757.00). The purpose of this item is to amend the Houston Elementary School budget in the amount of \$757.00. Elco Ramos, Principal at Houston Elementary School, requested this amendment in a memo dated July 16, 2002. This amendment transfers funds from Employee Travel to Instructional Supplies to purchase additional instructional materials for students.
2. Newman Elementary School (\$2,757.00). The purpose of this item is to amend the Newman Elementary School budget in the amount of \$2,757.00. Lucy Fischer, Principal at Newman Elementary School, requested this amendment in a memo dated July 19, 2002. This amendment transfers funds from Employee Travel in order to purchase start-up instructional supplies for the 2002-03 school year.

D. Continuation of Participation in the Texas Building and Procurement Commission (formerly General Services Commission) Bid #713-A1 Copier Rental Program by EPISD (approx. \$785,564.74)

The Board approved the District's continued participation in the Texas Building and Procurement Commission (formerly General Services Commission) Bid #713-A1, Copier Rental Program, for the 2002-03 fiscal year for an estimated total amount of \$785,564.74, with the selection of copier to be made by each school or unit, subject to the approval of the 2002-03 preliminary budget.

E. Approval of Lease Payments for High Speed/High Volume Copiers (ref. RFP #23-99) (\$145,106.52)

The Board approved the lease payments for high speed/high volume copiers (reference RFP #23-99) to Xerox Corporation in the estimated annual amount of \$145,106.52, subject to the approval of the 2002-03 preliminary budget.

F. 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 – Propane Fuel for School Buses Bid #68-00 (approx. \$489,000.00). The Board approved the final option to extend Propane Fuel for School Buses Bid #68-00 to Supro Energy Company in the estimated annual amount of \$489,000.00, subject to the approval of the 2002-03 preliminary budget.
2. Annual Small Kitchen Equipment Bid #82-02 (\$107,846.76) was awarded to the following vendors in the amounts indicated: Kommercial Kitchen, Items 110, 112, 128, 129, 140, 164, 165, 170, 176, 178, 180, 182, 234, 256, 284, 303, 308, 310, 329, 404, 422-424, 442-445, 467, 491-495, 497-500, 624, 640, 642, 650, 652, 700, 702, 704-706, 710, 714, 716, 720, and 800, \$27,897.32; Lee Equipment Co., Items 109, 116, 126, 127,, 230, 232, 233, 240, 268, 270, 312, 313, 405, 410, 434, 713, and 806, \$3,259.54; National Restaurant Supply, Items 120, 121, 124, 125, 132-134, 136, 138, 142, 150, 152, 154, 156, 158, 160, 162, 171, 174, 186, 189, 200, 202, 204, 206, 208, 210, 121, 214, 216, 218, 220, 224, 226, 242, 244, 250, 254, 258, 260, 262-266, 272, 274, 279, 278, 280-283, 300-302, 304, 306, 314, 316, 318, 320, 322, 324, 326, 328, 330, 401-403, 412, 414, 418, 420, 421, 431, 432, 435, 440, 441, 446, 450-454, 457, 458, 468-465, 469, 470, 480-490, 496, 600, 602-604, 606, 608, 610, 612, 614, 622, 708, 722, 801, 802, 804, 810, 820, 822, 824, 830, 842, 844, and 846, \$72,451.64; and Pasco Brokerage, Items 172, 184, 188, and 222, \$4,238.20, for a total amount of \$107,846.70 (copy of bid tabulation attached to the permanent file of these minutes).

3. Baseball, Softball, and Track Equipment and Supplies Bid #83-02 (\$41,966.34) was awarded to the following vendors in the amounts indicated: Athletic Supply, Items 2, 6, 9, 25, 16, 18, 22, 24, 27-29, 33, 35, 43, 51a-d, 58a-e, 61, 65, and 77a-c, \$17,895.75, net 30; BSN Sports, Items 1, 5, 37, 50, 62, and 74-76, \$2,095.81, net 30; Cannon Sports, Items 11, 13, 14, 20, 39, and 64, \$837.82, net 30; Chamizal Trading, Items 3, 10, 63, and 78, \$320.00, net 30; Gardenswartz Team Sales, Items 8, 31, 42, 44, 52, 53, 66, and 67, \$2,576.60, net 30; Greg Larson Sports, Items 4, 7, 23, 34, 60, and 69-73, \$6,682.26, net 30; and Team Sports, Items 12, 17, 21, 32, 36, and 68a-p, \$11,558.10, net 30, for a total amount of \$41,966.34 (copy of bid tabulation attached to the permanent file of these minutes).
4. Commodity Food Processing, Purchase Order Nos. 245822 and 245828 (\$40,000.00), was approved from Land O'Lakes, Inc., Purchase Order No. 245822, for macaroni and cheese and cheese sauce in the amount of \$15,000.00, and Nardone Brothers Baking Co., Inc., Purchase Order No. 245828, for cheese pizza in the amount of \$25,000.00, for a total amount of \$40,000.00 (copy of purchase orders attached to the permanent file of these minutes).

G. Construction Contract Awards

The Board approved the award of the following construction contracts, subject to the review and approval of the District's attorney, to the recommended construction contracting firms for the construction/installation of the projects described for the amounts indicated.

3. Indoor Air Quality (IAQ) Improvements – Education Center-Boeing Print Shop, #02.344 (\$241,684.00), was awarded to P. A. Contractors, Inc. in the amount of \$241,684.00.
4. Electrical Design – Bowie High School Switchgear Replacement, #02.347 (\$45,331.00). The Board waived the technicality of Barraza Code Electric, Inc. for failing to submit their bid in duplicate and approved the award of Construction Contract #02.347, Electrical Design – Bowie High School Switchgear Replacement, subject to the review and approval of the District's attorney, to Barraza Code Electric, Inc. in the amount of \$45,331.00.
5. UST (Underground Storage Tank) Upgrades – Westside Transportation Annex, #02.354 (\$48,700.00), was awarded to D & G Pump Service, Inc. in the amount of \$48,700.00.
6. Districtwide Playground Installation 2002 – Cooley, Roberts, and Zavala Elementary Schools, #02.501 (\$91,001.00), was awarded to Matyear Construction Company, Inc. in the amount of \$91,001.00.

H. Maintenance Service Agreement Contract Awards

The Maintenance and Service Contracts were approved as listed, subject to the review and approval of the District's attorney, to the recommended firms for the projects/services described in the amounts indicated.

1. Districtwide Elevator Maintenance, #03.412 (\$98,824.00) to Thyssen Krupp Elevator Corporation in the annual amount of \$98,824.00.
 2. Districtwide Stadium Lighting Systems Maintenance, #03.417 (\$22,886.00) to Kendrick Electric Corporation in the amount of \$22,886.00.
- I. Maintenance and Service Agreement Contract Extension – Stadium and Gymnasium Scoreboards, #02.413.02 (\$20,420.00)

The Board authorized the administration to execute a one-year contract extension with Nu-Con Safety and Sound for inspection and/or maintenance services of Stadium and Gymnasium Scoreboards, #02.413.02, for the period of September 1, 2002, to August 31, 2003, or until the value of the contract is reached, subject to the approval of the 2002-03 preliminary budget (copy of information/fact sheet attached to the permanent file of these minutes).

J. Demand Service Agreement Contract Extensions

The Board authorized the administration to execute one-year contract extensions on the following Demand Service Agreements for fiscal year 2002-03 in the amounts indicated, subject to the approval of the 2002-03 preliminary budget (copy of the information/fact sheets attached to the permanent file of these minutes).

1. Education Center Telephone Equipment MACs (Moves, Adds, Changes) and Repairs – ROLM Systems, #01.429.03 (\$73,980.00), with Texas Business Systems in the amount of \$73,980.00.
2. Education Center Telephone Equipment MACs (Moves, Adds, Changes) and Repairs – NORTEL Systems, #02.429.04 (\$86,915.00), with Innovative Phone Services (IPS) in the amount of \$86,915.00.
3. Districtwide Campus Telephone Equipment MACs (Moves, Adds, Changes) and Repairs, #02.422.02 (\$56,555.00), with Communication Experts, Inc. in the amount of \$56,555.00.

J. July 2002 Personnel Report

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

Construction Contract Awards – Wrought Iron Fence – Jefferson High School, #02.331 (\$81,518.00) (Item #6, G., 2.)

Responding to a question from Mr. Wever, Mr. Hector Martinez, Associate Superintendent, Operations, advised that Mr. Samuel Villarreal, Principal at Jefferson, had requested that an assessment be made on the existing campus fencing, which was determined to be in a poor state of repair. He stated that since funds were available in this year's construction operating budget, it was determined that the chain link fencing be replaced with wrought iron. Mr. Martinez stated that the El Paso Water Control and Improvement District had been requested to replace its fencing along the south boundary line of the Jefferson campus.

It was moved by Dr. Roark that item no. 6, G., 2, Construction Contract Awards – Wrought Iron Fence – Jefferson High School, #02.331 (\$81,518.00), be postponed until administration can provide a recommendation on options on a compromise of wrought iron and chain link fencing. The motion died for lack of a second.

It was moved by Mr. Rosales, seconded by Dr. Finke, and carried unanimously that the Board approve the award of Construction Contract #02.331, Wrought Iron Fence – Jefferson High School, subject to the review and approval of the District's attorney, to Rio Bravo Electric, Inc. in the amount of \$81,518.00.

Interdistrict Transfer Tuition Waiver Appeal – A. T. and I. T. (Item #7)

Ms. Gloria Boyer, Director, Pupil Services, provided information on the interdistrict transfer request for A. T. and I. T. to attend Cielo Vista Elementary School and the request to waive tuition. Ms. Boyer advised that the tuition waiver requests were denied because the students live within the boundaries of the Socorro Independent School District. The family moved out of the Cielo Vista attendance zone but still own a business in that area.

It was moved by Mr. Wever and seconded by Mr. Telles that the Board approve the tuition waiver request for the interdistrict transfer of A. T. and I. T. to attend Cielo Vista Elementary School for the 2002-03 school year. Upon the vote, the motion carried with Dr. Roark and Miss Garcia voting against the motion.

Approval of Hazardous Bus Route for Barron Elementary School (Item #8)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the proposed hazardous bus route from the Pleasant Hills area to Barron Elementary School, in accordance with Texas Education Code 42.155 (d).

Revisions to Board Policies (Item #9)

A. DC (Local), Employment Practices

It was moved by Mr. Mena, seconded by Dr. Roark, and carried unanimously that revisions to Board Policy DC (Local), Employment Practices, be approved as presented (copy attached to the permanent file of these minutes).

B. DK (Local), Assignment and Schedules

It was moved by Mr. Mena, seconded by Dr. Roark, and carried unanimously that revisions to Board Policy DK (Local), Assignment and Schedules, be approved as presented (copy attached to the permanent file of these minutes).

Item Withdrawn

It was announced that item no. 12, Approval of Additional Video Peripheral Components for Year 2001 (Year 4) E-Rate Statement of Work #7, Video Solutions and Installation Service, had been withdrawn from the agenda.

Presentation on Year 2001 (Year 4) E-Rate Statement of Work #1 – USF Maintenance Services (Item #10); Presentation on Year 2001 (Year 4) E-Rate Statement of Work #2 – Fiber Network Exclusive Internet Access (Item #11); and Approval of Addendum to IBM Global Services Customer Agreement for Year 2002 E-Rate (Item #13)

Mr. John Milota, Project Executive, IBM Global Services, provided a report on the USF Maintenance Services Statement of Work (SOW), which included information on the work IBM Global Services planned to do and what was actually done and an update on financial and scheduling issues. Mr. Milota reviewed the scope of work to design, develop, implement and operate a Technical Support Office (TSO) and the deliverables. He also provided information on the monthly TSO call report package and the review of the weekly reports.

There was discussion on the procedures to be followed when IBM Global Services departs the District; skills transfer and implementation of the “deliverables;” developing a transition plan that will provide a continuation of service at the current level; and whether the SLD (Schools and Libraries Division) would amend its rules to allow the District to acquire the computer hardware that IBM Global Services uses to support the TSO.

It was moved by Dr. Roark, seconded by Mr. Mena, and carried unanimously that item no. 10, Presentation on Year 2001 (Year 4) E-Rate Statement of Work #1 – USF Maintenance Services; item no. 11, Presentation on Year 2001 (Year 4) E-Rate Statement of Work #2 – Fiber Network Exclusive Internet Access; and item no. 13, Approval of Addendum to IBM Global Services customer Agreement for Year 2002 E-Rate, be postponed until the next regularly scheduled Board meeting.

RFP, Bid, and Purchase Orders Requiring Board Approval (Item #18)

It was moved by Mr. Mena, seconded by Mr. Wever, and carried unanimously that the Board approve the following bid and purchase orders to the recommended vendors for the amounts indicated:

- B. Laptops for Special Services Bid #86-02 (\$74,249.50) was awarded to Dell Marketing LP in the amount of \$73,249.50, and I-Next, Inc. in the amount of \$1,000.00, for a total amount of \$74,249.50 (copy of bid tabulation attached to the permanent file of these minutes).
- C. Apple Laptops and Printers for Hillside Elementary School, Purchase Order No. 244415 (\$29,054.00), were approved for purchase from Apple Computer, the sole source, in the amount of \$29,054.00 (copy of purchase order attached to the permanent file of these minutes).
- D. Computers for Vilas Elementary School, Purchase Order No. 245512 (\$9,658.62), were approved for purchase from Dell Marketing LP, the lowest quote, in the amount of \$9,658.62 (copy of purchase order attached to the permanent file of these minutes).
- E. Laptops for Putnam Elementary School, Purchase Order No. 245544 (\$12,312.00), were approved for purchase from Dell Marketing LP in the amount of \$12,312.00 (copy of purchase order attached to the permanent file of these minutes).
- F. Computers for Alternative (Telles) Middle School, Purchase Order No. 246411 (\$14,281.50), were approved for purchase from IBM, the lowest quote, in the amount of \$14,281.50

RFP, Bids, and Purchase Orders Requiring Board Approval – Travel Services RFP #06-02 (Item #18, A.)

The following people requested to speak to this item:

1. Mr. Richard Dayoub, President and CEO, Buck Rogers Travel Services, spoke about the evaluation of proposals submitted on Travel Services RFP #06-02 and requested that the District consider reissuing the RFP and re-evaluating the process.
2. Mr. David DeMundrun, Tumbleweed Travel, spoke about the services his firm has been providing the District.

Mr. David Marcus, representing Marcus, Fairall, Bristol & Co., LLP and Edge, McLagan, Nugent & Co., P.C., provided a report on the review that was conducted on the District's travel. He recommended that the Board consider increasing the minimum amount of time for the submission of travel requests to 30 days and that the District consider implementing a more automated travel system, including a managed travel process that would enable the District to book travel online with a third party confirming that the fare is the cheapest available.

Mr. Terry Freiburg, Director, Purchasing, reviewed the process followed by the Purchasing Office, in conjunction with the Travel Office, in developing Travel Services RFP #06-02.

There was discussion on a managed travel process; modifying the RFP award, rewriting the Travel Services RFP and resubmitting (or negotiating) the current contract to implement a live terminal process for a managed travel program and bringing the results back to the Board; awarding Travel Services RFP #06-02 to the two recommended vendors with a directive that they bring back managed travel options that can be presented for the Board's consideration; extending the opportunity for the five travel agencies that originally submitted responses to RFP #06-02 to respond to this new proposal; shortening the time frame for developing a managed travel process; and issuing a new Travel Services RFP that specifically includes managed travel.

It was moved by Dr. Finke, seconded by Mr. Rosales, and carried unanimously that Travel Services RFP #06-02 be awarded to House of Travel and Tumbleweed Travel, the two vendors identified as offering the best value for the District, and that a "Managed Travel Program" be developed for possible implementation in 90 days, subject to the approval of the 2002-03 preliminary budget.

Approval of Agreement with New Beginnings of Texas, Inc. for the Provision of Dropout Prevention and Intervention Services at EPISD Middle Schools (\$389,850.00) (Item #19)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve the agreement with New Beginnings of Texas, Inc. for the provision of dropout prevention and intervention services at the District's middle schools in the amount of \$389,850.00, subject to approval of the contract by the District's legal counsel.

Approval of Technical Consulting Assistance and Related Consulting Services by Prestige Consulting Services in the Facilitation and Development of Guidance & Counseling 5-Year Strategic Plan (\$3,360.000) (Item #20)

It was moved by Mr. Mena, seconded by Mr. Rosales, and carried unanimously that the Board approve technical consulting assistance and related consulting services by Prestige Consulting Services in the facilitation and development of a Guidance & Counseling 5-Year Strategic Plan in the amount of \$3,360.00.

Emergency Construction Contract Under \$24,999.00 – Replace Compressor to Existing Westinghouse Chiller – Johnson Elementary School, Purchase Order No. 246615 (\$21,664.00) (Item #21)

Mr. Nick Corona, Executive Director, Facilities, Maintenance and Construction, provided information on an urgent situation that occurred at Johnson Elementary School where a replacement compressor for a chiller was purchased by the Administration on an emergency basis. Mr. Corona referenced Board Policy CV (Local), Facilities Construction, which outlines the process for emergency purchases for incidents similar to this one at Johnson Elementary School where a chiller compressor fails in the heat of the summer and half the school is without cooling.

Construction Contract Award – Districtwide Priority 1 Critical Maintenance, Phase 3, #02.972 (\$1,100,421.00) (Item #22)

It was moved by Mr. Mena and seconded by Miss Garcia that the Board approve the award of Construction Contract #02.972, Districtwide Priority 1 Critical Maintenance, Phase 3, subject to the review and approval of the District's attorney, to High Point Electric Inc. in the amount of \$1,100,421.00. Upon the vote, the motion carried with Dr. Roark voting "present."

Approval of Contract with PC Automated Controls, Inc. for EMC/FMC (Energy Management Control/Facility Management Control) Systems, #02.2340 (\$150,000.00) (Item #23)

It was moved by Dr. Roark, seconded by Dr. Finke, and carried unanimously that item no. 23, Approval of Contract with PC Automated Controls, Inc. for EMC/FMC (Energy Management Control/Facility Management Control) Systems, #02.2340 (\$150,000.00), be postponed to a future Board meeting.

Approval of Final Payment for Construction Contracts Exceeding \$100,000.00 (Item #24)

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

- A. Ross Middle School Elevator, #00.615 (\$7,621.54, total cost \$141,606.35) to Matyear Construction Co., Inc. in the amount of \$7,621.54.
- B. Education Center-Boeing Mechanical Renovations-Basement, #01.844 (\$5,840.67, total cost \$116,813.38), to Funk & Company in the amount of \$5,840.67.
- C. Districtwide Evaporative Cooler Installation, Phase 3, #02.973 (\$9,196.12, total cost \$159,493.42), to Matyear Construction Co., Inc. in the amount of \$9,196.12.

Approval of Procurement/Delivery Method for Contract Exceeding \$15,000.00 – Districtwide E-Rate Air Conditioning, #02.508 (Item #25)

It was moved by Mr. Mena, seconded by Miss Garcia, and carried unanimously that the job order contract process be utilized for Project #02.508, Districtwide E-Rate Air Conditioning, subject to the review and approval of the District's attorney, and that the advertisement and issuance of relevant documents be authorized to prospective bidders/proposers.

Meeting Closed (Item #26)

The meeting was recessed at 10:45 p.m. to a closed meeting by Mr. Wever under Sections 551.071 and 551.074 of the Texas Government Code as follows:

B. Consultation with School District Attorney

2. Contemplated Litigation Concerning Site License Agreement with EdVision Corporation

D. Superintendent's Employment Contract

The closed meeting started at 10:50 p.m. The closed meeting ended at 12:24 a.m., August 14, 2002.

Meeting Opened

The meeting was reassembled in Open Session at 12:24 a.m., August 14, 2002.

Consultation with School District Attorney – Contemplated Litigation Concerning Site License Agreement with EdVision Corporation (Item #26, B., 2.)

It was moved by Dr. Finke, seconded by Mr. Wever, and carried unanimously that further investigation concerning the Site License Agreement with EdVision be conducted specifically related to other school districts, that a report be brought back to the Board no later than the first regularly scheduled Board meeting in September 2002, and that the District's legal counsel respond to the attorney representing EdVision Corporation.

Superintendent's Employment Contract (Item #26, D.)

It was moved by Dr. Finke and seconded by Mr. Wever that the Board authorize the Board Vice President, Dr. Gene Finke, and Trustee Joe Rosales, to discuss with the Superintendent the proposed terms of a mutually agreeable employment separation and report back to the Board at its August 27, 2002, meeting. Upon the vote, the motion carried with Mr. Mena, Dr. Finke, Dr. Roark, and Mr. Wever voting in favor of the motion and Mr. Rosales, Mr. Telles, and Miss Garcia voting against the motion.

Meeting Adjourned

The meeting was adjourned at 12:26 a.m., August 14, 2002.

Date Approved: December 10, 2002