



Board of Trustees
Armando Cuellar, Jr., President
Dr. Jaime Rodriguez, Vice President
Jesse Trevino, Secretary
Marcos De Los Santos
Andrew Gonzalez
Isidoro Nieto
Jaclyn Sustaita

Dr. Priscilla Canales
Superintendent of Schools



319 W. Fourth Street / P.O. Box 266, Weslaco, TX 78599-0266 • 956-969-6503

BOARD OF TRUSTEES

Meeting:
Place:
Location:
Date:
Time:

Special Board Meeting
Board Room/Virtual
319 W. Fourth Street
January 14, 2021
5:32 P.M.

NOTICE OF THIS MEETING WAS POSTED ONLINE FOR AT LEAST 72 HOURS AS PERMITTED BY THE SUSPENDED PORTIONS OF THE TEXAS OPEN MEETINGS ACT AS APPROVED BY GOVERNOR ABBOTT. THE MEETING WAS LIVESTREAMED AT THE FOLLOWING WEB LINK: <https://youtu.be/IHiiR-NRJU>

MINUTES

I. Call to Order

The meeting was called to order by Mr. Armando Cuellar, Board President.

II. Establishment of a Quorum

A full quorum was established. The following board members were present.

Armando Cuellar, President
Dr. Jaime Rodriguez, Vice President
Jesse Trevino, Secretary
Marcos De Los Santos, Trustee
Andres Gonzalez, Trustee
Isidoro Nieto, Trustee
Jaclyn Sustaita, Trustee

III. Public Comments

None

The public had the opportunity to participate in public comments by registering no later than 5:15 p.m. at the following web link: <https://www.wisd.us/superintendentboard/new-page>.

IV. Discussion and Possible Action for the Board to Consider Approval of a Contract with An Attorney Firm to Provide Legal Services to the District (RFQ #21-01-21)

During the January 12, 2021 Special Called Board Meeting, the Board ranked the attorney firms that submitted qualifications statements in response to RFQ #21-01-21. The following criteria related to experience was requested in the Request for Qualifications:

- 1) Licensed to Practice as Attorney(s) in the State of Texas.
- 2) Have at least 5 years of experience in the field of School District Law (all areas).

The results of the ranking were as follows:

Name of Attorney Firm	Location	Points	Ranking
Walsh, Gallegos, Trevino, Russo & Kyle, PC	Austin, Texas/Harlingen, Texas	12	1
Law Office of Eloy Sepulveda	Weslaco, Texas	13	2
O'Hanlon, Demerath & Castillo	Austin, Texas/Pharr, Texas	17	3

Superintendent Dr. Canales explained that in the event the Board did not approve the contract with the attorney firm ranked #1 during this meeting, there would be a need to hold a special called board meeting to: 1) consider any updates (if any) to negotiated contract with this firm OR terminate negotiations with this law firm, and 2) authorize administration to initiate negotiations with attorney firm ranked #2. Then, another special called board meeting would need to be scheduled for the Board to either, a) approve a contract with the attorney firm ranked #2; or b) terminate negotiations with attorney firm ranked #2 and authorize administration to initiate negotiations with attorney firm ranked #3.

The contract provided by Walsh, Gallegos, Trevino, Russo & Kyle, PC, contains a No-fault Termination clause. It indicates that the District may at any time and for any reason terminate this Agreement by written notification at the District's convenience. Upon receipt of such notice, Walsh Gallegos shall, unless the notice directs otherwise, immediately discontinue the work and any activities related to the performance of this Agreement. Walsh Gallegos may likewise terminate its services to the District without cause upon thirty (30) days' notice and will make good faith efforts to complete all outstanding requests for service during the notice period. If approved, the contract would be for two years beginning January 14, 2021 through January 13, 2023, with the option to renew for one (1) additional two (2) year period with Board approval. The hourly rates offered in the contract/agreement are the same rates offered to Weslaco ISD in their current retainer agreement for special education services, which was approved by the Board in November 2020.

Andrew Gonzalez made the motion to approve the contract provided by the first ranked firm Walsh, Gallegos, Trevino, Russo & Kyle, PC to provide legal services to the District. Isidoro Nieto seconded the motion.

Mr. Nieto wanted to know if the rate provided was the going rate normally submitted by attorneys. Mr. Mike De Los Santos replied that the rates are generally higher but they usually provide a discount to the Region I school districts. Thus, their firm has lowered the rates to be in line with their Region I clients.

Voting in favor of the motion were Isidoro Nieto, Dr. Jaime Rodriguez, and Andrew Gonzalez. Voting against the motion were Jaclyn Sustaita, Jesse Trevino, and Marcos De Los Santos. Motion tied. Board President Armando Cuellar voted against the motion. Motion failed with a 3 to 4 vote.

Trustee Isidoro Nieto commented that the Board spent an hour and a half hearing presentations during a workshop held a few days ago and according to the ranking by the Board, the Board ranked this firm as the #1 firm and yet they are not going with this firm. He said, "We should have waited and done another meeting instead of spending an hour and a half listening to the attorneys. Normally that's procedures in any given situation, but that's the way it goes."

Trustee Andrew Gonzalez thanked the firm for applying and doing a terrific job on their presentation.

Attorney Mike De Los Santos thanked the Board for their time and consideration.

Trustee Marcos De Los Santos made reference to the interviewing and ranking process. He said that after further review of the interviews, there were certain topics and specifics he took into account, like key items that some of the other firms discussed as far as accessibility, location, etc. He felt there were multiple things that came into play in making his decision.

V. Adjournment

The meeting adjourned at 5:45 p.m.