



SANTA MARIA INDEPENDENT SCHOOL DISTRICT

Regular Meeting of the Board of Trustees
September 20, 2023
6:00 PM

MINUTES

Notice is hereby given that a scheduled Regular Meeting of the Board of Trustees of Santa Maria Independent School District was held on Wednesday, September 20, 2023 at 6:00 p.m. This meeting was held at the Santa Maria ISD Board Room, in the Administration Bldg. located at 11119 Military Road, Santa Maria, TX 78592.

Zoom Link: <https://us06web.zoom.us/j/82987579361?pwd=aMLpSFbjNpXfdWuFmzecWVUqUI01C4.1>

The Santa Maria Independent School District offers reasonable accommodations for persons accessing its school facilities, as required by the Americans with Disabilities Act (ADA). If you require special accommodations, please contact Ida Torres, Administrative Assistant to the Superintendent/District Receptionist, at (956) 565-6308 for assistance.

CALL TO ORDER

Adolfo Hinojosa, Board President called the Regular Meeting of Trustees to order at 6:01 p.m.

ESTABLISH QUORUM

Present:

Adolfo Hinojosa
Javier E. Jimenez
Casey Espinoza
Marco Aleman
Andrew De La Rosa – Via Zoom
Miguel Zavala – 6:03 p.m.
Michele Garcia – 6:17 p.m.

Present from the District:

Martin Cuellar, Superintendent
Ida Torres, Administrative Assistant to the Superintendent
Yliana Gonzalez, Business Manager
Arturo Hinojosa Jr., Technology Coordinator
Eden Ramirez, Legal Counsel

PLEDGE OF ALLEGIANCE

OPEN FORUM

At regular meeting the Board shall allot no more than 30 minutes to hear persons who desire to make comments to the Board. However, no one presentation shall exceed three minutes. Persons who wish to participate in this portion of the meeting shall sign up with the presiding officer or designee before the meeting begins and shall indicate the topic about which they wish to speak. The topics for discussion are limited to the topics listed on the posted agenda. Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject



that is not included on the agenda posted with notice of the meeting. The presiding officer or designed shall determine whether a person addressing the Board has attempted to solve a matter administratively through resolution channels established by policy.

Two people signed up for Open Forum:

1.) Edward Contreras with TASB on overview of Lonestar Investment Pool.

2.) Maribel Gonzales concerns on hiring of new staff, related to a school board member. If it is Nepotism, has it been addressed. And how do we know if all the Board members are living within the district's jurisdiction.

PRESENTATION

1. Presentation of 2022-2023 Texas Assessment Program Results.

Mr. Rene Salinas, Director of Student Support Services read the results for STARR, EOC and TELPAS testing. All principals are present in case there are any questions. Jacob M. Camacho, Principal at Tony Gonzalez Elementary, Jay Viera, Principal at Santa Maria Middle School and Yadira Flores, Principal at Santa Maria High School. What each campus is doing to better scores this year.

ACTION AGENDA

1. Construction

- 1) Presentation, discussion and possible action on status report for 2021 SMISD Bond Program Project Management Service-Concession Stand Project by Brighton Group

Alice Rodriguez, Brighton Group stated will be giving a brief update on the Concession Stand, this afternoon we forward the preliminary contract over to the district to forward to legal for review and for any changes that we need to go through. We have been working with the design team. The design team has suggested that we delete any items that can potentially create cost saving for the district. Once we start talking to the contractor and what not, once we get through the negotiation and get the contract signed. Once the contract is approved, the contractor has stated that within ten to fourteen days they will be able to mobilize. Once all that is done and the district is in agreement with everything. They are looking at one-hundred and twenty-day construction. After the contract is signed.

Mr. Zavala asked if she knew how much?

Mrs. Rodriguez stated she believed it was at four-hundred eighty-one.

Mr. Hinojosa asked Mr. Ramirez if he was able to review.

Mr. Ramirez stated he had just received it and he would need to go over it.

Mr. Jimenez asked if we were supposed to get a new set of plans with changes.

Ms. Garcia stated she thought they were going to negotiate and then bringing it back to the board. But from what I understand now is we have the plans we are going to review and make

Mr. Ramirez stated If we delay there is a possibility that the price can be higher after thirty days.

Mr. Jimenez and Ms. Garcia are asking for an itemized breakdown.

Ms. Garcia stated she is not happy that it was going to be the same scope of work, but the price was going to be negotiable. That was her understanding, not we're going to remove stuff and then the price was going to go down. At this point we're delaying it and prices can go up after thirty days the estimate can go up. I would say we need to move on it.

Mr. Ramirez stated we are not changing the price. The price on the contract will stay the same but it will be negotiable as we go.

Ms. Rodriguez stated there is still the potential of trying to save money for the district.



Mr. Ramirez stated the law doesn't let us go back and request a more detailed version. It goes against our procurement policies. As the project advances, the board will be able to make choices as we reach that miles stone. Once we get to the tables inside the concession stand you'll get the option of your budget is blank for stainless steal, do you want to save money, we can go with plastic. Or the plant budget in the planters, you can say we will do away with the 40 inch and do away with that at the time the project is progressing.

Motion to approve the contract price as it was submitted for bid with the understanding that they are aware that we are looking at value engineering as we go through by Miguel Zavala, second by Marco Aleman. Motion passed unanimously.

2. Purchasing

- 1) Discussion and possible action on the lease-purchase of two buses; (1) from Thomas Bus of Texas STR Company, a Buy Board Vendor, Daimler Truck Financial and (1) from Rush Truck Centers, Government Capital Corp.

Motion to accept administration recommendation for the purchase of both busses to include the adoption of any resolutions to accompany the financing by Miguel Zavala, second by Casey Espinoza. Motion passed unanimously.

3. Travel

- 1) Discussion and possible action to approve out of valley trip for SMHS Cross Country (McNeil Hoka XC Meet) on September 21-22, 2023 in Austin, Texas.

Motion to approve Marco Aleman by, second by Casey Espinoza. Motion passed unanimously.

- 2) Discussion and possible action to approve out of valley trip for SMHS Cross Country (Nike South XC Meet) on September 29-30, 2023 in The Woodlands, Texas.

Motion to approve by Miguel Zavala, second by Marco Aleman. Motion passed unanimously.

CONSENT AGENDA

Motion to approve Consent Agenda by Miguel Zavala, second by Marco Aleman. Motion passed unanimously.

1) Finance

1. Approval of Check Payments since last report unaudited for August 2023.
2. Approval of Monthly Investment Report for the period of August 2023.
3. Approval of Revenue and Expenditure Report unaudited ending August 31, 2023.
4. Approval of the Tax Collection Report for August 2023.

2) Minutes

1. Approval of Minutes for Special Board Meeting on July 5, 2023
2. Approval of Minutes for Regular Board Meeting on August 14, 2023
3. Approval of Minutes for Board Workshop on August 24, 2023
4. Approval of Minutes for Public Hearing on August 30, 2023
5. Approval of Minutes for Special Board Meeting on August 30, 2023

EXECUTIVE SESSION

Motion to go into Executive Session by Miguel Zavala, second by Casey Espinoza. Motion passed unanimously at 7:23pm.



Discussion under the authority of Section 551, Texas Government Code: If, during the course of the meeting covered by this Notice, the Board should determine that a closed session of the Board should be held or is required in relation to any item included in this Notice, then such closed session as authorized by Section 551.001 et. seq. of the Texas Government Code (the Open Government Act) will be held by the Board after the commencement in open session of the meeting covered by this Notice. Such closed session may concern any or all of the subjects and be conducted for any and all purposes permitted by Section 551.071 through and including Section 551.084 of the Texas Open Meetings Act, including, but not limited to, private consultation with the Board's attorney on any or all subjects or matters authorized by law.

- A. Section 551.071—Consultation with Attorney on Any Permitted Subject Including, But Not Limited
 - 1) Discussion with School Attorney on Item(s) Exempted under Attorney-Client Privilege
 - 2) Discussion with legal counsel regarding Complete Mediation Settlement Agreement between Santa Maria ISD and Mr. Enrique Cuellar, related to Cause Number 2022-DCL-C-02040.
- B. Section 551.072—Deliberation Regarding Real Property
- C. Section 551.073—Deliberation Regarding Prospective Gift
- D. Section 551.074—Personnel Matters, pursuant to Section 551.074 of the Texas Government Code and Attorney consultation pursuant to Section 551.071 of the Texas Government Code
 - 1) Resignations, retirements, terminations, proposed terminations, appointments, evaluations, reassignments, duties and discipline of Professional, Paraprofessional and Non-Contract Employees; Teacher Substitutes and Substitutes for Maintenance, Transportation, and Cafeteria Department
 - 2) Discuss all items as appropriate on Superintendent's personnel recommendations
- E. Section 551.076 – Deliberations on Security Devices or Security Audits
- F. Section 551.082—School Children; School District Employees; Disciplinary Matters or Complaint
- G. Section 551.0821—Personally Identifiable Information about Public School Student

RECONVENE IN OPEN SESSION

Motion to Reconvene in Open Session by Miguel Zavala, second by Marco Aleman. Motion passed unanimously at 8:02pm.

- 1. Discussion and possible action on items discussed in Executive Session
- 2. Discussion and possible action on recommendations on all items as appropriate on Superintendent's personnel recommendations.
- 3. Discussion and possible action regarding Complete Mediation Settlement Agreement between Santa Maria ISD and Mr. Enrique Cuellar, related to Cause Number 2022-DCL-C-02040.

Motion to approve the settlement agreement the Complete Mediation Settlement Agreement between Santa Maria ISD on Cause Number 2022-DCL-C-02040 as recommended by insurance counsel by Marco Aleman, second by Casey Espinoza



EXECUTIVE SESSION

(May be reconvened, if necessary)

ADJOURNMENT

Motion to Adjourn meeting by Miguel Zavala, second by Casey Espinoza. Motion passed unanimously at 8:03pm.

This notice was posted in compliance with the Texas Open Meetings Act on Friday, September 15, 2023 at 5:00 p.m.



Adolfo Hinojosa
Board President



Casey Espinoza
Board Secretary

This notice has been publicly posted at the administrative offices of the Santa Maria Independent School District, 11119 Military Rd., Cameron County, Santa Maria, Texas, at least seventy-two (72) hours in advance of the above mentioned meeting, as required by the following sections of the Texas Government Code: 551.071 through 551.084. During the regular school year, this notice is also posted in all schools in the District. The school district also posts its board meeting agendas on the District's internet web site (www.smisd.net)

Consent Agenda: All matters listed under the Consent Agenda are considered to be routine by the Board of Trustees and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired on a specific item(s), that item will be removed from the Consent Agenda and considered separately.

Board of Trustees

Adolfo Hinojosa, President
Javier E. Jimenez, Jr., Vice-President
Casey Espinoza, Secretary
Marco Aleman, Member
Andrew "Andy" De La Rosa, Member
Michele Garcia, Member
Miguel Zavala, Member

