



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

April 23, 2009

The Board of Trustees of the Texas Southmost College District convened in open session on April 23, 2009, at 4:30 p.m., in the Board Room of Gorgas Hall, The University of Texas at Brownsville and Texas Southmost College. Board members present were David Oliveira, Chair, Eduardo A. Campirano, Vice Chair, Dr. Roberto Robles, Secretary, Chester Gonzalez, and Adela Garza. Absent were Rosemary Breedlove and René Torres. Also present was Dr. Juliet V. García, President of The University of Texas at Brownsville and Texas Southmost College.

Call to Order

The meeting was called to order by Chairman Oliveira at 4:36 p.m.

1. Announcements

There were no announcements.

2. Speakers to the Items and Public Discussion

UTB/TSC students Erasmo Castro, Rosalinda Rangel, Jorge Munoz, and Ruby de la Fuente students of UTB/TSC discussed issues regarding the Student Government Association.

3. Acceptance of Gift and Resolution

Consideration and possible action on adoption of resolution naming The Arts Center Box B “The Villarreal-Montemayor Family Box”

Dr. Ruth Ann Ragland, Vice President for Institutional Advancement, announced the acceptance of a gift from Alejandro and Irma Villarreal. Dr. Ragland provided a brief biography of Alejandro and Irma Villarreal as community leaders in promoting education, economic development, and the fine arts. Mr. Oliveira then read a resolution honoring them and presented them with a framed portrait of The Arts Center to them.

A motion was made by Dr. Robles to adopt the resolution naming The Arts Center Box B “The Villarreal-Montemayor Family Box,” as presented. The motion was seconded by Mr. Gonzalez and carried unanimously. Exhibit “A”

4. Board Briefing

Dr. García called on Dr. Hilda Silva, Vice President for Student Affairs. Dr. Silva introduced Mr. Russell Harwood, Chess Program Director. Who gave a brief presentation on the success of the chess team at the Presidents Cup in Dallas.

5. Executive Session

as provided by Government
Code, Chapter 551.071-072

The Board considered two contracts and resolutions for purchase of real estate: Fort Brown Villas Condominium Unit 1004, Type B, Building 1, Phase I, Brownsville, Texas; and Fort Brown Villas Condominium Unit 1013, Type B, Building 1, Phase I, Brownsville, Texas.

The Board convened in Executive Session at 5:25 p.m.

The Board reconvened in Regular Session at 6:08 p.m.

6. Consideration and possible action on matters discussed in Executive Session

**Contract and resolution for purchase
of Fort Brown Villas Condominium Unit 1004, Type B, Building 1,
Phase I, Brownsville, Texas**

A motion was made by Mr. Campirano to approve the earnest money contract and resolution for the acquisition of Fort Brown Villas Unit 1004, in the amount of \$35,000 as presented. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "B"*

**Contract and resolution for purchase
of Fort Brown Villas Condominium Unit 1013, Type B, Building 1,
Phase I, Brownsville, Texas**

A motion was made by Mr. Campirano to approve the earnest money contract and resolution for the acquisition of Fort Brown Villas Unit 1013, in the amount of \$35,500 as presented. The motion was seconded by Ms. Garza and carried unanimously. *Exhibit "C"*

7. Approval of Minutes of Previous Meeting

**Consideration and possible action on
Minutes of Regular Meeting on March 26, 2009**

A motion was made by Ms. Garza to approve the Minutes of the Regular Meeting on March 26, 2009. The motion was seconded by Mr. Campirano and carried unanimously.

8. Resolution

**Consideration and possible action on adopting a
resolution in support of a grant application to the City of
Brownsville Cultural Affairs Advisory Committee to partially
underwrite the 2010 annual Brownsville
Guitar Festival and Competition**

Mr. Oliveira called on Dr. David Pearson, Vice President for Partnership Affairs. Who provided a background on the Annual Brownsville Guitar Festival and Competition. That it has been held on our campus since 2002. He then introduced Dr. Michael Quantz of the Fine Arts Department the founder of the Festival, who described how the Festival provides training from the world's best guitarists, an opportunity for

students and their teachers to share ideas, master classes, and a series of artistic presentations. Dr. Michael Quantz is applying to the Brownsville Cultural Affairs Advisory Committee for \$25,000 to partially underwrite the cost of the Festival. If the application is successful, the funds will be used to underwrite travel and expenses of performers and judges, publicity and advertising as well as video recording. One of the grant requirements is approval of the application by the Board of Trustees.

A motion was made by Dr. Robles to accept the resolution in support of a grant application to the City of Brownsville Cultural Affairs Advisory Committee to partially underwrite the 2010 annual Brownsville Guitar Festival and Competition in the amount of \$25,000. The motion was seconded by Ms. Garza and carried unanimously. Exhibit "D"

9. Physical Facilities Committee

Report

Consideration and possible action on Substantial Completion to JE Dunn/Terry Ray a Joint Venture for the construction of the REK Center

Mr. Oliveira called on Chester Gonzalez to make the report. He reported that the Physical Facilities Committee did not meet as scheduled on Wednesday, April 22, 2009 and staff will present the items to the Board. He called on Ms. Veronica Mendez, Assistant Vice President for Planning and Construction, who reported that the Recreation, Education, and Kinesiology Center had achieved substantial completion. The facility included 108,891 sq. ft. a weight and fitness area, a full gymnasium, three basketball courts, two racquetball courts, two large multipurpose rooms, two medium classrooms, four small classrooms, one computer lab, two conference rooms, and fifteen faculty offices. Exterior work included a multipurpose field, a pool with six lanes, landscape surrounding the facility, and parking lot. Parsons 3DI from San Antonio was the Architect, and UT Systems Office of Facilities Planning and Construction served as the Project Manager. Substantial Completion inspection took place on March 26, 2009.

Mr. Oliveira called on Dr. David Pearson to make a presentation to Ms. Mendez for her work in successfully completing the first bond project building. Dr. Pearson gave an historical overview of the Sceptre. Mr. Oliveira then presented the Sceptre of the Scorpion to Ms. Mendez and thanked her for her hard work and leadership in bringing this project to completion.

A motion was made by Mr. Gonzalez to accept Substantial Completion of the Recreation Education and Kinesiology Center and authorize the Assistant Vice President for Planning and Construction to close the

project upon completion of punch list items. The motion was seconded by Ms. Garza and carried unanimously. *Exhibit "E"*

**Consideration and possible action on
awarding a contract to purchase and install
Theatrical Equipment for the Arts Center**

Ms. Mendez reported that requests for proposal for theatrical equipment were issued according to The University of Texas at Brownsville and Texas Southmost College policies for purchasing bids. The proposal amount of \$244,877 includes all equipment and labor for the facility.

A motion was made by Mr. Gonzalez to negotiate a contract to install Theatrical Equipment for the Arts Center and authorize the Assistant Vice President for Planning and Construction to execute the contract. If unable to reach an agreement with Texas Scenic, Co., negotiations should then be entered into with the second highest ranked respondent, Secoa, Inc. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "F"*

10. Business Affairs Partnership Committee

Report

Mr. Oliveira called on Mr. Campirano to provide the report. Mr. Campirano reported that the Business Affairs Partnership Committee met on April 16, 2009. They discussed and made recommendations on the following items:

**Consideration and possible action on
approval of Budget Amendments for FY 2009**

Budget amendments #09-002 to #09-009 are necessary to adjust the expenses for fiscal agent fees for the arbitrage rebate calculations.

A motion was made by Mr. Campirano to approve budget amendments #09-002, #09-003, #09-004, #09-005, #09-006, #09-007, #09-008, and #09-009 for Fiscal Year 2009 as presented. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "G"*

**Consideration and possible action on
approval of proposal for Annual Financial Audit**

Long and Chilton was selected to conduct the District's audit in April 2007. The contract was for one year with the option to renew for two additional years. Last year the District exercised its option to extend the contract for one year. Staff recommendation is to extend the contract for one additional year and go out for bids in Fiscal Year 2010.

A motion was made by Mr. Campirano to select Long Chilton to conduct the District's audit for Fiscal Year 2008-2009 for \$32,235. The motion was seconded by Ms. Garza and carried unanimously. *Exhibit "H"*

**Consideration and possible action on
approval of Quote from PUB for overhead to
underground utilities conversion**

In keeping with campus master plan values, this contract will to put utilities underground in front of the former Newman Center, which is being renovated as the new Campus Security Center for Campus Police.

A motion was made by Mr. Campirano to award Brownsville Public Utilities Board the overhead to underground utilities conversion in the amount of \$40,029.46. The motion was seconded by Ms. Garza and carried unanimously. *Exhibit "I"*

11. Student Affairs Partnership Committee

Report

Mr. Oliveira called on Ms. Garza to provide the report for the Student Affairs Partnership Committee that met on April 15, 2009.

Ms. Garza reported that Dr. Vince Solis, Associate Vice President, had provided the committee with presentations on student housing, athletics, and REK Center.

The student housing presentation was a follow-up to the previous Student Affairs Partnership Committee meeting, which had provided a more detailed version of our Student Housing program. Current student housing has 317 beds, and has for the past three years averaged 95% occupancy. Dr. Solis then presented a recommendation to increase Student Housing rates by 10% to meet repair needs and to increase safety for our students.

The proposed increase will:

- Result in a monthly increase of \$31.50, for a total monthly rent of \$346.50.
- Bring in approximately \$75,000 annually in additional funds.
- Increase security by hiring two security guards and upgrading the video surveillance system.

Dr. Solis's Scorpion Athletics presentation focused on the status of our Athletic program, including the staffing, budgets, and academic performance of student athletes.

The REK Center presentation brought the Committee up to date on the REK Center progress with an overview of the facility's site plan and programming. The REK Center will be shared by the Recreational Department and School of Education's Health and Human Performance Department.

12. Bond Projects

Mr. Oliveira called on Dr. Pearson to make the report. Dr. Pearson reported that the Tax Bonds authorized by the voters in November 2004 call for a series of bond issuances up to a total of \$68 million. There have been four bond issuances: \$20 million in 2005, \$25 million in 2006, \$14 million in 2007, and \$5 million in 2008. The issuance this year would constitute the final limited tax bonds and maintenance tax notes issuance in the amount of \$4 million in limited tax bonds and \$3 million in the maintenance tax notes. Dr. Pearson introduced Anne Burger Entrekin, Senior Vice President with First Southwest Company in San Antonio, who gave a presentation on the market and upcoming bond sales.

**Consideration and possible action on Resolution
authorizing the commencement of proceedings relating to
the issuance of limited tax bonds, appointing district advisors
and consultants; and other matters related thereto**

A motion was made by Mr. Campirano to adopt a resolution authorizing the commencement of proceedings relating to the issuance of limited tax bonds, appointing district advisors and consultants; and other matters related thereto. The motion was seconded by Dr. Robles and carried unanimously. Exhibit "J"

**Consideration and possible action on Resolution
authorizing the commencement of proceedings relating to
the issuance of maintenance tax notes, appointing district advisors
and consultants; and other matters related thereto**

A motion was made by Ms. Garza to adopt a resolution authorizing the commencement of proceedings relating to the issuance of maintenance

tax notes, appointing district advisors and consultants; and other matters related thereto. The motion was seconded by Mr. Campirano and carried unanimously. Exhibit "K"

13. Second Quarter Financial Statement and Investment Report for FY 2009

Mr. Oliveira called on Ms. Melba Sanchez, Assistant Vice President for Finance. Ms. Sanchez gave a report on the second quarter financial statement and investment report for fiscal year 2008-2009.

14. Construction Report

Dr. Pearson reported the following:

- Renovations at the Campus Security Center (former Newman Center) are 99% complete.
- Work continues at the Commissary Building. Many of the bricks have been repaired reversed and reinstalled, and much other work is being complete.
- Work on the Commandant's Quarters continues. The exterior is almost complete with detailing is a replicating that found on the original 1860's structure.
- Landscaping has begun at the Rusteberg paseo.
- A sidewalk from the Student Union to the REK Center is under construction to accommodate pedestrian traffic. Light poles are now installed.
- Renovation in the Cavalry building is now in progress.
- Work on the parking lot adjacent to the Amphitheatre is complete, and landscaping is in progress.
- The parking lot on 21st is in progress. This parking lot is an addition to an existing parking lot.
- Sabal palm preservation continues. The trees planted by the REK Center were donated by Dale Robinson and Melissa Avalos. A large oak tree was planted next to the Gym Annex, and a royal poinciana was planted in front of REK Center.

Ms. Mendez reported the following:

- Work continues at the New Library and Classroom buildings. Substantial completion is expected in May. The landscaping is in progress on the courtyard between the two buildings. The classrooms have received all the furniture and is ready for audio/visual installation.
- Work at the Center of Early Childhood Studies continues. Brick is being installed on the exterior of the administration building. The playground equipment has been installed.

