



TEXAS SOUTHMOST COLLEGE DISTRICT
THE UNIVERSITY OF TEXAS AT BROWNSVILLE and TEXAS SOUTHMOST COLLEGE

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CAMERON COUNTY
2009 APR 20 P 3:02
JULIE V. GARCIA
CLERK

Board of Trustees

David G. Oliveira

Chair

Eduardo A. Campirano

Vice Chair

Roberto Robles, M.D.

Secretary

Adela G. Garza

Chester Gonzalez

Rosemary Breedlove

René Torres

Official Notice of the

**Texas Southmost College District
Regular Meeting**

**for
April 23, 2009**

Posted

April 20, 2009

UTB/TSC President

Juliet V. Garcia, Ph.D

AGENDA

The Board of Trustees of the Texas Southmost College District will convene **Thursday, April 23, 2009, at 4:30 p.m.** in the Gorgas Board Room of Texas Southmost College, 80 Fort Brown, Brownsville, Texas 78520.

Call to Order

1 Announcements

**2 Speakers to Agenda Items and
Public Discussion**

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"

4 Board Briefing

Chess Team

Russell Harwood, Program Director

5 Executive Session

as provided by Government Code,
Chapter 551.071 & .072

Real Estate

Contract and Resolution for Purchase of
Fort Brown Villa Condominiums Unit
1004, Type B, Bldg 1, Phase I,
Brownsville, Texas.

Contract and Resolution for Purchase
of Fort Brown Villas Condominium Unit
1013, Type B, Bldg 1, Phase I,
Brownsville, Texas.

Legal Matters

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

Real Estate

Contract and Resolution for Purchase of
Fort Brown Villa Condominiums Unit
1004, Type B, Bldg 1, Phase I,
Brownsville, Texas.

Contract and Resolution for Purchase
of Fort Brown Villas Condominium Unit
1013, Type B, Bldg 1, Phase I,
Brownsville, Texas.

Legal Matters

**7 Approval of minutes of
previous meetings**
Consideration and possible action on:

Regular Meeting, March 26, 2009

8 Resolution
Consideration and possible action on:

Adoption of a Resolution Supporting a
Grant Application from the City of
Brownsville Cultural Affairs Advisory
Committee for the UTB/TSC Guitar
Festival

9 Physical Facilities Committee

Consideration and possible action on:

Report

Substantial Completion to JE
Dunn/Terry Ray a Joint Venture for the
Construction of the REK Center
Award of a Contract to Purchase and
Install Theatrical Equipment for the Arts
Center

10 Business Affairs Partnership Committee

Consideration and possible action on:

Report

Approval of Budget Amendments for
FY 2009
Approval of Proposal for Annual
Financial Audit
Approval of Quote from PUB
for Overhead to Underground Utilities
Conversion

11 Student Affairs Partnership Committee

Report

12 Bond Projects

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

Resolution Authorizing the
Commencement of Proceedings Relating
to the Issuance of Maintenance Tax
Notes, Appointing District Advisors and
Consultants; and Other Matters Related
Thereto

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

14 Construction Report

Commissary Building, Newman Center,
Commandant's Quarters, Rusteberg
Paseo, Amphitheater Parking Lot,
Cavalry Renovation, Ringgold
Sidewalk, 21st Street Parking Lot, Palm
Trees, Center for Early Childhood
Studies, Library, Classroom Building,
Arts Center

15 President's Report

Volunteers Assisted Hundreds of Taxpayers, Pirates and Music by the Bay, Keith Ferguson Memorial 5-K, UTB/TSC Master Chorale Students Place at Competition, Association of Governing Boards Conference, Symphony in the Park, Distinguished Alumni, Commencement, Voting on Campus

16 Proposed Meeting Dates

Board Meetings:

Thursday, May 14, 2009

Thursday, June 18, 2009

July – No Meeting

Thursday, August 27, 2009

Thursday, September 17, 2009

Adjournment

Individuals with disabilities are entitled to have access to and participate in public meetings. An individual requiring an accommodation for access to the meeting must notify the Texas Southmost College District in writing 24 hours prior to the scheduled meeting of the necessity of an accommodation. Upon receipt of this request, the Texas Southmost College District will furnish appropriate auxiliary aids and services when necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of the Board meeting as non-handicapped individuals enjoy.

Acceptance of Gift and Resolution

THE STATE OF TEXAS §

COUNTY OF CAMERON §

TEXAS SOUTHMOST COLLEGE DISTRICT

RESOLUTION

WHEREAS, Alejandro Villarreal-Alba and Irma Montemayor de Villarreal are outstanding friends of The University of Texas at Brownsville and Texas Southmost College; and

WHEREAS, Alejandro Villarreal-Alba and Irma Montemayor de Villarreal are strong advocates for students through their support of programs that benefit students and the community; and

WHEREAS, Alejandro Villarreal-Alba and Irma Montemayor de Villarreal are dedicated to the development of the fine arts in the community and believe strongly that all people should have the opportunity to experience high quality education, performances and programming; and

WHEREAS, Music education and the visual and performing arts at The University of Texas at Brownsville and Texas Southmost College and in the Rio Grande Valley will be nurtured in The Arts Center for many years to come;

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Texas Southmost College District that Box B in The Arts Center will be named

“The Villarreal-Montemayor Family Box”

ADOPTED this 23^d day of April, 2009.

David Oliveira
Chair, Board of Trustees

Roberto Robles, M.D.
Secretary, Board of Trustees

Minutes
March 26, 2009

Texas Southmost College District

Minutes of the Regular Meeting of the Board of Trustees

March 26, 2009

The Board of Trustees of the Texas Southmost College District convened in open session on March 26, 2009, at 5:30 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, René Torres, and Adela Garza. Absent was Rosemary Breedlove. 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 5:35 p.m.

1. Announcements

Master Chorale Returns from Rome

Dr. García announced the return of the Master Chorale from their successful tour to Italy. The invitation came from a Vatican emissary who had heard them perform last year at St. Patrick's Cathedral in Ireland. A short video of their journey was presented to the Board. Dr. Garcia then introduced Dr. Heimermann, Dean of the College of Liberal Arts, who introduced Dianne Brumley, Choir Director. Ms. Brumley introduced members of the choir and thanked members of the Board, Dr. Ruth Anne Ragland, the *Brownsville Herald* and the *Valley Morning Star* for their support. The Master Chorale concluded by giving a live performance for the Board.

2. Speakers to the Items and Public Discussion

There were no speakers.

3. Acceptance of Gift and Resolution

Consideration and possible action on adoption of resolution naming The Arts Center Grand Piano Room “The Bernice and Ruben Edelstein Grand Piano Room”

Dr. Ruth Ann Ragland, Vice President for Institutional Advancement, announced the acceptance of a gift from Bernice and Ruben Edelstein. Dr. Ragland provided a brief biography of the Edelstein family, noting that they have for years been community leaders in promoting education, economic development, community service, and the fine arts. She informed the Board that the Edelsteins were not present at the meeting, but publicly thanked them for making this important contribution. Mr. Oliveira then read a resolution honoring Bernice and Ruben Edelstein, noting that a copy of the resolution and a framed portrait of The Arts Center would subsequently be presented to them.

A motion was made by Mr. Torres to adopt the resolution naming The Arts Center Grand Piano Room “The Bernice and Ruben Edelstein Grand Piano Room,” as presented. The motion was seconded by Dr. Robles and carried unanimously. Exhibit “A”

4. 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 1015, Type D, Building 1, Phase I, Brownsville, Texas; and Lot 4, Block 11, Colonia Alta Vista Subdivision, Brownsville, Texas.

The Board convened in Executive Session at 6:10 p.m.

The Board reconvened in Regular Session at 6:45 p.m.

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

Contract and resolution for purchase of Fort Brown Villas Condominium Unit 1015, Type D, 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 1015, in the amount of \$44,500 as presented. The motion was seconded by Mr. Torres and carried unanimously. *Exhibit "B"*

Contract and resolution for purchase of Lot 4, Block 11, Colonia Alta Vista Subdivision, Brownsville, Texas

A motion was made by Ms. Garza to approve the earnest money contract and resolution for the acquisition of Lot 4, Block 11, Colonia Alta Vista, in the amount of \$35,000 as presented. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "C"*

6. Board Briefing

Dr. Charles Dameron, Vice President for Academic Affairs, introduced Dr. Fredrick Jenet, Associate Professor for Physics and Astronomy, to give a presentation on the "The Discovery of Radio Pulsar J1917+1736."

Dr. Jenet described how the Arecibo Remote Command Center (ARCC) program at UTB/TSC involves high school, undergraduate, and graduate students in pulsar astronomy research early in their scholastic careers, fostering an ability to work with colleagues at different academic levels.

Dr. Jenet then elaborated on the events of Sunday, December 14, 2008, when groups of students at the Arecibo Observatory in Puerto Rico and here at the ARCC control room identified a new pulsar, which was named J1917+1736. He noted that finding a pulsar is not a common occurrence, since they represent only one of every ten million stars. Mr. Torres encouraged the students to publish an article on their discovery. Dr. Jenet thanked members of the Board, Mary Rose Cardenas, and Neil Simmons for their support of the ARCC program.

7. Approval of Minutes of Previous Meeting

Consideration and possible action on Minutes of Regular Meeting on February 19, 2009

A motion was made by Mr. Campirano to approve the Minutes of the Regular Meeting on February 19, 2009. The motion was seconded by Mr. Gonzalez and carried unanimously.

8. Physical Facilities Committee

Consideration and possible action on awarding a contract to Industrial Audio/Video, Inc., for the equipment and installation of audio visual equipment controls for the Classroom Building, New Library, and the Center for Early Childhood Studies

Mr. Oliveira called on Chester Gonzalez to make the report. He reported that the first item discussed was a contract to install audiovisual equipment controls for the Classroom Building, New Library, and the Center for Early Childhood Studies. The scope of work includes the installation of equipment for ten classrooms, three conference rooms, one multipurpose room, and one observation room. In addition, a pager sound system will be installed in the New Library.

Mr. Gonzalez reported that the request for proposals to install the audio visual equipment was issued according to Texas Southmost College Board policies for purchasing bids. Proposals were received and evaluated on March 4, 2009. The total amount for the work described in all three facilities is \$104,068.

A motion was made by Mr. Gonzalez to approve a proposal from Industrial Audio/Video, Inc., in the amount of 104,068 and authorize the Assistant Vice President for Planning and Construction to execute the contract. The motion was seconded by Ms. Garza and carried unanimously. Exhibit "D"

Consideration and possible action on awarding a contract to purchase and install fixed audience seating for the Arts Center project

Mr. Gonzalez reported that owner procurement of this seating provides a savings to the Arts Center project of \$31,000. A proposal for the specified seats was sought directly from the manufacturer, Irwing Seating Company, while Studio Red Architects provided the specifications. Irwing Seating Company is a member of the Buyboard Purchasing Cooperative. The recommended proposal includes the purchase of 733 fixed seats and installation, for a cost of \$171,558.65.

A motion was made by Mr. Gonzalez to approve a contract to install fixed audience seating from Irwing Seating Company in the amount of \$171,558.65 and authorize the Assistant Vice President for Planning and Construction to execute the purchase order. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "E"*

**Consideration and possible action on
award of a contract to Pederson Construction Co., Inc.,
for the construction of the REK Center parking lot**

Mr. Gonzalez reported that funding was approved by the TSC Board for the construction of a parking lot adjacent to the REK Center in November 2008. Additional parking is essential for the REK, the multipurpose field, and Scorpion Field. The proposed parking lot project was advertised according to TSC Board policies for competitive sealed proposals. Proposals were received on March 12, 2009. Upon evaluation of the proposals by the committee, it was recommended to award the contract to Pederson Construction Co, Inc. This recommended action is within the budget set aside for the project.

A motion was made by Mr. Gonzalez to award the contract to Pederson Construction Co., Inc., in the amount of \$284,445.25 and to authorize the Assistant Vice President for Planning and Construction to execute the contract. The motion was seconded by Mr. Campirano and carried unanimously. *Exhibit "F"*

**Consideration and possible action to approve an amendment
to the project management services agreement
with Broaddus & Associates**

The final item discussed was the amendment to the project management services agreement with Broaddus & Associates. In the course of the bond program there have been changes to the projects that directly impact the contract with Broaddus & Associates, and require an adjustment in service fees due to the increase in scope of work and an extension of time for project completion. Mr. Daniel Rentfro, Jr., TSC Attorney, elaborated on the amendment to the contract.

A motion was made by Mr. Gonzalez to increase the service management agreement with Broaddus & Associates in the amount of \$383,000 and authorize the Assistant Vice President for Planning and Construction to execute the contract. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "G"*

9. Business Affairs Partnership Committee

Report

Mr. Oliveira called on Ms. Rosemary Martinez to provide the report. Ms. Martinez reported that the Business Affairs Committee Meeting met on March 24, 2009. They discussed and made recommendations on the following items:

Consideration and possible action on authorization for disposition of items at annual auction

A motion was made by Mr. Campirano to authorize staff to dispose of items at annual auction as presented. The motion was seconded by Mr. Gonzalez and carried unanimously. *Exhibit "H"*

Consideration and possible action to purchase computer equipment for the Architecture Lab at ITEC Center through TCPN contract number 9914760 R4717

A motion was made by Mr. Campirano to approve the purchase of computer equipment in the amount of \$88,808.46 through TCPN and to authorize the Vice President for Partnership Affairs to execute the contract. The motion was seconded by Mr. Gonzalez and carried unanimously. *Exhibit "I"*

Consideration and possible action for approval of proposal for General Property Insurance

A motion was made by Mr. Gonzalez to select R.N. Jones Agency, Inc., as an agent for windstorm and hail insurance coverage through TWIA with a 1% deductible. The motion was seconded by Ms. Garza and carried unanimously. *Exhibit "J"*

Consideration and possible action on approval of payment to UT System for participation in the Comprehensive Property Protection Plan for Fire and All Other Perils and Named Windstorm and Flood Coverages

A motion was made by Mr. Torres to approve payment to UT System for participation in the CPPP for Fire and All Other Perils and Named Windstorm and Flood Coverages. The motion was seconded by Mr. Gonzalez and carried unanimously. *Exhibit "K"*

10. Academic Affairs Partnership Committee

Report

Adela Garza reported that the Academic Affairs Partnership Committee met on March 4, 2009.

Ms. Garza reported that the Committee discussed new and proposed undergraduate and graduate programs undergoing review by the Texas Higher Education Coordinating Board and UT System, as well as those seeking accreditation. The Committee also discussed UTB/TSC's ongoing dual enrollment initiatives, among which are the dual enrollment program with local districts, the Early College High School, the Math & Science Academy, and the Summer Bridge Program. The Committee also heard reports on cooperative agreements with UTPA for a Physician Assistant program, and with UTSA for a Ph.D. program in Physics.

Ms. Garza reported that the AAPC heard that the SACS re-accreditation response was submitted, and that no further action is required by the University. The next SACS re-accreditation review will take place in ten years.

Ms. Garza then introduced Dr. Charles Dameron, Vice President for Academic Affairs, who described a new Associate of Science in Architecture program that required Board approval. Information on the program was included for the Board's review.

Consideration and possible action on approval of New Academic Program

A motion was made by Ms. Garza to approve the new Associate of Science in Architecture program as presented and direct the Vice President for Academic Affairs to forward to the Texas Higher Education Coordinating Board for Approval. The motion was seconded by Mr. Campirano and carried unanimously. Exhibit "L"

11. Construction Report

Dr. Pearson reported the following:

- Renovations at the former Newman Center are progressing. Data lines have been connected, built-in furniture has been installed, and the doors and wiring have been completed.
- Work continues at the Commissary Building, the future home of the Division of Institutional Advancement. Many of the bricks have been re-pointed and reinstalled, a new door was built for the old jail located on the basement level, and other work has been completed.

- Work on the Commandant's Quarters continues. The work on the exterior is almost complete, and the project timetable will be accelerated for completion by late summer.
- A sidewalk from the Student Union to the REK Center is under construction to accommodate pedestrian traffic when the REK Center opens.
- The parking lot adjacent to the Amphitheatre is being renovated. The old asphalt has been removed, the ground has been leveled, and landscaping will occur shortly.
- Work has begun on the wing of the Cavalry building closest to the Campus Bookstore. This area will be renovated to create new offices and a conference room, and will complement the Center for Gravitational Wave Astronomy offices and the future Faculty Club.

Ms. Mendez reported the following:

- The Certificate of Occupancy for the REK Center was received on March 26, 2009.
- Work at the Center of Early Childhood Studies continues. Brick and is being installed on the exterior of the administration building, the interior walls of the four casitas have been painted different colors, and the carpet is ready to be installed. The playground equipment is expected to be delivered soon.
- Work continues at the New Library and Classroom buildings. Substantial completion is expected in late April. The arches on the windows and the exterior railings have been installed and will be painted in bronze color. The doors, ceiling tile, and carpet in the faculty offices are all installed.
- Work continues at the Arts Center. The exterior shading and fireproofing is 90% complete. Masonry on the tallest part of the building is completed. The metal door frames are installed. The project is on schedule for completion by the December 2009.
- Work at the Science, Technology and Research building has begun. The construction fence has been installed, and actual construction is scheduled to commence on April 6, 2009.

12. President's Report

Dr. Garcia reported the following:

- On February 2, 2009, Dr. Francisco G. Cigarroa began his service as the 10th UT System Chancellor. A native of Laredo, Dr. Cigarroa is a nationally renowned pediatric and transplant surgeon. Prior to taking his new position, he had served as president of the UT Health Science Center at San Antonio for nine years. UTB/TSC was the first campus Dr. Cigarroa visited as Chancellor.
- The Texas Education Agency Division of Educator Standards conducted a post-approval five year site visit during the month of January for our teacher

preparation program. The site team reviewed five areas of compliance including University commitment, program admission, curriculum, evaluation and ongoing support. The team found our teacher preparation program to be in compliance in all areas reviewed.

In addition several commendations were received for:

- the work of the University with our Advisory Board,
- the extent of collaboration between the University and the school districts,
- the system of storage and retention of student files and documents,
- providing an extended student teaching experience for our students,
- field based experiences,
- providing tutorial review sessions for students preparing for their certification examinations, and
- the use of technology in disseminating information to students.

Dr. Garcia congratulated Dr. Charles Dameron, Vice President for Academic Affairs, Miguel Angel Escotet, Dean of the School of Education, and the many faculty and staff who have helped to reach this great achievement.

- The Spring Distinguished Lecture Series featuring Syrian attorney Hind About Kabawat, an international adviser at Joseph Young and Associates, an international law firm in Toronto, and foreign affairs director for the Syrian Public Relations Association. The lecture will be held at 7:00 p.m. on Monday, April 6th, 2009, in the SET-B Lecture Hall. The topic of the lecture will be “Education, Empowerment, Law, and Peace in the Middle East.”
- **Scorpions vs. UTPA Baseball**

UTB/TSC men’s baseball team will be playing games in Edinburg on April 8 and April 22. This will be the first regular season matchup between the Broncs and the Scorpions.

13. Proposed Meeting Dates

Thursday, April 23, 2009

Thursday, May 14, 2009

Thursday, June 18, 2009

Adjournment

The meeting was adjourned by Chairman Oliveira at 8:35 p.m.

Mr. David G. Oliveira
Chairman, Board of Trustees

Roberto Robles, M.D.
Secretary, Board of Trustees

Draft

NOTE: The tape of the Regular Board of Trustees meeting held on March 26, 2009 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 KBSD in cooperation with the Brownsville Independent School District.

**UTB/TSC Guitar
Festival Grant**



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Partnership Affairs	Board Meeting Date: April 23, 2009
Agenda Item: 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.	
Rationale/Background: <p>The Annual Brownsville Guitar Festival and Competition has been held on our campus since 2002. Its founder is Dr. Michael Quantz of the Fine Arts Department. The Festival provides training from the world's best guitarists, an opportunity for students and their teachers to share ideas, master classes with powerful instructors and a series of artistic presentations for Brownsville and the Rio Grande Valley.</p> <p>Dr. Quantz is applying to the Brownsville Cultural Affairs Advisory Committee for \$25,000 to help 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. The Festival has also been partially underwritten by the Patron of the Arts Program, the Brownsville Society for the Performing Arts, Guitar Club Fundraisers and corporate gifts.</p> <p>One of the requirements of the Cultural Affairs Advisory Committee is approval of the application by the Board of Trustees.</p>	
Recommended Action: Motion to adopt 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 in the amount of \$25,000.	
Fiscal Implications:	Budgeted Item: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain:
Attachments (list):	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____

THE STATE OF TEXAS §

COUNTY OF CAMERON §

TEXAS SOUTHMOST COLLEGE DISTRICT

RESOLUTION

WHEREAS, the Annual Brownsville Guitar Festival and Competition has been held on our campus since 2002; and

WHEREAS, the Annual Brownsville Guitar Festival and Competition provides training from the world's best guitarists, an opportunity for students and their teachers to share ideas, and classes and artistic presentations; and

WHEREAS, music education and the performing arts at The University of Texas at Brownsville and Texas Southmost College will be enhanced by the Annual Brownsville Guitar Festival and Competition; and

WHEREAS, the Annual Brownsville Guitar Festival and Competition provides cultural enhancement for the City of Brownsville and the Rio Grande Valley; and

WHEREAS, additional funds to help underwrite the cost of the Annual Brownsville Guitar Festival are necessary;

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Texas Southmost College District supports the application for funding the 2010 Brownsville Guitar Festival and Competition to the Brownsville Cultural Affairs Committee.

ADOPTED this 23rd day of April 2009.

David Oliveira
Chair, Board of Trustees

Roberto Robles, M.D.
Secretary, Board of Trustees

**Substantial
Completion
REK Center**

