

Minutes of Meeting of Board of Trustees
El Paso Independent School District
September 23, 2003
5:00 p.m.
Education Center-Boeing

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

Vacancy: Trustee District 1

The meeting was called to order at 5:02 p.m. by Mr. Mena. The Pledge of Allegiance was led by Mr. James Damm, EPISD Consultant for Finance. Mr. Art Jordan, Executive Director, Research, Evaluation and Planning, gave the Thought for the Day.

1. Recognition and Presentation of Proclamation to Silva Magnet High School for Health Care Professions/Jefferson High School for Being Named a No Child Left Behind-Blue Ribbon School

Silva Magnet High School/Jefferson High School was recognized by the Board of Trustees for receiving the No Child Left Behind-Blue Ribbon School Award from the U. S. Department of Education. A framed proclamation was presented to Mr. Sam Villarreal, Principal, in recognition of the school's accomplishment.

Meeting Closed

The meeting was recessed at 5:12 p.m. to a closed meeting by Mr. Mena under Sections 551.071, 551.072, and 551.074 of the Texas Government Code as follows:

13. Closed Meeting

- B. Personnel Appointment – Director, Health Services
- C. Acquisition of Real Property – South Central (Park Town) Elementary School (E-5), #03.634, Various Parcels Including the West Half of Lot 3 and All of Lots 4 and 5, Block 49, Campbell Addition, an Addition to the City of El Paso, El Paso County, Texas
- D. Proposed Sale of Real Property – Education Center-Downtown/Blue Flame Building and EPISD Interest in Parking Garage, Project #02.315
- E. Consultation with School District Attorney
 - 1. Robert Olivas vs. Chase Bank of Texas, et al.; In the El Paso County Court at Law No. 3; Cause No. 2001-2645 and Workers' Compensation Subrogation Interest of the EPISD

2. Silva's Super Market, Inc., Silva Diversified, Inc. and Silva Investment Partnership, Plaintiffs vs. El Paso Independent School District; Defendant; In the 120th Judicial District Court, El Paso County, Texas; Cause No. 203-1388

3. EPISD, Petitioner vs. Robert Martinez, Respondent; TEA Docket #137-LH-603

The closed meeting started at 5:17 p.m. The closed meeting ended at 7:02 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 7:04 p.m.

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

B. Personnel Appointment – Director, Health Services

It was moved by Miss Garcia, seconded by Mr. Dodge, and carried unanimously that the Board accept the Superintendent's recommendation to appoint Rita E. Hadersbeck, nurse at Mesita Elementary School, to the position of Director, Health Services.

D. Proposed Sale of Real Property – Education Center-Downtown/Blue Flame Building and EPISD Interest in Parking Garage, Project #02.315

It was moved by Miss Garcia, seconded by Mr. Cordova, and carried unanimously that the Board approve the bid submitted by Access Administrators, Inc. for the purchase of the Education Center-Downtown/Blue Flame Building and the EPISD interest in its downtown parking garage, in the principal amount of \$1,635,000.00, with 20 percent payable at closing and the balance to bear interest and be payable over a period of ten years, for total anticipated deferred payments through the term thereof in the amount of \$1,942,380.00, subject to final negotiation of the terms and provisions of an earnest money contract and related documents and review and approval thereof by the District's attorney and payment of \$16,350.00 as non-refundable independent consideration, which will be applied to the purchase price when the sale is closed.

E1. Consultation with School District Attorney – Robert Olivas vs. Chase Bank of Texas, et al.; In the El Paso County Court at Law No. 3; Cause No. 2001-3645 and Workers' Compensation Subrogation Interest of the EPISD

It was moved by Mr. Dodge, seconded by Mr. Cordova, and carried unanimously that the Board approve the settlement of the District's workers' compensation subrogation interest in this case in exchange for a payment to the District of 50 percent of the settlement proceeds or the amount of \$10,000.00, whichever amount is greater.

E3. Consultation with School District Attorney – EPISD, Petitioner vs. Robert Martinez, Respondent; TEA Docket #137-LH-603

It was moved by Mr. Cordova, seconded by Mr. Dodge, and carried unanimously that the Board authorize the administration and legal counsel to settle this proceeding on the terms stated in a letter from the District's legal counsel to legal counsel for Mr. Martinez, subject to final review and approval of the settlement documentation and dismissal papers, and the timing thereof, by the District's attorney.

2. Naming of Coronado High School Football Field

It was moved by Dr. O'Donnell, seconded by Mr. Mena, and carried unanimously that the Board approve the Board School Name Committee's recommendation to name the Coronado High School football field the Jack Quarles Football Field/Thunderbird Stadium.

3. Bond Election Project Accountability Structure

Mr. James Damm, EPISD Consultant for Finance, provided information on the Ad Hoc Bond Committee's proposal to be renamed the 2003 Bond Project Accountability Committee and extend its commitment to the District through the end of Phase 1 of the bond program. A subcommittee has been appointed to develop a plan that will be recommended to the Board Construction Committee on the structure and function of the Accountability Committee.

4. Public Forum

The following people requested to speak on Open Forum:

1. Mr. Loren Washington was not present when called to speak.
2. Mr. Gerald Cheek spoke about the Ad Hoc Bond Committee and its commitment to the District and accountability to the public.

5. Consent Agenda

It was moved by Mr. Cordova, seconded by Miss Garcia, and carried unanimously that the items on the Consent Agenda be approved as listed below including any recommended vendors for any amounts indicated, with the exception of item no. F., 6, Purchases Requiring Board Approval – Computers for Irvin High School NovaNet Lab, Purchase Order No. 274310 (\$13,980.48), which was withdrawn from the agenda.

A. August 2003 Minutes

1. August 5, 2003, Board's Compensation Committee Meeting; August 12, 2003, Board Finance Committee Meeting; and August 19, 2003, Board Construction Committee Meeting
2. August 12, 2003; August 19, 2003; and August 26, 2003, Meetings of the Board of Trustees

B. Agreement with Sun Bowl Association for Participation in 2003 Las Palmas/Del Sol Sun Bowl Parade and authorization for the Board President to sign the agreement with the Sun Bowl Association in the form presented.

C. Interagency Cooperative Agreement with Region 19 Education Service Center-Head Start for Educationally Related Services for Children with Disabilities

D. Region 19 Education Service Center Training Sessions for Bilingual Education, ESOL (English as a Second Language), Special Education, and Middle/High School Content Area Teachers (\$120,000.00) during the 2003-04 school year.

E. Apple Computer Purchases for 2003-04 (approx. \$2,500,000.00) from Apple Computer, the sole source, on an "as-needed" basis through August 31, 2004, contingent upon Technology and Information Systems providing biweekly reports to the Board identifying all purchase orders processed during each reporting period.

F. Purchases Requiring Board Approval

1. Option to Extend Existing Bid - Risograph Maintenance and Repair Bid #107-02 (approx. \$99,577.68), the first option to extend, to Spectrum Imaging Systems (copy of bid tabulation attached to the permanent file of these minutes).
 2. District Computers CSP #71-03 (approx. \$2,000,000.00) was awarded to Dell Marketing, LP, Item 1B; Diversified Technical Services, Inc. (DTSI), Items 1, 1A, 2, 2A, 3, 4, and 4A; and Tech Depot, Item 5, for future purchases based on the unit prices listed, through February 27, 2004, contingent upon Technology and Information Systems providing biweekly reports to the Board identifying all purchase orders processed during each reporting period (copy of bid tabulation attached to the permanent file of these minutes).
 3. District Printers CSP #73-03 (approx. \$500,000.00) was awarded to Amherst Computer Products, Items 4-11; MicroWarehouse, Item 3; Software House International (SHI), Items 1 and 2; and Tech Depot, Items 12-15, for future purchases based on the unit prices listed, through February 27, 2004, contingent upon Technology and Information Systems providing biweekly reports to the Board identifying all purchase orders processed during each report period (copy of bid tabulation attached to the permanent file of these minutes).
 4. Elementary Instructional Materials Request for Catalog Discount CSP #82-03 (approx. \$375,000.00) was awarded to the vendors listed on the tabulation for future purchases on an "as-needed" basis (copy of bid tabulation attached to the permanent file of these minutes).
 5. Annual Small Kitchen Equipment Bid #77-03 (\$140,865.49) was awarded as follows: Caldarella's Inc., 7 Items, \$3,107.78; Kommercial Kitchen, 8 Items, \$31,222.06; and National Restaurant Supply, 197 Items, \$106,535.65 (copy of bid tabulation attached to the permanent file of these minutes).
 7. Credit by Exam (CBE) Tests, Purchase Order No. 275090 (\$65,000.00), from Texas Tech University (copy of purchase order attached to the permanent file of these minutes).
 8. TAKS (Texas Assessment of Knowledge and Skills), SDAA (State-Developed Alternative Assessment), and RPTE (Reading Proficiency Tests in English) Reports and Data Tapes, Purchase Order No. 275092 (\$25,000.00), from National Computer Systems, the sole source (copy of purchase order attached to the permanent file of these minutes).
 9. Computer Parts for Apple Computer Equipment, Purchase Order No. 275222 (approx. \$40,000.00), from Apple Computer, the sole source (copy of purchase order attached to the permanent file of these minutes).
- G. Airport Lease Agreements - Education Center-Boeing (L001 A-C) and Professional Development Center (L002) (\$107,432.64) was approved as follows: Education Center-Boeing, L001 A-C, for the annual amount of \$81,392.52, and the Professional Development Center, L002, for the annual amount of \$26,040.12.

6. Memorandum of Agreement with Paso Del Norte Health Foundation for a Que Sabrosa Vida 2003-04 Course Instruction Grant Under the Que Sabrosa Vida Initiative (\$12,969.60)

It was moved by Miss Garcia, seconded by Dr. O'Donnell, and carried unanimously that the Board approve this Memorandum of Agreement, which will help parents identify healthier eating practices.

Item Withdrawn

It was announced that item no. 7, Memorandum of Understanding with Big Brothers Big Sisters of El Paso for Mentoring Program Services at Beall, Bliss, Collins, Crockett, Roberts, Roosevelt, and Vilas Elementary Schools; Bassett, Canyon Hills, Magoffin, Morehead, and Wiggs Middle Schools; and Coronado High School for 2003-04 and 2004-05 (\$140,000.00), had been withdrawn from the agenda.

8. Fiber Network Services to BNI Solutions, LLC for Period of September 1, 2003, through August 31, 2004 (\$518,400.00)

Mr. Jack Johnston, Executive Director, Technology and Information Systems, provided information on the charges for services to be provided for the fiber network installed under the Year 4 E-Rate grant.

It was moved by Miss Garcia, seconded by Mr. Dodge, and carried unanimously that the Board approve the fiber network services as presented.

9. Network Monitoring and Customer Support Services for Video Conferencing Equipment to BNI Solutions, LLC for Period of September 1, 2003, through August 31, 2004 (\$64,500.00)

Mr. Jack Johnston, Executive Director, Technology and Information Systems, provided information on the charges for support for the video conferencing equipment installed under the Year 4 E-Rate grant.

It was moved by Mr. Cordova, seconded by Dr. O'Donnell, and carried unanimously that the Board approve the sole source network monitoring and customer support services as presented. Dr. Roark was not present for the vote.

10. Non E-Rate Goods and Services Under Internal Connections for E-Rate Year 6 CSP #133-02 (\$150,000.00)

Mr. Jack Johnston, Executive Director, Technology and Information Systems, provided the rationale for the purchase request under this CSP and information on possible funding through E-Rate Year 6.

It was moved by Dr. O'Donnell, seconded by Mr. Cordova, and carried unanimously that the Board approve purchases from CSP #133-02 for non-E-Rate goods and services as follows: technical support and maintenance of the network from Diversified Technical Services, Inc. in an amount not to exceed \$75,000.00, and cabling services from Desert Communications, Inc. in an amount not to exceed \$75,000.00.

11. Amendment to Joint Use Agreement with the El Paso Tennis Development Foundation

It was moved by Miss Garcia, seconded by Mr. Cordova, and carried unanimously that the Board approve this amendment with \$25,000.00 being paid to the Foundation by the District in exchange for considerations stated therein, subject to the review and approval of the District's attorney.

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

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

- A. HVAC Renovation, Phase 1 – El Paso High School, #02.527.01 (\$50,610.85, total cost \$525,551.00)
- B. Districtwide Loanstar Lighting Renovations – Austin, Bowie, Burges, and El Paso High Schools, #03.639 (\$47,775.28, total cost \$389,477.20)

Meeting Closed

The meeting was again recessed at 7:35 p.m. to a closed meeting by Mr. Mena under Sections 551.074, and 551.082 of the Texas Government Code as follows:

13. Closed Meeting

- A. Grievance Hearing – Chris Gad and Wes Fortney, Andress High School

The closed meeting started at 7:40 p.m. The closed meeting ended at 8:25 p.m.

Meeting Opened

The meeting was reassembled in Open Session at 8:25 p.m.

13. The action as a result of item discussed in closed meeting was as follows:

- A. Grievance Hearing – Chris Gad, Teacher, Irvin High School

It was moved by Dr. Roark, seconded by Mr. Dodge, and carried unanimously that the grievance filed by Chris Gad, a teacher at Irvin High School, be remanded to the Superintendent.

Meeting Adjourned

The meeting was adjourned at 8:26 p.m.

Date Approved: October 28, 2003