

REGULAR BOARD MEETING
Minutes
Tuesday, December 13, 2016
Immediately Following the Public Hearing

STAFF DEVELOPMENT CENTER/BOARD ROOM
904 Hester Avenue
Donna, Texas

I. CALL MEETING TO ORDER

Board Vice President Mr. Valentin Guerrero called the meeting to order at 6:13 p.m. with the following board members in attendance:

Mr. Valentin Guerrero, Vice President
Mrs. Alicia Reyna, Secretary
Mr. Eloy Avila, Trustee (late)
Mr. John Billman, Trustee
Dr. Donna Mery, Trustee
Mrs. Eva C. Watts, Trustee

The following board member was absent:

Mr. Efren Cenicerros, President

The following administrators were in attendance:

Mr. Fernando Castillo, Superintendent
Mr. Javier Villanueva, Assistant Superintendent for Human Resources
Mrs. Velma Rangel, Chief Special Programs Officer
Mrs. Mari Valdez, CFO
Mr. George Farah, Attorney

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Mr. Fernando Castillo led the Pledge of Allegiance and a moment of silence.

The order of these agenda items may be changed. Consideration of items may include deliberation and/or action.

Mr. Fernando Castillo deleted items HR.4 (Discussion and Possible Action to Discontinue the Current Agent Services Agreement with Respect to the Following Products:

- Employer Sponsored Medical Insurance with BCBS (ASO and Stoploss
- Employer Sponsored Life Insurance (Met Life and Unum)
- Voluntary Term Life (Met Life and Unum);
- Voluntary Disability (The Hartford and Cigna);
- Voluntary Vision (Superior Vision)
- Voluntary Dental (Ameritas);
- Voluntary Universal Life (Transamerica and All State);
- Voluntary Cancer Plans (All State);
- Voluntary Accident Plans (All State);
- Voluntary Critical Illness (All State);
- Voluntary Hospital Indemnity (All State)),

HR.5 (Discussion and Possible Action to Enter a New Servicing Agreement with Respect to the Following Products:

- Employer Sponsored Medical Insurance with BCBS (ASO and Stoploss
- Employer Sponsored Life Insurance (Met Life and Unum)
- Voluntary Term Life (Met Life and Unum);
- Voluntary Disability (The Hartford and Cigna);
- Voluntary Vision (Superior Vision)
- Voluntary Dental (Ameritas);
- Voluntary Universal Life (Transamerica and All State);
- Voluntary Cancer Plans (All State);
- Voluntary Accident Plans (All State);
- Voluntary Critical Illness (All State);
- Voluntary Hospital Indemnity (All State)),

HR.6 (Discussion and Possible Action to Terminate the Services of the Jeff Everitt and Associates and Bob Treviño as the Servicing Agent for the Employee Voluntary Products, Health, Vision and Dental Benefits) and HR.7 (Discussion and Possible Action to Appoint a New Servicing Agent for the Employee Voluntary Products, Health, Vision and Dental Benefits).

Board Recognition

- 1. Recognition of the Safety & Risk Management Department for the 2016 Performance Based Oversight (PBO) Assessment Conducted by the Texas Department of Insurance - Division of Worker's Compensation**

Mr. Fernando Castillo recognized the Safety & Risk Management Department for the 2016 Performance Based Oversight (PBO) Assessment conducted by the Texas Department of Insurance – Division of Worker’s Compensation

2. Presentation of Donna ISD 2016-2017 Showcase Parade Results

Mr. Tomas Tamez presented Donna ISD 2016-2017 Showcase Parade results (High School – Donna North High School 1st Place and Donna High School – 2nd Place, Middle School – Todd Middle School 1st Place, Solis Middle School 2nd Place and Saucedo Middle School 3rd Place, Elementary – Salazar Elementary 1st Place, Stainke Elementary 2nd Place and T. Price Elementary 3rd Place, and Department/Community – Custodial Department 1st Place, Child Nutrition Department 2nd Place and City of Donna 3rd Place).

II. OPEN FORUM

No one addressed the open forum. (Ms. Elsa Saenz signed up to address the open forum with information on her business Co. RGV A+ Therapy and congratulated the newly elected Board of Trustees but did not address the open forum she left the meeting earlier).

III. CONSENT AGENDA

1. **Accounts Payable**
2. **Discussion and Possible Action on Budget Amendments for General Operating and Special Revenue for the Month of November, 2016**
3. **Investment Report: November 2016**

Mr. Fernando Castillo recommended the board to approve the Consent Agenda.

Trustee Reyna made a motion to approve the recommendation of Mr. Fernando Castillo (1. Accounts Payable, 2. Discussion and Possible Action on Budget Amendments for General Operating and Special Revenue for the Month of November, 2016 and 3. Investment Report: November 2016). It was second by Trustee Mery. Trustees Billman, Watts and Guerrero voted in favor. The motioned carried.

4. **Financial Statements: District’s Financial and Child Nutrition Program for October 2016**
5. **Report on Monthly Tax Collections for the Month**

of October, 2016
6. Approval of Minutes for Regular Board Meeting
November 16, 2016

Mr. Fernando Castillo recommended the board to approve the Consent Agenda (4. Financial Statements: District's Financial and Child Nutrition Program for October 2016, 5. Report on Monthly Tax Collections for the Month of October, 2016 and 6. Approval of Minutes for Regular Board Meeting November 16, 2016).

Trustee Watts made a motion to approve the recommendation of Mr. Fernando Castillo (4. Financial Statements: District's Financial and Child Nutrition Program for October 2016, 5. Report on Monthly Tax Collections for the Month of October, 2016 and 6. Approval of Minutes for Regular Board Meeting November 16, 2016). It was second by Trustee Reyna. Trustees Billman, Mery and Guerrero voted in favor. The motioned carried.

DO. DISTRICT OPERATIONS

DO.1 Architect's Monthly Report (ROFAA):
*** Status Report on All of Donna ISD's Current Facility Projects**

Mr. Luis Figueroa presented the Architect's Monthly Report (ROFAA): *Status Report on All of Donna ISD's Current Facility Projects.

Trustee Billman stated for the record Mr. Figueroa (Architect - ROFAA) has not called him on existing projects. Mr. George Farah (Attorney) stated Trustees have a right to get information.

DO.2 Magic Valley Electric Cooperative Check Presentation

Mr. Abraham Quiroga and Ms. Rebecca Alizondo presented the Magic Valley Electric Cooperative Check.

DO.3 Discussion and Possible Action on Approval to Initiate Payment
to E3 Entegral Solution, Inc. for Application #10 Design Build
Energy Efficiency and Conservation Project

Mr. Fernando Castillo recommended the board to approve to initiate payment to E3 Entegral Solution, Inc. for application #10 Design Build Energy Efficiency and Conservation Project as noted.

Trustee Reyna made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Watts. Trustees Billman, Mery and Guerrero voted in favor. The motioned carried.

AS. ACADEMIC SERVICES

AS.1 through AS.5 Consent Agenda

- AS.1 Discussion and Possible Action to Approve the Carl D. Perkins Increase Amount of 34,396 for a Total Grant Amount of \$339,662**
- AS.2 Discussion and Possible Action on the Approval of Title I, Part A-Improving Basic Programs Revised NOGA #17610101108902 (Fund 211) Maximum Entitlement of \$334,029**
- AS.3 Discussion and Possible Action on the Approval of Title I, Part C-Migrant Revised NOGA #17615001108902 (Fund 212) Maximum Entitlement of \$1,041,782**
- AS.4 Discussion and Possible Action on the Approval of Title III, Part A-LEP NOGA #17671001108902 (Fund 263) Maximum Entitlement of \$46,069**
- AS.5 Discussion and Possible Action on the Approval of Title II, Part A-Teacher & Principal Training & Recruiting NOGA #17694501108902 (Fund 255) Maximum Entitlement of \$120,869**
End of Consent Agenda

Mr. Fernando Castillo recommended the board to approve the AS.1 through AS.5 Consent Agenda (AS.1 Discussion and Possible Action to Approve the Carl D. Perkins Increase Amount of 34,396 for a Total Grant Amount of \$339,662, AS.2 Discussion and Possible Action on the Approval of Title I, Part A-Improving Basic Programs Revised NOGA #17610101108902 (Fund 211) Maximum Entitlement of \$334,029, AS.3 Discussion and Possible Action on the Approval of Title I, Part C-Migrant Revised NOGA #17615001108902 (Fund 212) Maximum Entitlement of \$1,041,782, AS.4 Discussion and Possible Action on the Approval of Title III, Part A-LEP NOGA #17671001108902 (Fund 263) Maximum Entitlement of \$46,069 and AS.5 Discussion and Possible Action on the Approval of Title II, Part A-Teacher & Principal Training & Recruiting NOGA #17694501108902 (Fund 255) Maximum Entitlement of \$120,869).

Trustee Billman made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Watts. Trustees Mery, Reyna and Guerrero voted in favor. The motioned carried.

AS.6 Discussion and Possible Action on Approval of the 2016-2017 District Improvement Plan and All Campus Improvement Plans

Mr. Fernando Castillo recommended the board to approve the 2016-2017 District Improvement Plan and all Campus Improvement Plans as noted.

Trustee Billman made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Mery. Trustees Watts, Reyna and Guerrero voted in favor. The motioned carried.

AS.7 Discussion and Possible Action to Amend the 2016-2017 Donna Independent School District Calendar as Presented

Mr. Fernando Castillo recommended the board to approve to amend 2016-2017 Donna Independent School District Calendar as presented as noted (Saturday or Monday).

Trustee Mery made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Watts. Trustees Billman, Reyna and Guerrero voted in favor. The motioned carried.

AS.8 Discussion and Possible Action on a Memorandum of Understanding Between Donna ISD (DISD) and McDonald's - Donna Location for 2016-2017 School Year

Mr. Fernando Castillo recommended the board to approve the Memorandum of Understanding between Donna ISD (DISD) and McDonald's - Donna Location for 2016-2017 School Year.

Trustee Reyna made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Mery. Trustees Billman, Watts and Guerrero voted in favor. The motioned carried.

AS.9 Discussion and Possible Action to Approve the Texas Book Festival Reading Rock Star Grant for the 2016-2017, 2017-2018 and 2018-2019 School Years

Mr. Fernando Castillo recommended the board to approve to approve the Texas Book Festival Reading Rock Star Grant for the 2016-2017, 2017-2018 and 2018-2019 School Years.

Trustee Billman made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Watts. Trustees Mery, Reyna and Guerrero voted in favor. The motioned carried.

BF. BUSINESS AND FINANCE

BF.1 Discussion and Possible Action for Amend in Local Policy for Purchasing and Acquisition, CH (Local)

Mr. Fernando Castillo recommended the board to approve to amend local policy for Purchasing and Acquisition, CH (Local) as discussed (start date January 1, 2017).

Trustee Mery made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Billman. Trustees Watts, Reyna and Guerrero voted in favor. The motioned carried.

BF.2 Discussion and Possible Action to Solicit Request for Qualification (RFQ) for Professional Legal Services for Donna Independent School District and Authorize Board President to Compile the Qualification Packet

Trustee Watts made a motion to approve to approve to solicit request for qualification (RFQ) for Professional Legal Services for Donna Independent School District and authorize Board President to compile the qualification packet. It was second by Trustee Billman. Trustees Mery, Reyna and Guerrero voted in favor. The motioned carried.

BF.3 Discussion and Possible Action to Solicit Request for Qualifications (RFQ) Financial Audit Services

Mr. Fernando Castillo recommended the board to approve to solicit request for qualifications (RFQ) Financial Audit Services.

Trustee Watts made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Reyna. Trustees Billman, Mery and Guerrero voted in favor. The motioned carried.

BF.4 Discussion and Possible Action to Advertise for the New School Year 2017-2018 Catalog and Discount Bids

Mr. Fernando Castillo recommended the board to approve to advertise for the New School Year 2017-2018 Catalog and Discount Bids as noted.

Trustee Mery made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Reyna. Trustees Billman, Watts and Guerrero voted in favor. The motioned carried.

BF.5 Discussion and Possible Action to Solicit Request for Quotes (RFQ) - # 121316-035 to Purchase and Replace all Split HVAC Units and Fresh Air Recovery Systems at Todd Middle School M-Building, Salazar Elementary, and Muñoz Elementary for the School Year 2016-2017

Mr. Fernando Castillo recommended the board to approve to solicit request for quotes (RFQ) - # 121316-035 to purchase and replace all split HVAC units and fresh air recovery systems at Todd Middle School M-Building, Salazar Elementary, and Muñoz Elementary for the School Year 2016-2017.

Trustee Reyna made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Watts. Trustees Billman, Mery and Guerrero voted in favor. The motioned carried.

BF.6 Discussion and Possible Action to Advertise and Solicit Request for Proposals (RFP #120516-309 E-Rate Eligible Services for Category One), Local & Long Distance - NO RFP, and (RFP #120616-310 E-Rate Eligible Services for Category Two) Funding Year 2017

Mr. Fernando Castillo recommended the board to approve to advertise and solicit request for proposals (RFP #120516-309 E-Rate Eligible Services for Category One), Local & Long Distance - NO RFP, and (RFP #120616-310 E-Rate Eligible Services for category two) funding year 2017.

Trustee Mery made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Reyna. Trustees Billman, Watts and Guerrero voted in favor. The motioned carried.

BF.7 Ratification on Discussion and Possible Action for Approval for the Electrical Services for Donna North High School Modular Classroom

Mr. Fernando Castillo recommended the board to approve the electrical services for Donna North High School modular classroom.

Trustee Billman made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Watts. Trustees Mery, Reyna and Guerrero voted in favor. The motioned carried.

BF.8 Discussion and Possible Action to Terminate the Professional Services Contract with Perdue, Brandon, Fielder, Collins & Mott, L.L.P Delinquent Tax Attorney

Trustee Billman made a motion to approve to terminate the Professional Services Contract with Perdue, Brandon, Fielder, Collins & Mott, L.L.P Delinquent Tax Attorney. It was second by Trustee Mery. Trustees Watts, Reyna and Guerrero voted in favor. The motioned carried.

BF.9 Discussion and Possible Action to Retain the Services of a Law Firm for Delinquent Tax Collections Services for Donna ISD and Authorize Board President to Execute Contract

Trustee Billman made a motion to approve to retain the Services of a Law Firm for Delinquent Tax Collections Services for Donna ISD and Authorize Board President to Execute Contract (Linebarger Goggan Blair & Sampson, LLP). It was second by Trustee Watts. Trustees Mery, Reyna and Guerrero voted in favor. The motioned carried.

BF.10 Discussion and Possible Acton to Advertise and Solicit Requests for Qualification for Forensic Audit for Donna ISD

Trustee Mery made a motion to approve to advertise and solicit requests for qualification for Forensic Audit for Donna ISD. It was second by Trustee Watts. Trustees Billman, Reyna and Guerrero voted in favor. The motioned carried.

HR. HUMAN RESOURCES

Trustee Mery made a motion to move HR.1 (Discussion and Possible Action to Amend Policy DC (Local) Employment Practices as Presented) into Executive Session (legal discussion). It was second by Trustee Watts. Trustees Billman, Reyna and Guerrero voted in favor. The motioned carried.

**HR.1 Discussion and Possible Action to Amend Policy DC (Local)
Employment Practices as Presented**

This item was moved to Executive Session.

**HR.2 Discussion and Possible Action to Amend Policy DHE (Local)
Employee Standards of Conduct Searches and Alcohol/Drug
Testing as Presented**

Trustee Mery made a motion to approve to approve to amend Policy DHE (Local) Employee Standards of Conduct Searches and Alcohol/Drug Testing as presented (deleting item 2 as per legal). It was second by Trustee Watts. Trustees Billman, Reyna and Guerrero voted in favor. The motioned carried.

**HR.3 Discussion and Possible Action to Terminate
Contract/Agreement for Insurance Consulting Services with
Granado Group**

Trustee Mery made a motion to approve to terminate Contract/Agreement for Insurance Consulting Services with Granado Group. It was second by Trustee Billman. Trustees Watts, Reyna and Guerrero voted in favor. The motioned carried.

**HR.4 Discussion and Possible Action to Discontinue the Current Agent
Services Agreement with Respect to the Following Products:**

- **Employer Sponsored Medical Insurance with BCBS (ASO and Stoploss**
- **Employer Sponsored Life Insurance (Met Life and Unum)**
- **Voluntary Term Life (Met Life and Unum);**
- **Voluntary Disability (The Hartford and Cigna);**
- **Voluntary Vision (Superior Vision)**
- **Voluntary Dental (Ameritas);**
- **Voluntary Universal Life (Transamerica and All State);**
- **Voluntary Cancer Plans (All State);**
- **Voluntary Accident Plans (All State);**
- **Voluntary Critical Illness (All State);**
- **Voluntary Hospital Indemnity (All State)**

This item was deleted.

HR.5 Discussion and Possible Action to Enter a New Servicing Agreement with Respect to the Following Products:

- Employer Sponsored Medical Insurance with BCBS (ASO and Stoploss
- Employer Sponsored Life Insurance (Met Life and Unum)
- Voluntary Term Life (Met Life and Unum);
- Voluntary Disability (The Hartford and Cigna);
- Voluntary Vision (Superior Vision)
- Voluntary Dental (Ameritas);
- Voluntary Universal Life (Transamerica and All State);
- Voluntary Cancer Plans (All State);
- Voluntary Accident Plans (All State);
- Voluntary Critical Illness (All State);
- Voluntary Hospital Indemnity (All State)

This item was deleted.

HR.6 Discussion and Possible Action to Terminate the Services of the Jeff Everitt and Associates and Bob Treviño as the Servicing Agent for the Employee Voluntary Products, Health, Vision and Dental Benefits

This item was deleted.

HR.7 Discussion and Possible Action to Appoint a New Servicing Agent for the Employee Voluntary Products, Health, Vision and Dental Benefits

This item was deleted.

V. The Board Convened into EXECUTIVE SESSION as Authorized by Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.075, 551.076, 551.082, 551.083 and 551.084. (8:08 p.m.)

- A. Discussion of Superintendent's Recommendation of Personnel**
- B. Discussion and Possible Action on the Ratification of the Approval of Teacher/Employee Employment Recommendations**
- C. Discussion of District Personnel**

- D. **Consider and Discuss the Proposed Termination of the Term Contract of Francisco Ortega, Strategist**
- E. **Consider and Discuss the Contracts of the Head High School Football Coaches**
- F. **Consider and Discuss the proposed Resolution of Valley Risk Consulting, Inc., Arthur J. Gallagher & Co, and Joe**
- G. **Salazar, Individually and D/B/A Salazar Insurance Group v. Donna ISD**
- H. **Consider and Discuss the proposed Resolution of Efren Cenicerros and Ernest Lugo v Donna ISD Board of Trustees**
- I. **Discussion and Private Consultation with Attorney Regarding Pending or Contemplated Litigation, Settlement Matters, and/or Matters Where the Professional Duty Under State Board Requires Private Consultation with the School Attorney**

HR.1 Discussion and Possible Action to Amend Policy DC (Local) Employment Practices as Presented

Trustee Avila arrived late at 8:57 p.m. during Executive Session.

The board reconvened back into open session at 10:26 p.m.

VI. OPEN SESSION - Take possible action on matters discussed in Executive Session.

A. Approval of Superintendent's Recommendation of Personnel

Mr. Fernando Castillo recommended the board to approve the Superintendent's Recommendation of Personnel as discussed in Executive Session two (2) paraprofessionals and three (3) nonprofessionals.

Trustee Mery made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Avila. Trustees Billman, Reyna and Watts voted in favor. The motioned carried.

B. Discussion and Possible Action on the Ratification of the Approval of Teacher/Employee Employment Recommendations

Mr. Fernando Castillo recommended the board to approve the ratification of the approval of teacher/employee employment recommendations as discussed in Executive Session four (4) teachers as noted campus positions.

Trustee Mery made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Avila. Trustees Billman, Watts, Guerrero and Reyna voted in favor. The motioned carried.

C. Approval of District Personnel

No action on this item.

D. Discussion and Possible Action to Approve the Proposed Termination of the Term Contract of Francisco Ortega, Strategist

Mr. Fernando Castillo recommended the board to approve the proposed termination of the term contract of Francisco Ortega, Strategist as discussed in Executive Session exclusive of the special point's general council alluded to.

Trustee Mery made a motion to approve the recommendation of Mr. Fernando Castillo. It was second by Trustee Reyna. Trustees Billman, Guerrero, Watts and Avila voted in favor. The motioned carried.

E. Approval Regarding Pending or Contemplated Litigation, Settlement Matters, and/or Matters Where the Professional Duty Under State Board Requires Private Consultation with the School Attorney


No action on this item.

HR.1 Discussion and Possible Action to Amend Policy DC (Local) Employment Practices as Presented

Trustee Mery made a motion to approve to Amend Policy DC (Local) Employment Practices as Presented with the modifications made in Executive Session. It was second by Trustee Reyna. Trustees Billman, Guerrero, Watts and Avila voted in favor. The motioned carried.


VII. ADJOURN

Trustee Watts made a motion to adjourn the meeting. It was second by Trustee Avila. Trustees Mery, Guerrero, Billman and Reyna voted in favor. The motion carried. The meeting adjourned at 10:30 p.m.



President
Board of Trustees
Donna ISD

or



Secretary

Date Approved: January 10, 2017