



TEXAS SOUTHMOST COLLEGE DISTRICT

THE UNIVERSITY OF TEXAS AT BROWNSVILLE and TEXAS SOUTHMOST COLLEGE

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Texas Southmost College District

Minutes of the Regular Meeting of the Board of Trustees

August 30, 2007

The Board of Trustees of the Texas Southmost College District convened in open session on August 30, 2007, at 5:30 p.m., in the Board Room of Gorgas Hall at Texas Southmost College. Board members present were Mr. Chester Gonzalez, Chairman, Ms. Rosemary Breedlove, Vice Chair, Ms. Dolly Zimmerman, and Dr. Roberto Robles. Absent were Mr. Eduardo A. Campirano, Secretary, and Mr. David Oliveira. Also present was Dr. Juliet V. Garcia, President of The University of Texas at Brownsville and Texas Southmost College.

Call to Order

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

1. Executive Session

as provided by Government Code,
Chapter 551.072

Real Estate

Contract and Resolution for
Purchase of Fort Brown Villas I,
Unit 3013, Brownsville, Texas

Contract and Resolution for
Purchase of Fort Brown Villas II,
Unit 8E, Brownsville, TX

The Board convened in Executive Session at 5:38 p.m.

The Board reconvened in Regular Session at 6:15 p.m.

2. Consideration and possible action on matters discussed in Executive Session**Consideration and Possible Action on Contract and
Resolution for Purchase of Fort Brown Villas I,
Unit 3013, Brownsville, Texas**

Chairman Gonzalez stated that this item requires no action because this property is no longer available to the District.

**Consideration and Possible Action on Contract and
Resolution for Purchase of Fort Brown Villas II,
Unit 8E, Type C, Building E, Phase II, Brownsville, Texas**

A motion was made by Ms. Breedlove to approve the Contract and Resolution for the Purchase of Fort Brown Villas II, Unit 8E, Brownsville, Texas, in the amount of \$42,000. The motion was seconded by Dr. Robles and carried unanimously.

Exhibit "A"

3. Approval of Minutes of Previous Meeting**Consideration and possible action on
Minutes of Regular Meeting of June 21, 2007; Special Meeting August 7, 2007;
Public Hearing August 23, 2007; and Public Hearing August 23, 2007**

A motion was made by Ms. Zimmerman to approve the Minutes of the Regular Meeting on June 21, 2007; Special Meeting on August 7, 2007; Public Hearing on August 23, 2007; and Public Hearing on August 23, 2007. The motion was seconded by Dr. Robles and carried unanimously.

4. Speakers to Agenda Items and Public Discussion

Community members, Mr. Fernando Ruiz and Mr. Dagoberto Barrera, addressed the Board regarding the proposed 2007 Ad Valorem tax rate.

5. Board Briefing**An Overview of the College of Applied Technology and General Studies**

Dr. Charles Dameron, Vice President for Academic Affairs, introduced Dr. Peter Gawenda, Interim Dean of the College of Science Math & Technology to present an overview of the new College of Applied Technology and General Studies. Upon Dr. Robles's request, Dr. Gawenda described on the Marine Technology Program, and reported that a possible partnership with Texas A&M Marine Institute of Galveston is currently being negotiated. Dr.

Gawenda introduced the faculty and staff of the College of Applied Technology General Studies, thanking them for their support and enthusiasm.

6. Report on Satisfactory Academic Progress

President Garcia reported that new satisfactory academic progress (SAP) standards for have been implemented by our institution. She stated that she hopes institution hopes the new standards will help students become more serious about their education, while at the same time moving more rapidly toward completion of their degrees.

The new SAP criteria require:

- Minimum cumulative 2.0 GPA
- Commulative 70% course completion rate

In addition, Dr. Garcia reported that student aid programs such as the Pell Grant are also implementing academic progress criteria.

7. Budget

Consideration and possible action on Second Reading of the TSC District Budget for FY 2007-2008

Ms. Melba Sanchez, Assistant Vice President for Finance, reported that there were no substantial changes in the proposed budget since the first reading at the June 21, 2007 meeting. She stated that there were only a few minor modifications, which included the strategic use of \$1 million of fund balance for the chilled water line extension, and the roof repairs and renovations at the ITEC Campus. Ms Sanchez reported that a list of the modifications to the budget had been included in the budget booklet.

A motion was made by Ms. Breedlove to adopt the TSC District Budget for Fiscal Year 2007-2008 as presented. The motion was seconded by Dr. Robles and carried unanimously. Exhibit "B"

8. Business Affairs Partnership Committee

In Mr. Campirano's absence, Ms. Melba Sanchez, reported that the Business Affairs Partnership Committee (BAPC) met on August 20, 2007 and recommended approval of the following items:

**Consideration and possible action on
Second Reading of Board Policy V-D: Investment**

Ms. Sanchez stated that the Public Funds Investment Act requires that the District's Investment Policy be reviewed on an annual basis. She reported that the changes being proposed relate to personnel title changes due to the reorganization of the TSC District Office. The first reading of the revised policy was presented on the June 21, 2007, Board meeting. Ms. Sanchez stated that no changes were recommended or made after the first reading.

A motion was made by Ms. Breedlove to approve the second reading of the Board Policy V-D: Investment as presented. The motion was seconded by Ms. Zimmerman and carried unanimously. Exhibit "C"

**Consideration and possible action on
Renewal of General Liability, Educators' Legal, Crime and Auto Insurance Policies**

Ms. Sanchez reported that the District requested quotes from Shepard Walton King (SWK) for General Liability, Educators' Legal, Crime, and Auto Insurance Policies. SWK presented two options for the District's consideration. Ms. Sanchez stated that the BAPC agrees with the staff recommendation of accepting option # 2 in the amount of \$53,253. The renewal period for these policies is September 1, 2007, through August 31, 2008. The total amount of the insurance renewal is \$2,189 less than the premium for the current policy.

A motion was made by Dr. Robles to approve the renewal of General Liability, Educators' Legal, Crime and Auto Insurance Policies in the amount of \$53,253 as presented. The motion was seconded by Ms. Breedlove and carried unanimously. Exhibit "D"

**Consideration and possible action on:
Budget Amendments for Fiscal Year 2006-2007**

Ms. Sanchez explained that budget amendments #07-004 and #07-005 adjust the revenues and expenditures in the General Fund Auxiliary Fund. Budget amendments #07-006 through #07-012 adjust the debt service funds for continuing disclosure and arbitrage rebate calculation fees incurred. She stated that the budget amendments are necessary to cover anticipated expenditures through the end of the year.

A motion was made by Ms. Zimmerman to approve the budget amendments #07-004 through #07-012 for Fiscal Year 2006-2007 as presented. The motion was seconded by Ms. Breedlove and carried unanimously. Exhibit "E"

9. Tax Rate

Consideration and possible action on Adoption of 2007 TSC District Ad Valorem Tax Rate

Dr. Pearson reported that this is the third and final step required of the TSC Board of Trustees for the setting of the 2007 Ad Valorem tax rate. The first step was to publish the notice on the effective and rollback rates, the two public hearings held on August 20 and August 23, 2007. The final step is to adopt the rate listed on the resolution, which is included in the binders. The rates are as follows: a tax rate of \$0.111423 for maintenance and operations and a debt rate of \$0.049666, for a total rate of \$0.161089 per \$100 valuation. Dr. Pearson stated that by adopting these resolutions the Board will be setting a rate that is higher than the rollback rate. The total rate is the same as last year's rate, and Dr. Pearson stated that the District continues to honor its commitment not to exceed the 3.8 cent increase promised during the 2004 Bond Election.

A motion was made by Ms. Zimmerman that property taxes be increased by the adoption of a tax rate of \$0.111423 for maintenance and operations, and a debt rate of \$0.049666 for a total rate of \$0.161089 per \$100 evaluation. The motion was seconded by Dr. Robles and carried unanimously. Exhibit "F"

10. Physical Facilities Subcommittee

Physical Facilities Subcommittee Report

Ms. Breedlove reported that the Physical Facilities Subcommittee (PFS) met on August 24, 2007, and discussed the following items:

- Participation in purchasing cooperatives
- Updated funding allocations for the construction projects; and
- Proposals for the Guaranteed Maximum Price for the Library, Classrooms, the Center for Early Childhood Studies, and the ITEC Campus.

Ms. Breedlove introduced Mr. Gilbert Gallegos, from Broaddus and Associates, to present the first item. Mr. Gallegos reported that he was proud to announce that TSC is the first and only institution in the State of Texas using these cost control and purchasing strategies for construction projects. This innovative approach utilizes pre-negotiated prices to purchase construction materials in bulk, thereby maximizing savings. Mr. Gallegos stated that the Board's approval was necessary to participate in three additional purchasing cooperatives in order to continue to save on construction materials.

The cooperatives are the following:

- Texas Interlocal Purchasing System (TIPS)
- Texas Building and Procurement Commission (TBPC)
- Cooperative Purchasing Network (TCPN)

There are no fees associated with TIPS or TCPN participation. There is a one time fee of \$100 to participate in the TBPC.

A motion was made by Ms. Breedlove to approve resolutions authorizing District staff to participate in the purchasing cooperatives as presented. The motion was seconded by Ms. Zimmerman and carried unanimously. Exhibit "F"

Consideration and possible action on Funding Allocation for Bond Projects

Ms. Veronica Mendez reminded the Board that at its September 14, 2006, meeting, the Board approved adjusted project allocations for the different construction projects managed by the Partnership Affairs Division. At the Board meeting on June 21, 2007, the Board successfully acquired an additional \$2 million of maintenance tax notes to supplement the construction projects. Ms. Mendez reviewed a worksheet illustrating the sources of funding for the bond projects and other construction projects on campus. She reported that there are over \$131 million in construction projects currently underway.

A motion was made by Ms. Breedlove to approve the funding allocation to construction projects as presented. The motion was seconded by Dr. Robles and carried unanimously. Exhibit "G"

Consideration and possible action on Guaranteed Maximum Price for Early Childhood Studies, Library, Classrooms, and ITEC Campus Phase I Projects.

Ms. Diana Bravo-Gonzalez, Project Manager from Broaddus & Associates, reported that pricing has been received for several of the construction projects. She stated that awarding of construction contracts is an oversight responsibility of the Board of Trustees as per the participation model approved by the Board at the May 25, 2005, Board meeting. The Guaranteed Maximum Prices (GMP) were received by the project's management team. Ms. Gonzalez reviewed the Guaranteed Maximum Prices received for the Library and Classrooms Projects. She stated that that we will be building approximately 1,277 sq. ft. of additional space, therefore the GMP for the projects is a bit higher than the early estimates.

A motion was made by Ms. Breedlove to authorize Skanska USA to proceed with Part II-Construction Phase Services for the East Library and Classroom Buildings for the amount of \$20,124,325 and authorize the Assistant Vice President for Planning and Construction to execute the contract. The motion was seconded by Ms. Zimmerman and carried unanimously.

Ms. Diana Gonzalez reported that the GMP for the Center for Early Childhood Studies came in \$1 million over budget. She stated that some of causes for the difference in the actual GMP and earlier estimates are the following:

- Required demolition of existing building and asbestos abatement
- Poor soils affecting foundation
- Construction cost escalation

Ms. Gonzalez stated that based on these factors it is recommended to not proceed with Skanska USA and to re-evaluate the construction design and competitively bid the project.

A motion was made to not authorize Skanska USA to proceed with Part II-Construction Phase Services for the Center for Early Childhood Studies project as presented. The motion was seconded by Dr. Robles and carried unanimously.

Ms. Gonzalez reported that by using the purchasing cooperatives the staff was able to obtain considerable savings in the price to re-roof a major portion of the ITEC Campus roofing work will now be performed by Garland Company through TXMas. In addition, site work, demolition, and asbestos abatement work will also be performed by SpawGlass, the contractor selected for this project.

Ms. Gonzalez reported that by using the procurement methods there was a total of \$500,000 in savings to the projects.

A motion was made by Ms. Breedlove to award the roofing project at the ITEC Campus to Garland Company through TXMas in the amount of \$1,998,402 as presented. The motion was seconded by Ms. Zimmerman and carried unanimously.

A motion was made by Ms. Breedlove to authorize SpawGlass to proceed with Part II-Construction Phase Services for partial site work, interior demolition and asbestos abatement at the ITEC Campus in the amount of \$3,834,543 as presented. The motion was seconded by Ms. Zimmerman and carried unanimously.

Ms. Breedlove reported that LEED is the Leadership in Energy and Environmental Design-green building rating system. The rating system is a nationally accepted benchmark for the design, construction, and operation of high performance green buildings. LEED recognizes performance in five different areas of environmental responsibility. Although, TSC has not formally applied for LEED certification, we are five points away at the REK Center from reaching certification status. Ms. Breedlove congratulated the Board and the campus community for continuing to participate in the “green” initiatives. She reported that a date will be set soon for the Groundbreaking Ceremony for the Classrooms and Library buildings.

11. 3rd Quarter Financial Statements and Investment Report

The Third Quarter Financial and Investment Reports were presented by Ms. Melba Sanchez. The reports were for informational purposes only and required no action. *Exhibit “H”*

12. Construction Report

Dr. Pearson provided an update on the following construction projects:

- The Rusteberg Art Gallery is nearing completion.
- The paseo outside Rusteberg will allow access to various areas and will be reminiscent of the other paseos on campus.
- Construction at The Lightner Center is also approaching completion; the offices, lobby, and conference rooms will be completed in the coming weeks..
- The renovations at Rusteberg and Lightner Center should be completed by the end of September 2007.
- Construction is ongoing at the REK Center. The brick for the bond projects has been delivered, and there are approximately \$580,000 in bricks at the REK Center

12. President’s Report

President Garcia reported the following:

- In keeping with the Quincenera “Coming of Age” theme, individuals who played an integral role in developing the UTB/TSC partnership were honored for their contributions at a special Fall Convocation held on Monday August 20, 2007.
- The Texas Higher Education Coordinating Board has awarded UTB/TSC \$750,000 as part of the Texas Course Redesign Grants Project. UTB/TSC successfully submitted the following three grant proposals, which were all accepted.
 - “Pairing Developmental Reading with Online Government I”: Grant amount \$249,645
 - “Breaking Barriers in Developmental Mathematics”: Grant amount \$244,369
 - “Elementary Statistics Course Redesign”: Grant amount \$249,730

- The Math & Science Academy welcomed its first class on Monday August 27, 2007. More than 80 high school students, family, and faculty celebrated the academy's first class day. Established by the 79th Legislation in May 2005, the Academy is a program that will allow students selected to take college classes on campus, while giving the students an opportunity to complete two years of college concurrently with a high school diploma.

13. Proposed Meeting Dates

Wednesday, September 26, 2007

Thursday, October 25, 2007

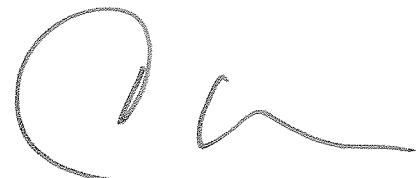
Thursday, November 29, 2007

Thursday, December 20, 2007


Mr. Gonzalez reviewed the dates with the Board

Adjournment

The meeting was adjourned by Chairman Gonzalez at 8:15 p.m.



Mr. Chester Gonzalez
Chairman, Board of Trustees



Mr. Eduardo A. Campirano
Secretary, Board of Trustees

NOTE: The tape of the Regular Board of Trustees meeting held on August 30, 2007 is on file at the District Office of the Texas Southmost College District. The master tape is on file at the UTB/TSC Media center. These minutes were taken and transcribed by Gloria Miranda, Administrative Assistant. Videotaping of the Board of Trustees' meetings began on April 11, 1996. They are aired on Channel KISD in cooperation with the Brownsville Independent School District.