

Minutes of Regular Meeting

The Board of Directors South Texas ISD

A Regular Meeting of the Board of Directors of South Texas ISD was held Tuesday, August 28, 2018, beginning at 7:00 PM in the Biblioteca Las Americas Lecture Hall, 300 Med High Drive, Mercedes, Texas.

1. Welcome.

Joe L. Lopez, Board President, welcomed the guests, staff and fellow Board members.

2. Pledges of Allegiance & District Call to Action.

The pledges were led by Board member Israel Quintanilla. Mr. Quintanilla recited the district's Call to Action.

3. Public Budget Hearing for the 2018-2019 fiscal year.

Assistant Superintendent for Finance, Ms. Marla Knaub, reviewed the projected revenues and the projected expenditures by function, object, and location for the 2018-2019 proposed budget. The Board reviewed the proposed capital improvement projects for the 2018-2019 school year. Also, reviewed were budgets for title programs, special education, career and technology, instructional materials allotment, food service and debt service.

Ms. Knaub reported the budget was prepared based on a tax rate of \$0.0492/\$100 valuation. The tax rate has not been increased since 2007.

The public was given an opportunity to ask any questions. The public hearing was adjourned.

4. Board Meeting called to order.

The meeting was called to order by Board President Joe L. Lopez at 7:00 p.m. at which time he was assured by Superintendent, Marla M. Guerra that notices of this meeting were posted properly according to the laws of Texas and that a quorum of the Board was present.

The following Board members were present:

Douglas E. Buchanan	Raymondville
Graciela Camargo	Weslaco
Eduardo L. "Larry" Cantu	Los Fresnos
Abiel J. Cantú	Raymondville
Yolanda Cuellar	Progreso Lakes
Javier Farias	McAllen
Adrian Garcia	Brownsville
Homero Garcia	Weslaco
Margarita Garcia	San Juan
Sylvia Sanchez Garza, Ph.D.	Edinburg
Hector Gonzales	Lyford
Maria G. Leal	Palmhurst
Joe L. "Joey" Lopez	Brownsville
Eliceo Muñoz, III	Brownsville
Ramon Montalvo, III	Weslaco
Berta Palacios	San Juan
Irma Perez-Treviño	Harlingen
Israel G. Quintanilla	Raymondville
Rick Villarreal, D.D.S.	Brownsville

The following Board members were absent:

Yolanda Chapa	McAllen
Richard Fleming, MD	Mission
Robert J. Lerma	Brownsville
Henry LeVrier	Brownsville
Rebecca Villarreal	Peñitas

The following staff members were present:

Marla M. Guerra, Ed.D.	Jeff Hembree
J.P. Villarreal	Marla R. Knaub
Sonia E. Rodriguez	Amanda Odom
Jaclyn Buelow	Barbara Heater, Ph.D.
Efrain Garza	Carrie Saucedo
Ann Vickman	Juan Hinojosa
Carmen Noriega	

The following guests were present:

Paige Kyle - Walsh Gallegos Treviño Russo & Kyle PC

5. Moment of Silence.

The Board held a moment of silence.

At this time, the Board President asked to move the order of the agenda immediately after addressing public participation, agenda item #6, to address items in executive

session. A motion was made by Abiel Cantu, seconded by Yolanda Cuellar, changing the order of the day as requested. The motion passed unanimously.

6. Public participation at South Texas ISD Board Meetings: Allotted time to hear persons who desire to make comments to the Board (BED Local).

A. Recognition of district retirees.

The Board of Directors and Administration recognized the district retirees and presented a Resolution for their service to our school community. Mr. Chester Mink received a plaque for his 30+ years of service with the district.

B. Recognition of all six STISD campuses for ranking among the best in the state and nation in the 2019 Niche Best Schools lists.

On behalf of the school Board and administration, Amanda Odom recognized the district and campuses for ranking among the best in the state and nation in the Niche 2019 Best Schools rankings.

C. Recognition of district and campuses for 2018 State Accountability results.

On behalf of the school Board and administration, Amanda Odom recognized the district and campuses for their 2018 State Accountability ratings.

7. Approval of Consent Agenda.

In order to promote efficient meetings, the Board may act upon more than one item by a single vote through the use of consent agenda. Consent items shall be items placed on the Agenda marked with an asterisk (*) for which no Board discussion is anticipated and for which the Superintendent recommends approval. Prior to the meeting, at the request of any member of the Board of Directors, any item on the consent agenda shall be removed and given individual consideration. Requests for individual consideration are made at least a half-hour prior to Board meetings and requests must be directed to either the Board President or the Superintendent.

A motion was made by Homero Garcia seconded by Larry Cantu, approving the consent agenda items as presented. The motion passed unanimously.

8. *Action: Review and act on the July 24, 2018 & August 7, 2018 Board Meeting Minutes.

Approved with the consent agenda.

9. Policy & Curriculum - Yolanda Cuellar & Rebecca Villarreal, Co-Chairs

Yolanda Cuellar reported on the following committee items:

- A. *Report on professional vacancies.

Approved with the consent agenda.

- B. *Action: Review and act on list of appraisers for the 2018-2019 school year.

Approved with the consent agenda.

- C. *Action: Review and act on the Language Proficiency Assessment Committee (LPAC) Members for the 2018-2019 school year.

Approved with the consent agenda.

- D. *Action: Review and act on the administrators to hold ARDs for the 2018-2019 school year.

Approved with the consent agenda.

- E. *Action: Review and act on announcement of vacancies for teacher tutors, academic tutors and facilitators.

Approved with the consent agenda.

- F. *Report on 2018 State Accountability results.

Approved with the consent agenda.

- G. Review proposed Superintendent of Schools terms of employment contract, First Reading.

Paige Kyle discussed the terms of employment contract under executive session.

- H. Action: Review and act on Policy Update 111, Final Reading.

A motion was made by Doug Buchanan, seconded by Hector Gonzales, adopting Policy Update 111 as presented. The motion passed unanimously.

10. Buildings & Grounds - Abiel J. Cantu & Homero Garcia, Co-Chairs

Abiel J. Cantu & Homero Garcia reported on the following committee items:

- A. Report on the Science Academy Re-roofing project.

JP Villarreal provided an update on the Science Academy Re-roofing project. The contractor submitted a request for time extension of 11 days due to rain or the threat of rain in June and early July. The change order is found on agenda item 10.F for Board consideration.

- B. Action: Review and act on the facilities/capital improvement projects for the 2018-2019 school year, pending approval of budget.

A motion was made by Abiel Cantu, seconded by Hector Gonzalez, approving the facilities/capital improvement projects for the 2018-2019 school year as presented - pending approval of the budget. The motion passed unanimously.

- C. Action: Review and act on hiring Gomez Mendez Saenz, Inc. for the 2018-2019 school year projects or go out for Request for Qualifications (RFQs) for architectural services.

A motion was made by Abiel Cantu, seconded by Irma Perez-Treviño, hiring Gomez Mendez Saenz, Inc., architects for the 2018-2019 school year projects. The motion passed with three against (Sylvia Sanchez Garza, Ramon Montalvo and Maria G. Leal).

- D. Action: Review and act on authorizing administration to use Board-approved purchasing cooperatives for some of the 2018-2019 facility and capital improvement projects.

A motion was made by Doug Buchanan, seconded by Homero Garcia, authorizing the administration to use Board-approved purchasing cooperatives for some of the 2018-2019 facility and capital improvement projects as presented. The motion passed with one abstention (J. Farias).

- E. Action: Review and act on accepting the following projects as substantially complete:

1. Congressman Rubén Hinojosa Science Academy Innovation Lab project
2. Med High Air Handler Units and Chiller Line Replacement project
3. Intercom Replacement project

A motion was made by Homero Garcia, seconded by Hector Gonzales, approving the Congressmen Rubén Hinojosa Science Academy Innovation Lab project, the Med High Air Handler Units and Chiller Line Replacement project and the Intercom Replacement project as substantially complete. The motion passed unanimously.

- F. Action: Review and act on Change Order #1 to the contract for the Science Academy Re-roofing project.

A motion was made by Homero Garcia, seconded by Doug Buchanan, approving Change Order #1 to the contract for the Science Academy Re-roofing project for an additional 11 days due to weather delays. The motion passed unanimously.

11. Finance - Sylvia Sanchez Garza, Ph.D. & Ramon Montalvo III, Co-Chairs

Sylvia Sanchez Garza, Ph.D. and Ramon Montalvo III reported on the following committee items:

- A. *Report on checks written since last report.

Approved with the consent agenda.

- B. *Action: Review and act on Resolution authorizing bank signatures for the following campuses:

1. Med High
2. Medical Academy
3. RSA
4. Science Academy

Approved with the consent agenda.

- C. *Action: Review and act on contract with Moak, Casey & Associates for legislative services.

Approved with the consent agenda.

- D. *Action: Review and act on 2017-2018 General Fund budget amendment #2.

Approved with the consent agenda.

- E. Action: Review and act on the following payment applications:

1. Application for payment #13 to Gomez Mendez Saenz, Inc. for the Congressman Rubén Hinojosa Science Academy Innovation Lab project.
2. Application for payment #10 to D. Wilson Construction for the Congressman Rubén Hinojosa Science Academy Innovation Lab project.
3. Application for payment #6 to Gomez Mendez Saenz, Inc. for the Med High Air Handler Units and Chiller Line Replacement project.

4. Application for payment #5 to D. Wilson Construction for the Med High Air Handler Units and Chiller Line Replacement project.
5. Application for payment #3 to Gomez Mendez Saenz, Inc. for the Science Academy Re-roofing project.
6. Application for payment #3 to American Contracting for the Science Academy Re-roofing project.
7. Application for payment #3 to Superior Alarms for the Intercom Replacement project.
8. Application for payment #2 to Gomez Mendez Saenz, Inc. for the Intercom Replacement project.
9. Application for payment #1 to Noble Texas Builders for the Mercedes Perimeter Fence project.
10. Application for payment #1 to Bowman Distributing Co. for the Medical Academy Ambulance Canopy project.

A motion was made by Eliceo Muñoz, seconded by Maria G. Leal, approving application for payment #13 to Gomez Mendez Saenz, Inc. in the amount of \$7,310.02 for the Congressman Rubén Hinojosa Science Academy Innovation Lab project; application for payment #10 to D. Wilson Construction in the amount of \$578,448.82 for the Congressman Rubén Hinojosa Science Academy Innovation Lab project; application for payment #6 to Gomez Mendez Saenz, Inc. in the amount of \$5,092.92 for the Med High Air Handler Units and Chiller Line Replacement project; application for payment #5 to D. Wilson Construction in the amount of \$406,909.70 for the Med High Air Handler Units and Chiller Line Replacement project; application for payment #3 to Gomez Mendez Saenz, Inc. in the amount of \$3,420 for the Science Academy Re-roofing project; application for payment #3 to American Contracting in the amount of \$277,020 for the Science Academy Re-roofing project; application for payment #3 to Superior Alarms in the amount of \$112,455 for the Intercom Replacement project; application for payment #2 to Gomez Mendez Saenz, Inc. in the amount of \$1,253.94 for the Intercom Replacement project; application for payment #1 to Noble Texas Builders in the amount of \$4,460 for the Mercedes Perimeter Fence project; and application for payment #1 to Bowman Distributing Co. in the amount of \$35,400 for the Medical Academy Ambulance Canopy project as presented. The motion passed unanimously.

F. Action: Review and act on extending the TASB Risk Management Unemployment Compensation program.

A motion was made by Ramon Montalvo, seconded by Homero Garcia, extending the TASB Risk Management Unemployment Compensation program and designate Marla R. Knaub as the coordinator as presented. The motion passed unanimously.

- G. Action: Review and act on the Resolution adopting the tax rate for the 2018-2019 fiscal year.

A motion was made by Maria G. Leal, seconded by Abiel Cantu, approving the Resolution adopting the tax rate of .0492/\$100 for the 2018-2019 school year as presented. The motion passed unanimously.

- H. Action: Review and act on Resolution adopting the 2018-2019 school year budget.

A motion was made by Doug Buchanan, seconded by Abiel Cantu, approving the Resolution adopting the 2018-2019 school year budget as presented. The motion passed unanimously.

- I. Action: Review and act on approving requisition #068590 to Carrier Corporation for the Science Academy Gymnasium AC Replacement project.

A motion was made by Irma Perez Treviño, seconded by Yolanda Cuellar, approving requisition #068590 to Carrier Corporation in the amount of \$44,165 for the Science Academy Gymnasium AC Replacement project as presented. The motion passed unanimously.

12. Superintendent's Report - M. Guerra, Ed.D.

A. *Campus Reports

1. STPA - A. Castro
2. Rising Scholars - C. Saucedo
3. BETA - E. Garza
4. Medical Academy - H. Goette
5. Med High - B. Heater, Ph.D.
6. Science Academy - I. Castillo, Ed.D.

Approved with the consent agenda.

B. *Action: Review and act on the following out of district student/staff travel (G 2,4,5):

1. Share Program Field Experience, September 21-23, 2018, College Station, TX

Approved with the consent agenda.

C. *Action: Review and act on the following retirement Resolutions:

1. Marla M. Guerra, Ed.D.
2. Josefina Garcia
3. Nora Casarez, Ed.D.

Approved with the consent agenda.

- D. *Action: Review and act on the Highland Hustlers 4-H Club request for the extended use of Rising Scholars Academy facilities.

Approved with the consent agenda.

- E. *Action: Review and act on TASO RGV Chapter request for the extended use of Med High school facilities.

Approved with the consent agenda.

- F. *Action: Review and act on proposed Education Foundation of South Texas ISD Memorandum of Understanding for the 2018-2019 school year.

Approved with the consent agenda.

13. EXECUTIVE SESSION: The Board met on August 28, 2018 at 7:26 p.m. in a closed or executive session in accordance with the Texas Government Code Section, 551.071, 551.072, 551.074, 551.082, 551,084 and 551.001. The Presiding Officer appointed Maria G. Leal to record the minutes of the closed session to discuss the following:

- A. 551.074, 551.071 Personnel Matters and consultation with school attorney regarding Personnel Matters: Closed Meeting
1. Recommendation of professional staff for 2018 summer programs.
 2. Recommendation of professional staff for the 2018-2019 school year.
 - a. Teacher(s)
 - b. Educational Diagnostician
- B. Pursuant to Tex Govt Code section 551.071, attorney consultation regarding legal issues related to the issue of lack of sufficient public notice on the agenda for Superintendent items of the July 24, 2018 meeting, subsequent invalid Board meeting actions, and conflict of interest of current attorney representation regarding sufficiency of notice (as requested by Dr. Richard Fleming).
- C. Pursuant to Tex. Govt Code 551.071, attorney consultation regarding legal issues related to Superintendent contract terms.

- D. Pursuant to Tex. Govt Code 551.071, attorney consultation regarding legal issues related to possible adjustment of timeline dates for Superintendent search if needed.

The Board of Directors ended the executive session at 8:24 p.m.

14. OPEN SESSION: Action on any Item Deliberated in Closed Meeting

- A. 551.074, 551.071 Personnel Matters and consultation with school attorney regarding Personnel Matters:
1. Action: Review and act on recommendation for professional staff for 2018 summer programs.
 2. Action: Review and act on recommendation of professional staff for the 2018-2019 school year.
 - a. Teacher(s)
 - b. Educational Diagnostician

The Superintendent recommended the employment of Alberto Gonzalez for the 2018 summer programs and Georgina Vela as an Educational Diagnostician (11 month contract). A motion was made by Doug Buchanan, seconded by Maria G. Leal approving the professional staff for the 2018 summer programs and the professional staff for the 2018-2019 school year as recommended. The motion passed unanimously.

- B. Action: Consider and take possible action regarding the issue of lack of sufficient public notice on the agenda for Superintendent items of the July 24, 2018 meeting, subsequent invalid Board meeting actions, and conflict of interest of current attorney representation regarding sufficiency of notice (as requested by Dr. Richard Fleming).

A motion was made by Larry Cantu, seconded by Grace Camargo to proceed with the Superintendent Search using the current attorney representation Walsh Gallegos Treviño Russo & Kyle as previously approved by the Board on July 24, 2018. The motion passed unanimously.

- C. Action: Consider and take possible action regarding Superintendent contract terms.

A motion was made by Yolanda Cuellar, seconded by Irma Perez Treviño, authorizing legal counsel to proceed as discussed in closed meeting regarding the proposed Superintendent of Schools terms of employment contract. The motion passed unanimously.

D. Action: Consider and take possible action to adjust timeline dates for Superintendent search if needed.

A motion was made by Homero Garcia, seconded by Eliceo Muñoz, approving to keep the Superintendent search timeline as is. The motion passed unanimously.

15. Adjournment.

A motion was made by Yolanda Cuellar, seconded by Abiel Cantu, adjourning the Board meeting at 8:36 p.m. The motion passed unanimously.