



# TEXAS SOUTHMOST COLLEGE DISTRICT

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## **Board of Trustees**

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*Robert A. Lozano, M.D., Ph.D.*

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## **TSC President**

*Lily F. Tercero, Ph.D.*

## **Texas Southmost College District**

### **Minutes of the Regular Meeting of the Board of Trustees**

**November 17, 2011**

The Board of Trustees of the Texas Southmost College District convened in open session on November 17, 2011, at 5:30 p.m., in the Gorgas Board Room at Texas Southmost College. Board members present were Dr. Roberto Robles, Vice Chair; Adela G. Garza, Secretary; Trey Mendez; Dr. Robert A. Lozano and Ren  Torres. Also present was Dr. Lily F. Tercero, President of Texas Southmost College. Board members Mr. Francisco G. Rendon and Mr. David Oliveira were absent.

### **Call to Order**

The meeting was called to order by Vice Chairman Robles at 5:30 p.m.

### **1. Announcements**

Dr. Robles announced that Dr. Tercero has been recognized for outstanding leadership. She has been selected to receive the 2012 Distinguished Graduate Award of the Community College Leadership Program for the University of Texas at Austin. She has also been asked to serve as a lecturer for the Community College Leadership Program on April 2, 2012. This a grand honor for one of our very own. Congratulations to Dr. Tercero for this honor.

Dr. Tercero has also been appointed to serve on the Developmental Education Advisory Committee of the Texas Higher Education Coordinating Board.

Dr. Tercero announced that the Certificate of Achievement for Excellence in Financial Reporting has been awarded to the TSC District by the Government Finance Officers Association for its Comprehensive Annual Financial Report (CAFR). This award marks the fourth year in a row that the TSC District has received this recognition. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. I would like to recognize the efforts of the TSC Finance Office Staff for this achievement including, Chet Lewis, Nancy Saldana, Rosa Rodriguez, Claudia Cortina, Zoila Vasquez and Patricia Sanchez.

Dr. Tercero also announced that TSC is celebrating 85 years of providing educational opportunities to Brownsville and the surrounding communities. In commemoration of this most important event, TSC will be holding an 85<sup>th</sup> Anniversary Celebration on Wednesday, December 14, 2011, at The Arts Center, from 5:30 – 7:30 p.m. Everyone in the community is invited to join us for a wonderful celebration.

## **2. Opening Statement by Trustees**

Mrs. Garza thanked Nancy Saldana, Rosa Rodriguez, Zoila Vasquez and Claudia Cortina for their efforts in the Finance Office.

## **3. Speakers to Agenda Items and Public Discussion**

Dr. Elizabeth Heise addressed the Trustees on behalf of the Faculty. The faculty are dedicated to the success of both institutions and offered to help in any way possible.

Mr. Abel De la Garza, VP for Staff Senate also offered their assistance with the transition and offered their willingness to participate in the process.

## **4. Approval of Minutes of Previous Meetings**

### **Consideration and Possible Action on Approval of Minutes of the Regular Meeting on October 20, 2011**

**A motion was made by Mr. Torres to approve the Minutes of the Regular Meeting on October 20, 2011 as presented. The motion was seconded by Mr. Mendez and carried unanimously.**

## **5. District Elections**

Mr. Chet Lewis, Vice President for Administration and Finance, announced that there have been some changes in the election law. The federal law changed allowing overseas voters more time to send in their ballots. State legislation, SB100, was enacted to address this change, which in turn changed the timing of when joint elections are held. Currently the District holds elections on even numbered years in May. Because of these changes, the county will no longer be able to support the District in the May election. The Brownsville Navigation District also holds their elections in May and are willing to share costs with TSC.

Dr. Robles asked about the cost of holding the election by ourselves, without partnering with other entities. Mr. Lewis reported that there is currently \$185,000 budgeted for elections. He reported that amount should be sufficient to support our election if we partnered with the Brownsville Navigation District and paid the administration fees to the County. If there is a run-off, this cost should

also be sufficient. The cost of the election between both entities should break even. However, because neither entity has conducted an election on their own, without the county, there may be an increase in unforeseen costs of 10-15%. However, there are still enough funds in the budget to support the increase.

Mr. Frank Perez discussed SB100. He reported that the Board may move the election date from May 12<sup>th</sup> to November of next year. This would require that the terms of the trustees would also need to be adjusted to fall on the new election date. Mr. Perez also pointed out that there is some language that would also allow it to change the date to May of odd number years which would entail that a resolution be passed and sent to the US Department of Justice, who would then decide to accept or reject the requested change.

Mr. Perez explained that because this is so new, there are a lot of unanswered questions. If the board decides to change the election date to November, the current Trustee terms would be adjusted to conform to the new election date so that all of the terms would coincide with the new election date.

Dr. Tercero summarized that based on the options presented by Mr. Perez, the board has the option to leave the election date in May of 2012 or move to odd numbered years. At this point, the BND will be conducting their election in May. TSC could partner with them for this election in May, or partner with the City of Brownsville in November. Either way, TSC would have a partner to share the cost.

Mr. Torres confirmed that historically this election has been held with the Brownsville Navigation District. Mr. Lewis confirmed and verified that the County would no longer be able to assist us with the administration of the election. The District would be responsible for administering the election.

Mr. Lewis explained that TSC was paying an administration fee to the county and these costs were included in the current analysis. The personnel, materials, equipment and training are included in the estimated budget and very similar to what has been experienced in the past. He also stated that it would be prudent to hire someone who has experience in conducting the election to make sure it is done appropriately in accordance with the law. Dr. Lozano agreed that this would be prudent. Mr. Lewis explained that this can be pursued further, once a decision is made on the election date. Dr. Lozano expressed his concern for unforeseen costs of the election.

**A motion was made by Mr. Torres to move forward with the scheduled election in May 2012. The motion was seconded by Mrs. Garza and carried unanimously.**

## **6. Public Hearing on Continuing Taxation of Goods in Transit**

Mr. Chet Lewis explained that SB 1 made changes to the property tax code. In 2007, an option was given to the Board to allow the continuation of exemption of the goods in transit. The board reaffirmed to continue the taxation of goods in transit in 2007. He explained that goods in transit according to section 11.253 are "tangible personal property stored in a public warehouse for the person who acquired or imported the property, and which are transported to another location inside or outside Texas not later than 175 days after the property was acquired or imported."

Because of the change in the law, SB1 is also requiring that TSC reaffirm the continuation of exemption of the goods in transit. In order to do that, a public hearing must be held to allow the public an opportunity to address this issue.

Dr. Robles reiterated that this is a continuation of the Goods in Transit. Mr. Lewis explained that if we were to not reaffirm, TSC would have a decrease in revenues.

**Dr. Robles opened the Public Hearing and allowed speakers to address the Board in regards to the Continuation of Taxation of Goods in Transit. There were none.**

**Dr. Robles closed the Public Hearing.**

## **7. TSC District Taxes**

### **Consideration and Possible Action on Approval of Resolution on Continuing Taxation of Goods in Transit**

Dr. Robles read the resolution in regards to the Taxation of Goods in Transit.

**A motion was made by Mr. Mendez to approve the resolution as presented. The motion was seconded by Mr. Torres and carried unanimously. Exhibit "A"**

## **8. Executive Session**

as provided by Government Code,  
Chapter 551.071, 551.072 and 551.074.

**The Board convened in Executive Session at 6:13 p.m.**

**The Board reconvened in Regular Session at 6:40 p.m.**

**9. Consideration and possible action on matters discussed in Executive Session**

**Discussion and Review  
of Golf Course Contract**

No action was taken.

**Update on Pending Litigations**

No action was taken.

**Discussion on the Sale of Property Located at  
1027 E. 17<sup>th</sup> Street on E. Jackson Street  
(a Rear ½ Lot 5, Block 7, Paredes Track Addition,  
Brownsville, Texas.)**

**A motion was made to approve the sale of the property located at 1027 E. 17<sup>th</sup> Street on E. Jackson Street in the amount of \$62,040 by Mr. Mendez. The motion was seconded by Mrs. Garza and carried unanimously. *Exhibit "B"***

**Discussion of Appointments:  
Vice President of Finance and Administration and  
Vice President of Instruction and Student Services**

Dr. Lily Tercero announced that Mr. Chet Lewis has been appointed as the Vice President for Finance and Administration. She stated that we are very pleased that he has accepted to serve in this capacity and appreciated his outstanding work for this Board and for this institution. Mr. Lewis has over 23 years experience in Accounting and Finance. He has held leadership positions in the field as Chief Financial Officer for the City of New Braunfels, Manager of Electric Financial Reporting for Excel Energy and most recently Associate Vice President for Business Affairs for Financial Services for UTB.

The second appointment is of Dr. Roberto Aguero who will serve as Vice President of Instruction and Student Services. Dr. Aguero possesses over 25 years of higher education administration experience. He currently serves as the Vice Chancellor for Academic Success for Alamo Colleges in San Antonio. Dr. Aguero holds an Associate's Degree from Southwest Texas Junior College, a Bachelor's Degree from Angelo State University, a Master's Degree from Stephen F. Austin State University, a Doctoral Degree from Pennsylvania State University and a Higher Education Certificate from Harvard University. He has extensive experience in policy and procedures development, program development, student services, program evaluation and accreditation. He has extensive experience

working with the Texas Higher Education Coordinating Board including the submission of programs for approval and implementation of new rules and regulations as we move forward with re-establishing Texas Southmost College.

### **Discussion of Candidates for Appointments to the TSC Transition Team**

Dr. Tercero reported that the first phase of the transition process has progressed through the hard work and dedication of Dr. Robert Furgason and Dr. John Anthony. As we move forward, Dr. Tercero requested that Dr. Leonardo De la Garza be added as a member of the TSC Transition Team. Dr. De la Garza possesses extreme experience in the field having served as a chancellor of several of the largest community college districts in Texas. He will bring a tremendous amount of knowledge, experience, understanding and assistance to TSC as it moves forward through the remaining transition period.

**A motion was made by Mrs. Garza to appoint Dr. Leonardo De la Garza to the Transition Team. Dr. Lozano amended the motion to include that Dr. Tercero negotiate a contract with Dr. De la Garza. The motion was seconded by Dr. Lozano and carried unanimously.**

## **10. Surplus Property**

### **Acceptance of Bid(s) to Purchase the Surplus Brick Material**

Mr. Lewis reminded the Board that in March, they declared the remaining brick inventory as surplus property. A second bid solicitation was issued for the sale of the remaining surplus brick material. One bid was received from Brick Selections Valley, Ltd. Brick Selections' proposal included three separate offers to purchase the brick in different shipments. The first offer (shipment) is to be made within 30 days after acceptance of proposal and is to purchase 60,255 cored bricks at a unit price of \$0.25 per brick and 2,340 solid bricks at a unit price of \$0.40 per brick. The second offer (shipment) is to be made within 120 days and is to purchase the same quantity of cored and solid bricks but at a unit price of \$0.20 and \$0.35 per brick respectively. As the third offer, the bidder included the option to purchase the additional amount of 60,255 cored and 2,340 solid bricks at the accepted purchase price of \$0.20 and \$0.35 per brick respectively to be picked up no later than June 30, 2012.

Mr. Lewis reported that staff reviewed the bid and recommends to accept Option 1 for the purchase of 120,510 cored bricks at \$0.25 per brick and 4,680 solid bricks at \$0.50 per brick. Staff is also recommending Option 2, which includes an option to purchase an additional lot of 60,255 cored bricks and 2,340 solid bricks at the same respective price of \$0.25 and \$0.50 per brick with a delivery date no later than June 30, 2012.

**A motion was made by Mr. Mendez to authorize the President to execute the contract with Brick Selections Valley, Ltd. for the purchase of brick material and to accept the first offer for the sale of both options 1&2 for purchase of 120,510 cored bricks at \$0.25 per brick and 4,680 solid bricks at \$0.50 per brick. Also, include an option to purchase an additional lot of 60,255 cored bricks and 2,340 solid bricks at the same respective price of \$0.25 and \$0.50 per brick, with a delivery date no later than June 30, 2012. The motion was seconded by Dr. Lozano and carried unanimously.**

*Exhibit "C"*

## **11. TSC Strategic Planning**

### **Update on Strategic Planning Process**

Dr. Tercero reported that the Community Summit and Focus Group Session dates have been set. The first event begins on November 29<sup>th</sup> during which several focus groups will be held with Staff, Technical Faculty, Students and Academic Faculty. Dr. Tercero also reported that the first Community Summit will take place on the same day from 6-8pm at the Fort Brown Memorial Center in Brownsville. The following day Wednesday, November 30<sup>th</sup>, the focus group sessions will take place with the various business industry sectors; Dr. Tercero is working with the Chamber and Work Force Solutions Cameron to identify businesses by sector. A Community Summit will also take place in Port Isabel on Wednesday, Dec 7<sup>th</sup>, from 6-8pm and another at Los Fresnos on Thursday, Dec. 8<sup>th</sup> from 6-8pm. Dr. Tercero expressed her gratitude to the Independent School Districts for their cooperation in helping identify the locations for the summits and in promoting the events.

## **12. Proposed Meeting Dates**

**Thursday, December 15, 2011**

**Thursday, January 19, 2012**

**Thursday, February 16, 2012**

**Thursday, March 22, 2012**

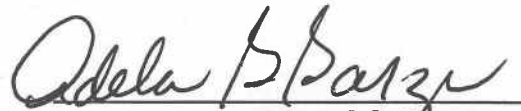


## Adjournment

The meeting was adjourned by Vice Chairman Robles at 7:00 p.m.



Mr. Francisco G. Rendon  
Chairman, Board of Trustees



Ms. Adela C. Garza  
Secretary, Board of Trustees

**NOTE:** The tape of the Regular Board of Trustees meeting held on November 17, 2011, is on file at the District Office of the Texas Southmost College District. The master tape is on file at UTB/TSC Media Services. These minutes were taken and transcribed by Max E. Roca, Administrative Secretary. Videotaping of the Board of Trustees' meetings began on April 11, 1996. They are aired on Channel KBSD in cooperation with the Brownsville Independent School District.