

Minutes of Regular Board Meeting June 9, 2020

The Board of Trustees Texas City Independent School District

Present: Bryan Thompson, President
Nakisha Paul, Vice President
Melba Anderson
Hal Biery
Dickey Campbell
Nelson Juarez
Mable Pratt

Present: Susan Myers, Interim- Superintendent of Education
Dr. Terri Burchfield, Assistant Superintendent of Support Services
Marcus Higgs, Assistant Superintendent of Human Resources
Margaret Lee, Assistant Superintendent for Business & Operations

Adriana Lyle, Executive Administrative Assistant/Board Secretary
Don Pursley, Director of Facilities

A Regular Board Meeting of the Board of Trustees of Texas City Independent School District was held Tuesday, June 9, 2020, beginning at 5:31 p.m. in the Simpson Education Support Center Board Room.

1. Call to Order

2. First Order of Business

- A. Announcement by the president whether a quorum is present, that the meeting has been duly called and notice of the meeting has been posted for the time and manner required by law

Mr. Bryan Thompson, President, called the meeting to order at 6:30 p.m. Mr. Thompson announced that a quorum was present, that the meeting had been duly called, and a notice of the meeting had been posted in the time and manner required by law.

3. Pledge & Invocation

*Ms. Nakisha Paul, Vice President, led the pledges to the flags.
Mr. Bryan Thompson, President, gave the invocation.*

4. Public Forum

Currently, there was not a Public Forum.

5. Action Items

- A. Consider approval of minutes for Board meetings held 2/11/20, 2/14/20, 2/18/20, 3/20/20. 5/6/20 and 5/20/20

Ms. Melba Anderson, Board Member, moved to approve the minutes from meetings held on held 2/11/20, 2/14/20, 2/18/20, 3/20/20. 5/6/20 and 5/20/20. Ms. Nakisha Paul, Vice President, seconded the motion. The motion carried 7/0.

Items 5B and 5C were pulled to be voted on separately after the closed session.

- B. Consider termination of construction manager contract with Harrison, Walker and Harper, LP for the middle school project.**
- C. Consider approval of new construction delivery method under Texas Government Code Chapter 2269 for upcoming middle school project.**

6. Information Items

- A. Review proposed revisions to the 2020-2021 Instructional Calendar

Mrs. Susan Myers, Interim- Superintendent of Education, explained House Bill (HB) 2610, passed by the 84th Texas Legislature, amended the Texas Education Code (TEC) 25.081, by striking language requiring 180 days of instruction and replacing it with language requiring districts to provide at least 75, 600 minutes of instruction (including intermissions and recess). The bill also allows school closures caused by a disaster, flood, extreme weather conditions, fuel curtailment, or another calamity. Mrs. Myers explained that adjustments had been made to the calendar since it was last brought to Trustees. The 2020-21 Instructional Calendar, the start time for students, has been adjusted and moved forward to begin (Wednesday, August 12) one week earlier. Staff will begin two days earlier to begin Wednesday, August 5. Creating a mini-mester. And touch on essential skills students did not receive during the nine weeks due to time off from COVID. Five instructional days have been added to this calendar. Dr. Burchfield presented a revised instructional calendar for the 2020-2021 school year.

- B. Review for approval the recommendations of Texas City Independent School District Text Book Committee with regards to Proclamation 2020

Mrs. Susan Myers, Interim- Superintendent of Education, explained that Proclamation 2020 by SBOE called for the adoption of instructional materials for subject areas and grade level listed below:

- *English I-IV - (Pearson)*
- *Debate- (Perfection Learning)*
- *Journalism - (Good Heart Wilcox Company)*

According to board policy (EFAA Local), a textbook selection committee, appointed by the Board of Trustees, will review and adopted textbooks with state and local guidelines.

C. Review Request for TASB Board nomination

Mrs. Susan Myers, Interim- Superintendent of Education, reviewed correspondence from TASB inviting TCISD to nominate a trustee for Region 4, Position B, on the TASB Board. Nominations are to be turned in by June 30, 2020. There were no nominations given at this time.

D. Review Board Member Continuing Education Training Hours for 2019-2020

Mrs. Susan Myers, Interim- Superintendent of Education, explained that School Board Members must receive a minimum number of training hours each year through the Texas Administrative Code. All Trustees met and exceeded the required hours of continuing education training for the 2019-2020 school year.

E. Review for Approval New Professional Positions

Mr. Marcus Higgs, Assistant Superintendent of Human Resources, explained that House Bill 3 was passed by the 86th Texas Legislature in 2019 and signed into law by Governor Abbot on June 11, 2019. This bill impacts district serving prekindergarten offered to eligible four-year-old students be full day. Students must attend 75,600 instructional minutes as required for all other students. Last year the District applied for a waiver for the missing instructional minutes. There will not be a waiver for the 2020-21 school year. To reach the necessary minutes, additional staff will be required. Administration is requesting to hire a Music and Physical Education teacher to provide service to students during teacher's mandatory conference periods.

F. Review 2020-2021 Compensation Plan Scenarios

Mr. Marcus Higgs, Assistant Superintendent of Human Resources, explained that the retention and recruitment of classroom teachers and staff is a high priority for TCISD. Mr. Higgs presented 4 scenarios proposing an increase in staff salaries.

- *A 2% salary Increase of the control point for teachers and librarians, along with a step Increase. A 2 % salary increase of the midpoint for all other staff.*

- *A 1.5% salary Increase of the control point for teachers and librarians, along with a step Increase. A 1.5% salary Increase of the midpoint for all other staff.*
- *A 1% salary increase of the control point for teachers and librarians, along with a step Increase. A 1% salary Increase of the midpoint for all other staff.*
- *No salary increases for teachers and librarians, only a step Increase to maintain salary pace with other districts. No salary Increases for all other staff. Since no Increase is being offered, the District would issue a one-time payment of a \$1000 retention Incentive for each employee.*

G. *Review 2020-2021 Budget Overview and impact of salary scenarios*

Margaret Lee, Assistant Superintendent for Business & Operations, gave the following overview of the preliminary 2020-2021 budget that is based on total revenues of \$100.7 million.

TEC 13.054 *The 2020-2021 school year will be the LAST year that the District will generate additional revenue under TEC 13.054 for the annexation of La Marque ISD to Texas City ISD. The general operating budget overview provided for your consideration includes \$18.1 million in annexation funding. As you review the budget impact, please be aware that under all scenarios, the District would have a significant operating budget deficit without the additional revenue received under TEC 13.054.*

Formula Assumptions *The revenue estimate generated for purposes of this overview was calculated with Release 16 of the Region 13 funding template. Inputs into the worksheet were based on preliminary values provided by GCAD, prior year student attendance data, an M&O tax rate of \$1.0547, and property tax collections of 100%. None of the formula inputs represent final numbers, and the revenue estimate will change prior to the budget adoption.*

Earnings from Temporary Deposits

Based on current interest rates, I adjusted the budget for interest earnings from \$1.6 million in 2019- 2020 to \$300K in 2020-2021. Unfortunately, we will not meet our budgeted revenue of \$1.6 million for the current fiscal year.

Foreign Trade Zone

This preliminary budget includes \$3.3 million in revenue from the Foreign Trade Zone and is based on the current year values. I have requested an updated Foreign Trade Zone value from GCAD and will recalculate the FTZ revenue once updated values are received. The FTZ calculation will also be impacted by any change in either of our tax rates.

SHARS

Over the past several years, under Donna Peterson's leadership, we have increased our SHARS funding to more than \$2 million. Unfortunately, we have not been able to provide the same services during quarantine as we have provided in the past. SHARS funding will be impacted. For purposes of this budget workshop, I estimated the impact to be approximately \$500K, but, it will probably be more.

2021 Legislative Session

Our Legislators are facing a financial crisis and will be making tough decisions in the 2021 Legislative Session. We are being told to anticipate budget cuts between ten and fifteen percent.

EXPENDITURES

Compensation Plans

I have prepared several scenarios that look at the overall impact of various compensation proposals on the District's operating budget. The \$1,000 payment would be one of the most expensive options at \$1.6 million in the 2020-2021 school year, but it would only impact the 2020-2021 school year. All other scenarios are permanent and will impact future budget years.

Other Budget Categories

The remaining budget categories are going to fluctuate based on decisions that are made this summer. For example, if we choose to have half-day instruction to have fewer students in the classroom, we will double the number of bus routes and essentially double the amount we are spending on gas and bus drivers. Do we even have enough buses to make this happen? I made some initial assumptions in this preliminary budget, but adjustments will be made as we finalize plans for the 2020-2021 school year.

Item 7A, Consider approval of 2020-2021 Compensation Plan under the Business/Legal/Finance Consent Agenda was pulled to be voted on separately.

7 A. Consider approval of 2020-2021 Compensation Plan

Mr. Hal Biery, Board Member, made a motion to provide a one-time payment that District-wide would equal \$1,900,000. Plus benefits that would be divided equally to each employee. In finalizing the retention incentive, a sum of \$1,500 will be given to full-time employees and \$750 for part-time employees. The payment would be issued to employees working in the District in December 2020. Mr. Dickey Campbell, Board Member, seconded the motion. The motion carried 7/0.

H. Review May financial reports

Mrs. Margaret Lee, Assistant Superintendent for Business & Operations, presented the following financial reports:

1. Expenditure Dashboard Report
 2. General Fund Operating Statement
 3. Nutrition Services Operating Statement
 4. Expenditures by Function - All
 5. Expenditures by Function – 1XX
 6. Expenditures by Function – Head Start
 7. Check Register – All
 8. Check Register – Head Start
 9. Investment Report
 10. Tax Collector Report
- I. Review budget amendments

Mrs. Margaret Lee, Assistant Superintendent for Business and Operations, discussed budget amendments as presented. The budget amendments consist of budget transfers and budget revisions. The budget revisions can only be initiated in the Business Office and may result in a change to the total budgeted revenues and/or expenditures. The Budget Revisions presented at this meeting have a net effect of zero.

1. Budget Transfers
2. Budget Revisions

J. Review Bids and Proposals

Mrs. Margaret Lee, Assistant Superintendent for Business & Operations, presented the following Bids and Proposals :

1. RFP 30-02 Athletic Equipment, Supplies, and Services
2. RFP 30-03 Instructional Equipment, Supplies, and Services
3. RFP 30-04 Contracted Services for Special Education

K. Review proposed purchases that require approval under Policy CH(Local)

Mr. Don Pursley, Director of Facilities, presented the following proposed purchases that require approval under Policy CH(Local):

1. IP Camera System, Building Security System and Building Access Control System for Hayley Elementary, Guajardo Elementary, and Simms Elementary School Projects

ASAP Security Services was the top-rated contractor for the IP Camera System, Building Security System, and Building Access Control System scopes of work for our new Elementary School projects. We recommend that ASAP Security Services be issued a contract for these projects for the following amounts:

Guajardo Elementary - \$404,465.00

Haley Elementary - \$408,178.00

Simms Elementary - \$400,622.00

2. Audio/Visual Display for Hayley Elementary, Simms Elementary, and Guajardo Elementary

AVEX LLC AVEX LLC was the top-rated contractor for the Audio/Visual Display scope of work for our new Elementary School projects. We recommend that AVEX LLC be issued a contract for these projects for the following amounts:

Guajardo Elementary - \$276,041.00

Haley Elementary - \$276,041.00

Simms Elementary - \$276,041.00

3. Additional Scope of Work to meet TNMP requirements at Guajardo Elementary, Hayley Elementary, and Simms Elementary

Crescent Electric During construction work, the scope was added via TNMP requirements. Elite Power was allowed to price this work. The pricing Elite provided was not in line with the added scope of work. That is when Crescent Electric, a local Buy board approved vendor (Trade Services 558-18), was contacted and asked to price this work. The pricing provided by Crescent was in line with the scope of work. I recommend issuing Crescent Electric a contract for our New Elementary School projects for the following amounts:

Guajardo Elementary - \$20,917.00

Haley Elementary - \$20,267.00.00

Simms Elementary - \$35,048.00

4. Technology Network Infrastructure at Guajardo Elementary, Hayley Elementary, and Simms Elementary.

Layer 3 Communications was the top-rated contractor for the Technology Network Infrastructure scope of work for our new Elementary School projects. We recommend that Layer 3 Communications be issued a contract for these projects for the following amounts:

Guajardo Elementary - \$551,427.00
Haley Elementary - \$523,240.00
Simms Elementary - \$551,427.00

5. Campus Intercom Systems for Guajardo Elementary, Hayley Elementary, Simms Elementary

Philstyn A/V was the top-rated contractor for the Campus Intercom scope of work for our new Elementary School projects. We recommend that Philstyn A/V be issued a contract for these projects for the following amounts:

Guajardo Elementary - \$157,641.00
Haley Elementary - \$155,202.00
Simms Elementary - \$155,202.00

6. Awning Turndowns for Temporary Campus

ASA Builders was the top-rated contractor for adding turndowns to the hallway awnings at the La Marque Temporary Elementary/Primary campuses. I recommend that ASA Builders be issued a PO for \$60,000.00 to install a 3' turndown along both sides of every hallway at the temporary campuses. The amount of rainfall being blown across the halls on rainy days will be reduced.

- L. Presentation by Don Pursley on new construction

Mr. Don Pursley, Director of Facilities, gave an update of District facilities.

Item 6M pulled to be discussed in closed session and voted on separately.

- M. Discuss potential declaration of excess property for the following tracts of land**

Mr. Dickey Campbell made a motion to pull Item 6 M to be discussed in closed session. Mr. Hal Biery, Board Member, seconded the motion. The motion carried 7/0

7. **Business/Legal/Finance Consent Agenda**

Mr. Dickey Campbell, Board Member, moved to approve items B91-6), C91-2), D(1-3), and E(1-6). Mr. Hal Biery, Board Member, seconded the motion. The motion carried 7/0.

- B. Consider approval of May financial reports
 - 1. General Fund Operating Statement
 - 2. Nutrition Services Operating Statement
 - 3. Expenditures by Function - All
 - 4. Expenditures by Function – 1XX
 - 5. Expenditures by Function – Head Start
 - 6. Check Register – All
 - 7. Check Register – Head Start
 - 8. Investment Report
 - 9. Tax Collector Report
 - C. Consider approval of budget amendments
 - 1. Budget Transfers
 - 2. Budget Revisions
 - D. Consider approval of Bids and Proposals
 - 1. RFP 30-02 Athletic Equipment, Supplies, and Services
 - 2. RFP 30-03 Instructional Equipment, Supplies, and Services
 - 3. RFP 30-04 Contracted Services for Special Education
 - E. Consider approval of purchases that require approval under Policy CH(Local)
 - 1. IP Camera System, Building Security System and Building Access Control System for Hayley Elementary, Guajardo Elementary, and Simms Elementary School Projects
 - 2. Audio/Visual Display for Hayley Elementary, Simms Elementary, and Guajardo Elementary
 - 3. Additional Scope of Work to meet TNMP requirements at Guajardo Elementary, Hayley Elementary, and Simms Elementary
 - 4. Technology Network Infrastructure at Guajardo Elementary, Hayley Elementary, and Simms Elementary
 - 5. Campus Intercom Systems for Guajardo Elementary, Hayley Elementary, Simms Elementary
 - 6. Awning Turndowns for Temporary Campus
- 8. Curriculum & Instruction Consent Agenda**

Ms. Nakisha Paul, Vice President, moved to approve items A, B, C, and D. Mr., Dickey Campbell, Board Member, seconded the motion. The motion carried 7/0.

- A. Consider approval of the revised 2020-2021 Instructional Calendar
- B. Consider approval of the recommendations of Texas City Independent School District Text Book Committee with regards to Proclamation 2020
- C. Consider approval of TASB Board Nomination
- D. Consider for approval New Professional Positions for TCISD

9. Future Business

- A. Future Agenda Items
- B. Consider report by Superintendent and/or Board members regarding previous or upcoming activities for Board members
 - 1. Tuesday, June 11 Beam Signing
 - Guajardo Elementary-10:00 a.m.
 - Halyey Elementary - 11:00 a.m.
 - Simms Elementary - 12:00 a.m.

10. Closed Meeting

- A. Closed meeting will be held for the purposes authorized by the Texas Open Meetings Act, Texas Government Code Section 551.071 et seq. concerning any and all purposes permitted by the Act, including but not limited to the following sections and purposes: Texas Government Code Sections:

Mr. Nelson Juarez, Board Member, made a motion to convene into a closed meeting under Texas Government Code Sections 551.071 through 551.087. Ms. Melba Anderson, Board Members, seconded the motion. The motion carried 7/0. The Board of Trustees entered closed session at 8:19 p.m.

- B. **551.071** For the purpose of a private consultation with the Board's attorney on all subjects or matter authorized by law
 - 1. when the governmental body seeks the advice of its attorney about:
 - a. pending or contemplated litigation or
 - b. a settlement offer; or
 - 2. on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly conflicts with this chapter
 - 3. Consider legal advice regarding the purchase and sale agreement for the purchase of land-related action items
 - 4. Consider legal advice regarding personnel issues
- C. **551.072** For the purpose of discussing the purchase, exchange, lease, or value of real property

- D. **551.073** For the purpose of discussing negotiated contracts for prospective gifts or donations
 - E. **551.074** For the purpose of considering the appointment, employment, resignation, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
 - 1. Consider hiring professional and non-professional personnel
 - 2. Consider renewals, non-renewals, and terminations of contracts for professional and non-professional personnel
 - F. **551.076** For the purpose of considering the deployment, specific occasions for, or implementation of, security personnel or devices
 - G. **551.082** For the purpose of considering discipline of a public school child, or complaint or charge against personnel
 - H. **551.0821** For the purpose of considering a matter regarding a public school student where personally identifiable information about the student will necessarily be revealed by the deliberation
11. **Reconvene from Closed Meeting**

The Board of Trustees reconvened into open session at 9:11 p.m.

12. **Consider Action on Items Discussed in Closed Session**

5B. Consider termination of construction manager contract with Harrison, Walker and Harper, LP for the middle school project.

Mr. Hal Biery, Board Member, made a motion that the Board authorizes the administration to terminate the District's construction manager contract with Harrison, Walker and Harper, I.P. for the upcoming middle school project pursuant to Article 14.4 of the contract, pursuant to the term discussed in closed. Ms. Nakisha Paul, Vice President, seconded the motion. The motion carried 7/0.

5C. Consider approval of new construction delivery method under Texas Government Code Chapter 2269 for upcoming middle school project.

Mr. Hal Biery, Board Member, made a motion that the Board cancel the current construction manager agent delivery method for the upcoming middle school project. I further move that the Board instead designate the competitive sealed proposal delivery method pursuant to Texas Government Code Chapter 2269, Subchapter D, as the construction delivery method for the upcoming middle school project. I further move that the Board authorize the Superintendent or designee to develop selection criteria for the competitive sealed proposal process. Ms. Nakisha Paul, Vice President, seconded the motion. The motion carried 7/0.

Consider Board approval of professional personnel recommendations and
A. related actions

Mr. Marcus Higgs, Executive Director of Human Resources, asked for approval of the hiring of all professional personnel recommendations as discussed in closed session. Ms. Melba Anderson, Board Member, moved for approval. Mr. Dickey Campbell, Board Member, seconded the motion. The motion carried 7/0.

Consider Board approval of renewals, non-renewals, and terminations of
B. contracts for professional personnel and related actions

No action was taken at this time.

Consider declaration as surplus property and authorization to solicit bids for
C. District land located at:

Mr. Dickey Campbell made a motion for the Board to declare land described on Exhibit A with all of the address listed below, as a surplus property that is no longer necessary for District purposes, as presented to the Board. I recommend further that the Board authorize the administration to solicit bids for sale of the property in accordance with applicable law with the recommended offer being brought back to the Board for consideration. Ms. Nakisha Paul, Vice President, seconded the motion. The motion carried 7/0.

1. 5415 Carver Avenue, Texas City, TX 77591
2. 5910 Carver Avenue, Texas City, TX 77591
3. 1323 Laurel St., La Marque, Texas 77568
4. 2401 Magnolia, La Marque, TX 77568
5. 100 Lake Road, La Marque, TX 77568
6. 600 Wisteria, La Marque, TX 77568

13. Adjournment

Ms. Nakisha Paul, Vice President, moved to adjourn the meeting at 9:25 p.m. Mr. Nelson Juarez, Board Member, seconded the motion. The motion carried 7/0.

Approved:

Bryan Thompson
TCISD Board of Trustees

Date

Adriana Lyle, Secretary
TCISD Board of Trustees

Date