

**Harris County Department of Education
Minutes of Regular Board Meeting
November 20, 2019**

The Harris County Board of School Trustees met in a regular board meeting on November 20, 2019 in the Board Room, at 6300 Irvington Boulevard, Houston, Texas. Josh Flynn, Board President, called the meeting to order at 1:03 p.m. and declared a quorum present, that the meeting was duly called, and that notice of the meeting was posted in accordance with the Texas Open Meetings Act, Gov't. Code §551.041 and §551.051.

Board Members Present: Josh Flynn, Board President; Eric Dick; Richard Cantu; Danny Norris; Don Summers; and Mike Wolfe

Board Members Absent: George Moore, Board Vice President

Board Attorney: Sarah Langlois

Administration: James Colbert, Jr., County School Superintendent; Jesus Amezcua, CPA, Assistant Superintendent for Business Services; and Jonathan Parker, Assistant Superintendent for Academic Support; Kimberly McLeod, Assistant Superintendent for Education and Enrichment

Julia Andrews, Director Center for Safe and Secure Schools; Danielle Bartz, Chief of Staff; Darlene Breaux, Director Research and Evaluation Institute; Lisa Caruthers, Director CASE for Kids; Danielle Clark, Chief Communications Officer; Marion Cooksey, Principal Highpoint East; Stephanie De Los Santos, Director Client Engagement; Jeff Drury, Director Choice Partners; Dave Einsel, Director Communications and Creative Services; Melissa Godbout, Executive Assistant to Board of Trustees; Victor Keys, (AB West) Principal Academic Behavior School West; Bill Monroe, Director Purchasing; Anthony Moten, Principal Fortis Academy; Venita Peacock, Director Head Start; Gayla Rawlinson, Director Center for Grants Development; Stephanie Ross, Director Adult Education; Natasha Truitt, Executive Director Human Resources; Richard Vela, Senior Director Facilities; Frances Watson-Hester, Senior Director Teaching and Learning Center; Stephanie Wright, Chief Accounting Officer; Linda Zatopek, Director Educator Certification and Professional Advancement

Visitors: Colleen Vera, Joy Davis, Andrea Duhon, Amy Hinojosa, Josh Wallenstein, Gary Dennis, Fred Fliekinger

1. **Invocation** - Dennis Calloway, Safe and Secure Schools

2. **Pledge of Allegiance to the US flag** - Yi Ren, Research and Evaluation Institute
3. **Pledge of Allegiance to the Texas flag** - Yi Ren, Research and Evaluation Institute
4. **Open Forum** - Gov't Code 551.003 (5) - Public Participation. Pursuant to Policy BED (Local), a citizen who wishes to speak may do so by completing a participation request card available at the Board room at least 10 minutes prior to a regular Board meeting.

Colleen Vera addressed the board to request an agenda to hire an internal auditor who would report directly to the board. She stated that it was important when dealing with public funds to have more than one set of eyes and that an internal auditor would be helpful. She stated that a large role as an elected trustee was to watch over taxpayer money. She stated that it was inefficient to request a report of superintendent for the following month and that the board should be able to have a person who reports directly to the board. She questioned various charges in the check register as examples of why it's important to have an internal auditor to make sure funds are being used properly.

Josh Wallenstein addressed the board regarding Josh Flynn officially filing with the Republican Party for a seat in the Texas Legislature. He stated that the Texas Constitution, Article II, Section 19, states that no person holding a lucrative office under the state shall be eligible to serve in the legislature. He stated that it was beyond dispute that each board member serves in a lucrative position. He further stated that the question was not whether Mr. Flynn must resign but when, citing a Texas Supreme Court case from 1992. He stated that Josh Flynn must resign his current position as a board member or withdraw his filing for the legislative seat to comply with the Texas Constitution.

5. **Reports and presentations:**
 - A. **Presentation of 2020 Texas Association of School Business Officials (TASBO) Award of Merit for Purchasing Operations** - Dr. Jesus Amezcua, Assistant Superintendent for Business Services.
 - B. **Announcement of award from the Government Finance Officers Association (GFOA) for the 2018 Comprehensive Annual Financial Report (CAFR)** - Jesus Amezcua, Assistant Superintendent for Business Services

- C. **Announcement of awards from the Government Finance Officers Association (GFOA) for the HCDE 2018 Popular Annual Financial Report (PAFR)** - Jesus Amezcua, Assistant Superintendent for Business Services
- D. **Annual Update from Center for Safe and Secure Schools** - Julia Andrews, Director
- E. **Annual Update from the Research and Evaluation Institute** - Darlene Breaux, Director
- F. **Superintendent Monthly Report** - James Colbert, Jr.

Superintendent Colbert recognized that HCDE was named one of the top workplaces in the Greater Houston area by the Houston Chronicle and acknowledged the celebration held earlier today. Mr. Colbert stated that this was a huge accomplishment. He acknowledged that he and others were able to attend the event last week, during which only 150 companies made the cut and that a company had to have at least an 87% approval rating by staff in order to be eligible for consideration. He stated that it was truly an honor to be a part of such a distinguished company. He reminded the board of the Thanksgiving holiday next week and that many employees would be taking the week off to enjoy time with their families. He stated the importance of employees being able to take time to spend with their families because there is usually a grind for work to be completed between Thanksgiving and Christmas. He wished everyone a safe and happy holiday with their families.

- G. **Report of the Board Feasibility Subcommittee** - Don Sumners

No report

- H. **Other reports from Board members** concerning attendance or participation in a board or HCDE-related conference, event, activity, or committee; accolades for an HCDE staff member or other deserving person.

Josh Flynn stated that he attended the TASB Legal Services Seminar on November 1st. He stated there were a lot of changes from the legislative session. He stated that there was a disclosure requirement for lobbying costs that TASB was supposed to provide to the board for how much dues are used for lobbying. He requested that he be provided that number.

Mike Wolfe stated that he and Danny Norris attended some meetings a couple of weeks ago with the Assistant U.S. Secretary of Education, including Mr. Norris attending a meeting at Alief ISD and Mr. Wolfe attending a meeting at

Pasadena ISD. Danny Norris added that there were all kinds of career paths that students were able to take. He stated that he and Mike Wolfe were able to view the campuses in Alief ISD where these classes took place.

- I. **Monthly Financial Reports through 10/31/2019** - Jesus Amezcua, Assistant Superintendent for Business Services

Josh Flynn left the meeting at 1:34 p.m. and returned at 1:36 p.m.

Motion made by Danny Norris, seconded by Don Sumners to approve all items on the consent agenda.

Motion passes with 5-0-1 voting to approve, with Mike Wolfe abstaining.

6. **ACTION ITEMS - CONSENSUS**

- A. Consider approval of the following Business Services items:

1. Monthly Budget Amendment Report
2. October Disbursement Report
3. Monthly Investment Report for October 2019

- B. Consider approval of the following Board Meeting Minutes:

1. 10-16-2019 Regular Board Meeting
2. 10-16-2019 Feasibility Committee Meeting

- C. Consider ratification/approval of the following Interlocal Contracts:

1. **Interlocal (expenditure) contract for FY 2020 CASE for Kids 21st Century Community Learning Center(s) Cycle 10, Year 2, in the aggregate amount of \$1,135,500 with the following entities:** Galena Park Independent School District in the amount of \$388,500 (330 students served), Sheldon Independent School District in the amount of \$373,500 (280 students served), Southwest Schools Charter School in the amount of \$129,500 (110 students served), Raul Yzaguirre Schools for Success Charter School in the amount of \$122,000 (85 students served), and Baker Ripley Promise School Charter in the amount of \$122,000 (85 students served).
2. **Interlocal (expenditure) contract for FY 2020 CASE for Kids 21st Century Community Learning Center(s) Cycle 9, Year 4, in the aggregate amount**

of \$833,856 with the following entities: Aldine Independent School District in the amount of \$138,976.00 (82 students served), Clear Creek Independent School District in the amount of \$138,976.00 (82 students served), Galena Park Independent School District in the amount of \$138,976.00 (82 students served), Pasadena Independent School District in the amount of \$138,976.00 (82 students served), Southwest Schools Charter School in the amount of \$138,976.00 (82 students served), and Spring Independent School District in the amount of \$138,976.00 (82 students served).

3. **Interlocal (expenditure) contracts for FY 2020 CASE for Kids Partnership grant, in the aggregate amount of \$213,787 with the following entities:** Academy of Accelerated Learning (Charter) in the amount of \$60,000, and Alief Independent School District in the amount of \$153,787.

D. Consider approval of the following items for the HCDE Choice Partners Cooperative:

1. **Contract renewal option for job no. 18/015KC for Office Furniture and Related Items with the following vendors:** Carroll's Discount Office Furniture (#18/015KC-01); Stylex, Inc. (#18/015KC-05), and Velocity Office Products, LLC dba Velocity Business Products (#18/015KC-06) for the period 01/24/2020 through 01/23/2021.
2. **Contract award for job no. 19/061KC Fleet Leasing & Management Services with the following vendors:** Commercial Vehicle Leasing, LP dba D&M Leasing Commercial (#19/061KC-01), and Enterprise Fleet Management, Inc. dba Enterprise FM Trust (#19/061KC-02) for the period 11/20/2019 through 11/19/2020.
3. **Contract award for job no. 19/062TP Vending Machines and Service for Beverages and Snacks with the following vendor:** Fresh Brew Group USA, LP (19/062TP-01) for the period of 11/20/2019 through 11/19/2020.
4. **Contract Amendment #1 with Avaya, Inc. job no. 18/056KD-05 for Technology, Hardware, Software and Service** for the period of 11/20/2019 through 09/18/2022 (or on the final renewal date).
5. **HCDE Interlocal Agreements with:** Del Valle Independent School District (ISD), Del Valle, Texas; Quitman ISD, Quitman, Texas, and Fruitvale ISD, Fruitvale, Texas.

E. Consider approval of the following item for Internal Purchasing:

1. **Contract award for job no. 20/012IA - Contracted Services for The Teaching and Learning Center to the proposers offering the best value to HCDE** and meeting the specifications outlined in the proposal: Coaching Consultants Team, Grow Minds Consulting, LLC, Houston E. A. Foundation, Infinite Solutions Enterprises, MIND Research Institute, New Teacher Center, Premiere Speakers Bureau, Proactive Thought Leaders, LLC, Solution Tree, Inc., Sterling Staffing Solutions (Maceo Carter Invest, LLC), Teaching Strategies, LLC and Yamp Records, LLC for the period of 12/01/2019 through 11/30/2024 (subject to annual appropriations of funding).

F. Consider approval of the following Revenue Agreements:

1. **Ratification of Interlocal (revenue) contract between The Teaching and Learning Center and Houston ISD** for Professional Training for the period of 10/18/2019 through 05/29/2020 in the amount of \$50,000.
2. **Interlocal (revenue) contract for FY 2020 in the aggregate amount of \$80,392 with Highpoint School East with the following districts:** Spring Branch ISD for eight (8) in-county annual contracts in the amount of \$80,392 (\$10,049 each) for the contract period of 8/26/19 through 06/05/20.
3. **Interlocal (revenue) contract for FY 2020 in the aggregate amount of \$412,100 with Academic and Behavior School East with the following districts:** Crosby ISD for four (4) in-county annual contracts in the amount of \$82,420 (\$20,605 each); Dayton ISD for Dayton (8) in-county annual contracts in the amount of \$164,840 (\$20,605 each); Pearland ISD for eight (8) in-county annual contracts in the amount of \$164,840 (\$20,605 each); for the contract period of 8/26/19 through 06/05/20.

7. **ACTION ITEMS - NON-CONSENSUS**

- A. **Report concerning Education Foundation of Harris County, including plan to phase-out funding to the EFHC** (item requested by the Board of Trustees at its October 16, 2019 meeting).

Mr. Colbert presented a report concerning the Education Foundation of Harris County. No action was taken on this item.

- B. **Consider prohibition of the use of any HCDE resources in support of the Harris County Educational Foundation including but not limited to** the expenditure of money, the preparation of Foundation reports, submission of application for or implementation of Foundation grants, or a HCDE employee serving the Foundation in any official or advisory capacity. A HCDE employee

may be designated as a Foundation liaison solely for the purpose of receiving information on Foundation activities (item tabled from October 16, 2019 meeting) (original agenda item requested by Josh Flynn).

Motion made by Mike Wolfe, seconded by Don Sumners to consider prohibition of the use of any HCDE resources in support of the Harris County Educational Foundation including but not limited to the expenditure of money, the preparation of Foundation reports, submission of application for or implementation of Foundation grants, or a HCDE employee serving the Foundation in any official or advisory capacity. A HCDE employee may be designated as a Foundation liaison solely for the purpose of receiving information on Foundation activities (item tabled from October 16, 2019 meeting) (original agenda item requested by Josh Flynn).

Friendly amendment to the motion by Mike Wolfe and Don Sumners to table this item until the December board meeting and to receive a report in writing from the Superintendent stating what the plan is and what resources of the Department he would like to use to support the Foundation.

Motion, as amended, fails 3-3 with Eric Dick, Richard Cantu, and Danny Norris voting nay.

- C. **Discussion and possible action regarding HCDE providing funding to the Education Foundation of Harris County** in support of scholarships, sponsorships, and grants to Harris County school districts (item tabled from October 16, 2019 meeting).

No action on item due to lack of a motion.

- D. **Consider approval to amend CH Local FY 20 expenditure approval list** to add Quality Security Systems (job no. 15/037JN-07) in the expenditure amount of \$300,000 for monitoring and maintenance.

Motion made by Danny Norris, seconded by Mike Wolfe to approve to amend CH Local FY 20 expenditure approval list to add Quality Security Systems (job no. 15/037JN-07) in the expenditure amount of \$300,000 for monitoring and maintenance.

Motion passes with 6-0 voting to approve.

- E. **Consider approval of contract for the replacement of the flooring in the Conference Center at HCDE 6300 Irvington** with Tarkett USA, Inc. (job no. 17/020CG-15) in the total amount of \$66,574.74.

Motion made by Danny Norris, seconded by Mike Wolfe to approve a contract for the replacement of the flooring in the Conference Center at HCDE 6300 Irvington with Tarkett USA, Inc. (job no. 17/020CG-15) in the total amount of \$66,574.74.

Eric Dick left the meeting at 2:19 p.m. and returned at 2:20 p.m.

Motion passes with 6-0 voting to approve.

- F. **Consider approval of amendment (Amendment 1) to Interlocal Contract (Revenue Contract) between Harris County Department of Education and Stafford MSD** to increase the scope of services and the compensation by an additional not-to-exceed amount of \$90,000.

Motion made by Danny Norris, seconded by Richard Cantu to approve an (Amendment 1) to Interlocal Contract (Revenue Contract) between Harris County Department of Education and Stafford MSD to increase the scope of services and the compensation by an additional not-to-exceed amount of \$90,000.

Motion passes with 6-0 voting to approve.

- G. **Consider approval of 1.0 full-time equivalent (FTE) Occupational Therapist position and 1.0 FTE Compliance and Technical Support Officer** position to be shared by Academic and Behavior School East and Academic and Behavior School West.

Motion made by Danny Norris, seconded by Richard Cantu to approve a 1.0 full-time equivalent (FTE) Occupational Therapist position and 1.0 FTE Compliance and Technical Support Officer position to be shared by Academic and Behavior School East and Academic and Behavior School West.

Motion passes with 6-0 voting to approve.

- H. **Consider approval of the HCDE Early Head Start and Head Start School Readiness Goals** for the 2019-20 school year.

Motion made by Danny Norris, seconded by Richard Cantu to approve the HCDE Early Head Start and Head Start School Readiness Goals for the 2019-20 school year.

Motion passes with 6-0 voting to approve.

- I. **Consider approval of a 36-month lease for copier services with Xerox Business Solutions Southwest** (Choice Partners #16/046KC-01) beginning

on 12/01/19 for a monthly amount not to exceed \$4,613.04, plus copies. This is a decrease from previous copier lease.

Motion made by Danny Norris, seconded by Richard Cantu to approve a 36-month lease for copier services with Xerox Business Solutions Southwest (Choice Partners #16/046KC-01) beginning on 12/01/19 for a monthly amount not to exceed \$4,613.04, plus copies. This is a decrease from previous copier lease.

Motion passes with 6-0 voting to approve.

- J. **Consider approval of payment-in-lieu-of-tax agreement with Seaboard International, Inc. (Seaboard)** and approval of letter of non-opposition to the application for a Foreign Trade Zone Usage-Driven Site Application.

Motion made by Danny Norris, seconded by Richard Cantu to approve a payment-in-lieu-of-tax agreement with Seaboard International, Inc. (Seaboard) and approval of letter of non-opposition to the application for a Foreign Trade Zone Usage-Driven Site Application.

Friendly amendment by Danny Norris and Richard Cantu to approve the item contingent upon Harris County's approval.

Motion, as amended, passes with 6-0 voting to approve payment-in-lieu-of-tax agreement with Seaboard International, Inc. (Seaboard) and approval of letter of non-opposition to the application for a Foreign Trade Zone Usage-Driven Site Application, contingent upon Harris County's approval of same.

- K. **Consider approval of the Service Agreement, with Julie Smith (RFP #15/056KJ) to provide disability consulting services to the HCDE Head Start - Early Head Start, and EHS Child Care Partnerships sites** for the period of 01/01/2020 through 12/31/2020 in the aggregate amount of \$65,000 (\$50,000 for Head Start and \$15,000 for Early Head Start - CCP) (fully funded by Head Start funds).

Motion made by Danny Norris, seconded by Richard Cantu to approve the Service Agreement, with Julie Smith (RFP #15/056KJ) to provide disability consulting services to the HCDE Head Start - Early Head Start, and EHS Child Care Partnerships sites for the period of 01/01/2020 through 12/31/2020 in the aggregate amount of \$65,000 (\$50,000 for Head Start and \$15,000 for Early Head Start - CCP) (fully funded by Head Start funds).

Motion passes with 6-0 voting to approve.

L. **Discussion and possible action to fill vacant HCDE Trustee seat(s) (agenda item requested by Josh Flynn).**

Motion made by Danny Norris, seconded by Richard Cantu to nominate Amy Hinojosa to fill Trustee position 1, precinct 2.

Motion to nominate Amy Hinojosa to fill Trustee position 1, precinct 2 withdrawn.

Motion made by Danny Norris, seconded by Don Sumners to require that to be considered as a nominee for Trustee position 1, precinct 2, an individual is required to submit an affidavit of eligibility, a letter of intent, and a resume at least one week prior to the next regular board meeting.

Motion passes with 6-0 voting to require that to be considered as a nominee for Trustee position 1, precinct 2, an individual is required to submit an affidavit of eligibility, a letter of intent, and a resume at least one week prior to the next regular board meeting.

M. **Consider possible revisions to Policy BE (Local) regarding submission of agenda items by trustees (agenda item requested by Josh Flynn).**

Motion made by Josh Flynn, seconded by Don Sumners to convene a policy committee meeting to discuss Policy BE (Local) and bring revisions to the next board meeting after the policy committee meeting.

Motion passes with 6-0 voting to convene a policy committee meeting to discuss Policy BE (Local) and bring revisions to the next board meeting after the policy committee meeting.

The board entered into Closed Session at 2:48 p.m.

8. **EXECUTIVE SESSION** Under the Texas Government Code pursuant to any and all purposes permitted by Sections 551.001-551.084, including, but not limited to: 551.071; 551.074
 - A. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline and/or dismissal of HCDE employees, including, but not limited to, evaluation of Superintendent.

The board entered into Open Session at 3:10 p.m.

9. **RECONVENE** for possible action on items discussed in executive session

10. **INFORMATION ITEMS**

- A. **Human Resources Information Items**
- B. **October 2019 Employee Count**
- C. **Submission of grant proposal to Nordstrom Cares in the amount of \$6,000 via Education Foundation of Harris County** to support CASE for Kids' CASE Debates program. Requested funds will provide debate opportunities for 150-300 high school students in the Harris County area.
- D. **Submission of grant proposal to National Security Agency and National Science Foundation in the amount of \$51,271.72** to support Teaching and Learning Center-Digital Education & Innovation's iDefend GenCyber Camp, which will train 25 high school teachers in cybersecurity principles.
- E. **HCDE Head Start USDA Meal Totals for the months of August and September 2019**; this information was derived from the free standing campuses, as well as those that are a part of a multi-service center. It is the count of the students' attendance, breakfasts, lunches, and PM snacks.
- F. **Center for Grants Development submitted a request for \$50,799 to State Farm** to support the Center for Safe and Secure Schools' (CSSS) Restoring School Culture Program.
- G. **HCDE Head Start Performance Report for the Month of September 2019**
- 11. **ADJOURN** - Next regular meeting is scheduled for Wednesday, December 18, 2019, Board Room, 6300 Irvington Blvd., Houston, Texas, 77022, at 1:00 p.m.

Motion made by Eric Dick, seconded by Danny Norris to adjourn the meeting.

Motion passes with 6-0 voting to adjourn the meeting.

Meeting adjourned at 3:10 p.m.

Board President

Board Secretary