



SANTA MARIA INDEPENDENT SCHOOL DISTRICT

Regular Meeting of the Board of Trustees
Monday, September 12, 2016
6:00 p.m.

Minutes

Notice is hereby given that a scheduled Regular Meeting of the Board of Trustees of Santa Maria Independent School District was held on Monday, September 12, 2016 at 6:00 p.m. at the Santa Maria ISD Board Room, 11119 Military Hwy Santa Maria, Texas 78592.

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, Clerical Assistant to the Superintendent of Schools at (956) 565-6308 for assistance.

CALL TO ORDER

Board President called the Regular Board Meeting to order at 6:12p.m.

ESTABLISH QUORUM

Present:

Adolfo Hinojosa, President
Oralia "Lala" Ortiz, Vice-president
Miguel Zavala, Secretary
Noe Aleman, Member
Belinda Lugo, Member
Rambaldo "Ram" Rivera Jr., Member (walked in at 6:22p.m)

Absent:

Consuelo De la Rosa, Member

Present from the District:

Maria J. Chavez, Superintendent of Schools
Enrique Cuellar, Business Manager
Alyssa Romero, District Council, Law Offices of Guerra & Farah, PLLC
Ida Torres, Clerical Assistant to the Superintendent of Schools

PLEDGE OF ALLEGIANCE



OPEN FORUM

Board President asked if anyone signed up for open forum. Mrs. Torres replied no.

SUPERINTENDENT'S REPORT

Ms. Chavez stated the administration recommends your approval of the agenda for today's board meeting with no changes.

Motion made by Miguel Zavala, second by Noe Aleman. Motion passed unanimously.

ACTION AGENDA

Human Resources

1. Discussion and possible action to approve modifications to the Stipend Schedule for 2016-2017.

Motion to table item made by Miguel Zavala, second by Oralia "Lala" Ortiz. Motion passed unanimously to table item #1.

2. Discussion and possible action to approve the 2016-2017 TASB-HR Subscription renewal.

Motion made by Miguel Zavala, second by Oralia "Lala" Ortiz. Motion passed unanimously.

Facilities

3. Discussion and possible action to approve the Agreement between Santa Maria Independent School District and Fulcrum Consulting Services for the New High School Facility Project.

Ms. Chavez stated the administration asks that you table this item until we have an opportunity to address all of the changes. The full agreement has not been reviewed. I received those notes today and in my visit with the attorney we still have some questions about the budget and if you allow us an opportunity to sit down and address those questions prior to the board meeting.

We're going to have to have a special board meeting due to the fact that we received communication from the financial advisor that we are getting ready to set in the tax rate for the district. Now that we have implemented the sale of the bond issue and we were able to hear from TEA.

Mr. Aleman asked if it was like a delay.

Ms. Chavez replied that right now we don't have access to the funding so you're really not delaying anything.



Mr. Hinojosa asked so we just barely got a copy of it.

Ms. Chavez replied actually I made some calls today to find out the if the attorney had received a full review of the contract, because the communication at the building committee meeting was that we needed to have a copy of a fully reviewed document. And at this point I didn't have any document with any comments from the attorney. The other was to be able to communicate about the budget questions that we had at the administration level. We were able to make those context but we were not able to get together prior to this board meeting.

Mr. Hinojosa asked is that what we're looking at here, an email conversation.

Mrs. Romero stated no I did review the amendment but I know there was some of the proposed budget charts were kind of off on the numbers.

Ms. Chavez stated I don't think it's off here. I think it's just being able to coordinate all of it and including my contact today with Mr. Lazaro's office about this whole budget and the questions that we have. We will address all of that but we feel that we need to do our job in ensuring that what we bring to you has already gone through that level of review.

Mr. Zavala stated we've had this for a long time already, she reviewed the contract right she had it.

Mrs. Romero stated I reviewed the amendment, I verified thee original contract which was 28 pages.

Ms. Chavez stated you had reviewed only the amendment not the full document in this case and that was the communication I received so today there was communication back and forth because I sent an email asking for a full document that had been reviewed to make sure that it was the document that we had attached.

Mr. Hinojosa inquired when she is planning on having the Special board meeting.

Ms. Chavez stated she is looking forward in finalizing it by tomorrow with Dr. De los Santos.

Mr. Aleman asked if it takes more that a week to review the contract or how long.

Ms. Chavez stated she received the document but she also wanted to get with Fulcrum to discuss the budget of the New High School.

Mr. Lazaro stated I apologize because I know Leslie had told me about it and I had asked her to send you the actual budget that was approved by this board when we selected option 2 and I think that's the copy that you have. If you remember we presented the different options and we selected option 2 and option 2 specifically says how much money we have for the school and how much money we have for architectural fees and other fees. So that's the one that was approved in the past so I don't have any more changes to that Ms. Chavez.



Ms. Chavez stated we can look at the documents because I think the one thing that is still in question is based on the two documents that were attached to the architect agreement, you had related costs for options 1 and 3 and the figures are different. We sent an email this afternoon after we requested time to meet with you and we basically gave you a summary of those two documents.

Mr. Lazaro stated I didn't see that but this is the correct one right here.

Ms. Chavez then replied that one is even off from the figures that we get. It's actually a little higher based on adding your figures and what you have there.

Mr. Lazaro suggested maybe the math is wrong and we can take care of it.

Ms. Chavez replied we can work through it but I think we still have questions about the payments that have already been administered and the cost with option one and three. I think we can go ahead and address those.

Mr. Hinojosa asked if you were to meet some time tomorrow, could we set something up for Saturday.

Ms. Chavez stated we are going to have a special board meeting just to be able to address the tax rate so we can go ahead and move forward with it. We need to make sure that we are all on the same page because we found some in the three documents that we have received. We want to make sure that we stay clear. I know that there were a lot of concerns as we took on the 5th grade project. I want to make sure that we start with a clear understanding of what the district has already invested in this project and the cost for each of the options in this case and that's basically doing our job before we bring you anything here.

Mr. Aleman asked Mrs. Romero, at the building committee meeting last week, didn't you review the contract and it still wasn't right.

Mrs. Romero stated I reviewed it. I reviewed the amendment because the contract was signed in 2013. This is an amendment. So as far as the body of the contract all that's being changed are three changes which is the amendment because the contract was approved in 2013 and so when you sign a contract and you want to make changes, both parties need it and have an amendment that need to be approved by both sides. What was given to me was the addendum and I verified and I did review that. As far as the numbers, I don't know exactly how much the district has paid out. It's a big amount so I understand the precaution because it's a large number.

Ms. Ortiz stated, what I'm getting here is that you want like a document saying what we paid and this is what it's going to cost us.

Ms. Chavez asked the board members to refer back to some attachments which included the costs for option 1, 2 and 3.



Mr. Rivera asked so basically what do you need so we can get it done.

Mr. Lazaro stated I think we have everything here if you give me an opportunity and I think the attorney understands. We have two items that are here but one is dated back in May. Since, May we have continued to do some work. The one that is actually valid is the one in black and white. That one reflects the actual budget that this board approved. This is the information that was presented for option 2. It shows that the new high school for the renovation of the existing high school. You have a budget \$8,121,500. For the architectural fee we have construction staking all of that \$1,059,000 and then property acquisition for a total of \$9.4 million. That was the budget that this board approved and that's the way the agreement is set up but I'm glad to meet with her and get it worked out.

Ms. Chavez stated what you received as a new attachment for this agreement as of May 10th 2016 this report provided to us. We haven't requested any more design for option 1 or option 3 because we avoided those options in this case so the closeout of the cost for those options as of May 10th 2016.

Mr. Lazaro stated that in the initial one the percentages were off. They did not follow the architectural agreements then I updated it to reflect the actual one as reflected on number 4. That's the one that changed.

Ms. Ortiz stated I just want to make sure that if there is a discrepancy on the figures for some reason or another, I just want to make sure that if we start the high school and here is six months and were almost done with it then it turns out we don't have enough funds to cover the whole cost because of something we didn't wait on.

Mr. Hinojosa stated I agree with that. We take our time and let you review it. When do you think you all can meet Mr. Lazaro?

Mr. Lazaro replied I would like to meet with Mrs. Chavez and the attorney in the morning if you can. That way at the end of the meeting we get everything ironed out.

Mr. Rivera stated and that's better because we don't want to have the same tempo. So let the administration do their part and the board our part and you do your part and the attorney do her part. Let's get it done and get it going.

Mr. Hinojosa stated well then let's table it and we will let the attorney figure it out.

Motion to table made by Miguel Zavala, second by Oralia "Lala" Ortiz. Motion to table item # 3 passed unanimously.

Finance

4. Discussion and possible action to approve payment to Fulcrum Consulting Services.

Motion made by Rambaldo "Ram" Rivera, second by Miguel Zavala. Motion passed unanimously.



5. Discussion and possible action to approve the 2016-2017 Texas Association of Rural Schools Membership

Motion made by Miguel Zavala, second by Oralia "Lala" Ortiz. Motion passed unanimously.

6. Discussion and possible action to approve the 2016-2017 STAAR One™ Limited End-User Site License Agreement

Motion made by Noe Aleman, second by Miguel Zavala. Motion passed unanimously.

Curriculum and Instruction

7. Discussion and possible action to approve the 2016-2017 Inter-local Agreement between Santa Maria Independent School District and Texas State Technical College for the Educational Talent Search Program

Motion made by Oralia "Lala" Ortiz, second by Noe Aleman. Motion passed unanimously.

8. Discussion and possible action to approve the Professional Services Provider Consultant Agreements for the 2016-2017 school year

Motion made by Miguel Zavala, second by Oralia "Lala" Ortiz. Motion passed unanimously.

9. Discussion and possible action to approve the Agreement between Santa Maria Independent School District and The Barbara Bush Foundation for Family Literacy, Inc. for the 2016-2017 school year

Motion made by Rambaldo "Ram" Rivera, second by Noe Aleman. Motion passed unanimously.

10. Discussion and possible action to approve the Memorandum of Understanding between Santa Maria Independent School District and Rio Grande Valley Institutions of Higher Education (RGV IHE) for the 2016-2017 school year

Motion made by Noe Aleman, second by Miguel Zavala. Motion passed unanimously.

11. Discussion and possible action to approve the Software License Agreement for DMAC Software License Agreement between Santa Maria Independent School District and Region One Education Service Center (ESC) for the 2016-2017 school year

Motion made by Oralia "Lala" Ortiz, second by Noe Aleman. Motion passed unanimously.

Governance

12. Discussion and possible action on review of Policy (CDA) Local on other Revenues and Investments

Motion made by Rambaldo "Ram" Rivera, second by Noe Aleman. Motion passed unanimously.



CONSENT AGENDA

Finance

13. Approval of Check Payments since last report for August 2016
14. Approval of the Tax Collection Report for August 01, 2016 to August 31, 2016
15. Approval of Monthly Investment Report for the period of September 1, 2015 to August 31, 2016
16. Approval of Revenue and Expenditure Report ending August 31, 2016
17. Approval for Budget Amendment for August 2016

Mrs. Lugo had a question regarding two checks made out to Military Water Supply.

Ms. Chavez stated that Mr. Cuellar was working on that due to a leakage and they will send out a letter regarding that dispute to high charge.

Motion made Rambaldo "Ram" Rivera, second by Oralía "Lala" Ortiz. Motion passed unanimously.

Board President asked for a motion to go into executive session.

Motion made by Noe Aleman, second by Miguel Zavala. Motion passed unanimously.

Board President announced it is 6:56 the Board of Trustees is now in executive session.

EXECUTIVE SESSION

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 to:
 - 1) Discussion with School Attorney on Item(s) Exempted under Attorney-Client Privilege
- B. Section 551.072—Deliberation Regarding Real Property
- C. Section 551.073—Deliberation Regarding Prospective Gift
- D. Section 551.074—Personnel Matters
 - 1) 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

Board President asked for a motion to reconvene in open session.

Motion made Oralia “Lala” Ortiz, second by Miguel Zavala. Motion passed unanimously.

Board President announced it is 7:36p.m. the Board of Trustees is now in open session.

1. Discussion and possible action on items discussed in Executive Session
 - a) Discussion and possible action on recommendations on all items as appropriate on Superintendent’s recommendations

Ms. Chavez stated the administration recommends your approval on the HR report as presented.

Motion made by Rambaldo “Ram” Rivera, second by Noe Aleman. Motion passed unanimously.

ADJOURNMENT

Board President asked for motion to adjourn meeting.

Motion made by Noe Aleman, second by Miguel Zavala. Motion passed unanimously.

Board President announced it is now 7:37 the meeting is now adjourned.





Adolfo Hinojosa
Board President



Miguel Zavala
Board Secretary

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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.

Maria J. Chavez, Superintendent of Schools

Board of Trustees

- Adolfo Hinojosa, President***
- Oralia "Lala" Ortiz, Vice-President***
- Miguel Zavala, Secretary***
- Noe Aleman, Member***
- Consuelo De La Rosa, Member***
- Belinda Lugo, Member***
- Rambaldo "Ram" Rivera, Jr., Member***

