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TEXAS SOUTHMOST COLLEGE DISTRICT

Minutes of the Regular Meeting of the Board of Trustees

April 21, 2022

The Board of Trustees of the Texas Southmost College District convened in open session on April 21, 2022 at 5:30 p.m. Board Members present were Mr. Ruben Herrera, Chair; Dr. Tony Zavaleta, Vice Chair; Ms. Eva Alejandro, Secretary; Mrs. Adela Garza; Ms. Alejandra Aldrete; Mrs. Delia Saenz; and Mr. J.J. De Leon. Also present was Dr. Jesús Roberto Rodríguez, President of Texas Southmost College.

**REGULAR MEETING
AGENDA**

1. Call to Order

The meeting was called to order by Chair Herrera at 5:30 p.m. He called role and confirmed a quorum.

2. Pledges of Allegiance

Vice Chair Zavaleta led the United States Pledge of Allegiance and the Texas Pledge of Allegiance.

3. Public Comment

Chair Herrera asked if there were any speakers signed up for public comment. There were no public speakers.

4. La Cultura Vive Brownsville Organization Presentation of the Ambassador Award to Trustee Adela Garza, Immediate Past Chair

Chair Herrera called upon Mr. Carlos Garza to make the presentation. Mr. Garza said Immediate Past Chair Garza had provided leadership and vision for the Conjunto Showdown the organization has held for the past six years. He said during that time the event had grown from 65 students to 120 students. He credited Immediate Past Chair Garza for helping to foster the event's success and serving as an ambassador for the program. He also thanked Trustee Aldrete for serving as the emcee at this year's event.

Immediate Past Chair Garza thanked the event organizers for their desire to capitalize upon the great talent of local students. She said she looks forward to continuing the partnership between TSC and La Cultura Vive.

5. President's Report

Chair Herrera called on President Rodríguez to give his report.

Ruby Gala

TSC continued the celebration of the college's 95th anniversary by hosting a successful Ruby Gala on April 2nd. More than \$50,000 was raised for student scholarships through sponsorships, auction items, and donations. President Rodríguez said it was a beautiful evening, and he thanked Chair Herrera, Secretary Alejandro, Immediate Past Chair Garza, Trustee Aldrete, Trustee De Leon, and Trustee Saenz for attending the gala.

CNA Pinning Ceremony

TSC's Workforce Training and Continuing Education division hosted a Certified Nursing Assistant (CNA) pinning ceremony on April 7. The Scorpion Family celebrated the nine CNA graduates from Jubilee Academy during the event.

Ellucian Conference Presentation

Mr. Luis Villarreal, Vice President of Information Technology and Interim Vice President of Student Services, and Mr. Randy Wallace, Executive Director of Applications for Ellucian at TSC, co-presented two sessions at Ellucian's annual technology conference E-Live in April. The two sessions—1) Ellucian Ethos Integration, Data Access and Ellucian Analytics and 2) Diving into Ellucian Ethos Integration—described TSC's two-year journey to upgrade and integrate its ever-growing roster of applications into a unified eco-system that positions the college for growth and efficiency. President Rodríguez thanked Mr. Villarreal and Mr. Wallace for representing TSC at the national conference and demonstrating TSC is a leader in the Colleague world with its use of Ellucian Ethos integration tools.

Texas Best Conjunto Competition

TSC hosted the Sixth Annual Texas Best Conjunto Competition on April 9th at the Jacob Brown Auditorium. Participating schools put on a lively show that got the audience out of their seats and onto the dance floor. Porter Early College High School's conjunto group, La Leyenda, competed for the first time, thanks to funding from TSC's 21st Century Community Learning Center. La Leyenda claimed first place at the competition in their category. President Rodríguez congratulated all of the participating students and the school district partners. He also thanked Trustee Aldrete for serving as the emcee and congratulated Immediate Past Chair Garza for the Ambassador Award she received earlier in the meeting.

Advisory Committee Appreciation Breakfast

TSC hosted an appreciation breakfast for TSC program advisory committees on April 14. The 90 participants learned about TSC's academic and workforce training programs. In addition, they participated in interactive surveys to help the college identify degrees, job demands, and training needed by regional industry. President Rodríguez thanked the Advisory Committee members for taking time out of their busy schedules to provide TSC with valuable insight about how TSC can best serve employers and students.

Spring Commencement

TSC's Spring Commencement is scheduled for Saturday, May 14 at the Jacob Brown Auditorium. Three commencement ceremonies will be held to accommodate the 746 graduates this semester, with ceremonies to be held at 9:30 am, 2:30 pm, and 6:30 pm. The commencement speaker for all three ceremonies is Valley Baptist Medical Center Brownsville CEO Leslie Bingham.

This semester, a record number of dual credit students—328—will earn a college diploma, including graduates from BECHS, Hanna, Lopez, Pace, Porter, Rivera, Veterans Memorial, Los Fresnos, and Jubilee Academies. President Rodríguez said that because of the TSC Board of Trustees' support of the dual enrollment program and investments made on behalf of these 326 dual credit students, their families have saved approximately \$3 million in tuition and fees.

TSC/BISD Cabinet Meeting

TSC hosted a Brownsville Independent School District Cabinet Meeting on April 14. During the meeting, participants discussed several items related to TSC, including the large dual enrollment graduating class, graduation fair, new college transition department, curricula, and upcoming college deadlines. TSC also introduced new programs in Cyber Security, Agriculture, Agribusiness and Psychology.

School Safety Spotlight Program

TSC has been awarded the Texas State Safety Center (TxSSC) Collaborative Community Partnership Award and will be featured in the upcoming TxSSC Quarterly Newsletter. TxSSC serves as the legislative compliance arm for school safety in Texas including CLERY Compliance.

TSC was selected as the winner for the partnership award from among hundreds of submissions from Texas school districts, campuses, charter schools, and colleges. This award highlights the college's unique security strategy, which includes implementation of the hybrid security patrol model, incident command system, and TSC's partnerships with local, state, and federal agencies. This award affirms TSC as a leader in safety and security among Texas institutions of higher education.

President Rodríguez thanked Mr. Jaime Salazar, Associate Vice President of Operations, and his team for their excellent work. He also offered a special thanks to the IT department for supporting the LiveSafe implementation crowdsourcing tool, which enhances the college community's safety and security.

TBON Announcement

TSC has earned full approval for the Associate Degree in Nursing Education Program from the Texas Board of Nursing. During their April 21 meeting, the board voted to upgrade TSC's nursing program status from initial approval to full approval. Full approval is granted when a professional nursing education program is in compliance with all board requirements and has responded to all board recommendations. President Rodríguez recognized the dedicated work of the TSC Nursing Program students, faculty, and staff for achieving this milestone.

Formula Funding Report

President Rodríguez called upon Mr. Luis Villarreal, Vice President of Information Technology and Interim Vice President of Student Services, to provide an update on a recent Texas Higher Education Coordinating Board (THECB) report. Mr. Villarreal said TSC received a final report from THECB regarding a compliance monitoring audit of the college's formula funding on March 25. The audit involved the offices of Institutional Planning, Research and Effectiveness; Information Technology, and Financial Aid, with the goal of ensuring TSC's reporting data is accurate. After a thorough review of the documentation provided, THECB determined that TSC is in compliance with reporting for formula funding. Mr. Villarreal commended Mr. Oscar Hernandez, Executive Director of Institutional Research and Compliance, for his coordination of the documentation and audit. He also recognized the contributions of the following staff members to the successful audit: Dr. Gisela Figueroa, Vice President of Finance and Administration; Mr. Carlos Pecero, Controller; Mr. John Tran, Chief Information Officer; Mr. Randy Wallace, Applications Director/Executive Director; Ms. Vanessa Vasquez, Executive Director of Enrollment and Academic Support Services.

TSC Foundation

President Rodríguez called upon Mr. David Tumlinson, Director of Foundation and Community Outreach, to provide an update on the TSC Foundation. Mr. Tumlinson reported out on the successful 95th Anniversary Celebration Ruby Gala held April 2. He thanked the board for their support of the event, and noted the college exceed its target by raising \$52,799.32 for student scholarships from sponsorships, ticket sales, and the silent auction. The TSC Foundation Board was so pleased with the results, they approved the continuation of the gala for the next five years. Mr. Tumlinson thanked the TSC Foundation gala committee and the TSC Family who worked hard to make the event a success.

Mr. Tumlinson also reported out on his activities on behalf of TSC and the TSC Foundation for the month of April. In addition, he provided an update on the new TSC Foundation officers: Chair, Mrs. Adela Garza; Vice Chair, Mr. Roy de los Santos; Secretary, Mrs. Norma Hinojosa; and Treasurer, Mr. Ruben Gallegos. During their meeting, the Foundation accepted matching donations from the RGV Partnership and RGV Lead, raising a total of \$40,000 in scholarships.

The TSC Foundation will host the Valley Symphony Orchestra Concert on April 30 to benefit student scholarships during an evening concert, and will provide a free afternoon matinee for local students. Other upcoming events include a reception to benefit the Center for Legal Studies on June 28 event to support the Center for Legal and Justice Studies and the 2nd Annual Scorpion Classic Golf Tournament on August 20.

Video Presentation

President Rodríguez shared a video highlighting the March 2022 college activities.

President Rodríguez thanked the Scorpion Family for their continued hard work and commitment to our students as the college begins to wrap up the spring semester and prepare for Commencement and the summer and fall semesters.

6. Consideration and possible action on the minutes of the following meetings:**a. Regular Meeting – March 24, 2022**

Vice Chair Zavaleta made a motion to approve the minutes of the Regular Meeting on March 24, 2022. Trustee Aldrete seconded the motion, which carried unanimously.

Chair Herrera asked the Board to skip to agenda item 11.

11. Consideration and possible action on Level III Grievance of Kim Sanchez. At the request of the grievant this will be in open session pursuant to the Texas Open Meetings Act, section 551.074

Chair Herrera reminded the Board the evidence and arguments presented were concluded on March 24. He presented the Board with options for action during the meeting and advised participants of the procedures for the open session.

Trustee De Leon made a motion for the Texas Southmost College Board of Trustees to deny Ms. Sanchez's grievance based on age discrimination and modify the administration's decision terminating Ms. Sanchez's employment by reinstating her to the position and pay level she held immediately prior to her termination, including back pay and benefits, as well as attorney's fees. If employed, Ms. Sanchez is afforded a two week grace period to give two-week's notice to her current employer. Vice Chair Zavaleta seconded the motion, which passed unanimously.

7. Report on the Criminal Justice Institute

Chair Herrera called on Dr. Joanna Kile, Vice President of Instruction, to present the item. Dr. Kile, along with Dr. Joseph Fleishman and Ms. Willemina Edwards, presented information on TSC students' pass rate on the Texas Commission on Law Enforcement (TCOLE) exam over the past four years. Dr. Kile said the commission may put training providers on at-risk probationary status if 80% of students do not pass the TCOLE exam on their first try. The first time pass rate for TSC students in the FY21 cohort is below the required 80% mark; it is currently 53.968%. Dr. Fleishman and Ms. Edwards provided information on the actions they are taking to enhance student preparation and pass rates. The board members engaged in a discussion and asked questions on program requirements and challenges for students; they also expressed their concerns on plans for ensuring future student success.

Chair Herrera requested that Dr. Rodríguez ensure there is an agenda item for a stand-alone report on the Criminal Justice Institute to the Board at each meeting.

8. Academic Committee

Chair Herrera called on Trustee De Leon to present the report.

a. Consideration and possible action on the Data Sharing Agreement between The University of Texas at Austin, Ray Marshall Center for the Study of Human Resources and Texas Southmost College

Dr. Joanna Kile, Vice President of Instruction, and Dr. Joseph H. Fleishman, Associate Vice President of Instruction – Workforce Development were called upon to present the item. Dr. Kile said the Texas Workforce Commission has contracted with UT Austin to conduct a longitudinal study of graduates of the forklift, electrical, and plumbing workforce programs to measure the impact of the Texas Workforce Commission Building Construction Trades Grant awarded to grant recipients state-wide, including TSC. This data sharing agreement will support the study.

A motion was made by Trustee De Leon to approve the Data Sharing Agreement between The University of Texas at Austin, Ray Marshall Center for the Study of Human Resources and Texas Southmost College, as presented. Immediate Past Chair Garza seconded the motion, which carried unanimously.

b. Consideration and possible action on approval of matching grant support for the Texas Workforce Commission Jobs and Education for Texans (JET) grant program

Dr. Joanna Kile, Vice President of Instruction, and Dr. Angelica M. Fuentes, Associate Vice President of Instruction, were called upon to present the item. Dr. Kile said the proposal would authorize the five percent required match for the Texas Workforce Commission’s Jobs and Education for Texas grant program. TSC will be submitting two grant proposals during this cycle.

A motion was made by Trustee De Leon to approve the required matching grant support up to \$35,000 for the Texas Workforce Commission Jobs and Education for Texans grant program. Immediate Past Chair Garza seconded the motion, which carried unanimously.

c. Consideration and possible action on the Memorandum of Understanding between Rich Products and Texas Southmost College

Dr. Joanna Kile, Vice President of Instruction, and Dr. Joseph H. Fleishman, Associate Vice President of Instruction – Workforce Development, were called on to present the item. Dr. Kile said the proposed MOU will support a Skills Development Fund grant application to the Texas Workforce Commission Skills, through which TSC will provide customized skills training for Rich Products employees.

A motion was made by Trustee De Leon to approve the Memorandum of Understanding between Rich Products and Texas Southmost College and authorize President Rodriguez to execute the agreement, as presented. Immediate Past Chair Garza seconded the motion, which carried unanimously.

d. Consideration and possible action on award of RFP 22-16 “Forklift Trucks”

Dr. Joanna Kile, Vice President of Instruction, and Dr. Joseph H. Fleishman, Associate Vice President of Instruction-Workforce Development, were called upon to present the item. Dr. Fleishman said the forklift trucks will be purchased with funding from the TRUE grant. He reviewed the RFP process, including the timeline, equipment, review committee, pricing and scoring tabulation, review criteria, and budget and financial impact. Two vendors submitted responses to the RFP, with OCTANE Forklifts, Inc. receiving the highest score from the committee.

A motion was made by Trustee De Leon to award RFP 22-16 for "Forklift Trucks" to OCTANE Forklifts Inc. in the amount of \$42,869 and authorize President Rodríguez to execute the contracts, as presented. Immediate Past Chair Garza seconded the motion, which carried unanimously.

e. Consideration and possible action on award of RFP 22-26 "Electrocardiogram and Phlebotomy Equipment"

Dr. Joanna Kile, Vice President of Instruction, and Dr. Joseph H. Fleishman, Associate Vice President of Instruction-Workforce Development, were called upon to present the item. Dr. Fleishman said local industry partners have identified the need for training on the proposed equipment. He reviewed the RFP process, including the timeline, equipment, review committee, pricing and scoring tabulation, review criteria, and budget and financial impact. Two vendors submitted responses to the RFP. The committee proposes to purchase equipment from both vendors.

A motion was made by Trustee De Leon to award RFP 22-26 for "Electrocardiogram and Phlebotomy Equipment" to CBS DME & Medical Supplies in the amount of \$37,531 and Henry Schein, Inc. in the amount of \$20,214 and authorize President Rodríguez to execute the contracts, as presented. Immediate Past Chair seconded the motion, which carried unanimously.

9. Finance Committee

Chair Herrera called on Immediate Past Chair Garza to present the report.

a. Consideration and possible action on approval of amendment to Interlocal Participation Agreement (IPA) with TASB Risk Management Fund

Ruben Pena, College Legal Counsel, was called on to present the agenda item. Mr. Pena discussed updates to the Interlocal Participation Agreement, which is updated every five years. The document designates TSC as a member of the risk pool, but does not require TSC to secure services through the pool.

A motion was made by Immediate Past Chair Garza to approve amendment to Interlocal Participation Agreement (IPA) with TASB Risk Management Fund. Trustee Saenz seconded the motion, which carried unanimously.

b. Monthly Financial Statement Report for the month ended January 31, 2022

Dr. Gisela Figueroa, Vice President of Finance and Administration, and Mr. Carlos Pecero, Controller, were called upon to present the agenda item. Mr. Pecero presented the monthly financial statement report for the month ended February 28, 2021.

There were no questions from the board. The item was for information only. No action was taken.

c. Second Quarter Investment report for Fiscal Year 2022

Dr. Gisela Figueroa, Vice President of Finance and Administration, and Mr. Carlos Pecero, Controller, were called upon to present the agenda item. Mr. Pecero presented the Second Quarter Investment Report for Fiscal Year 2022.

The item was for information only. No action was taken.

d. All Institutional CARES expenditures report

Dr. Gisela Figueroa, Vice President of Finance and Administration, was called on to present the item. She reported on new institutional CARES grant fund expenditures. Dr. Figueroa said the Department of Education has extended the deadline for expenditures for an additional eight months.

The item was for information only. No action was taken.

e. Grants Report for March 2022

Dr. Gisela Figueroa, Vice President of Finance and Administration, and Dr. Angelica Fuentes, Associate Vice President of Instruction for Academic Success, were called on to present the item. Dr. Fuentes reported on the new grants received during the month of March 2022 and through Fiscal Year 21-22.

The item was for information only. No action was taken.

f. TSC CARES for students

Dr. Gisela Figueroa, Vice President for Finance and Administration, was called on to present the item. Dr. Figueroa said the college was awarded \$7,727,922 through the American Recovery Plan Act (ARP) Student Portion – CARES 3. She said TSC will disburse \$750 to approximately 3,139 TSC academic credit students, with the exception of dual enrollment students, continuing education, and international students. This will be the fourth distribution to TSC students through CARES Act funding.

The item was for information only. No action was taken.

10. Facilities Committee

Chair Herrera called on Trustee Saenz to present the report.

a. Consideration and possible action on approval of classroom furniture purchase for Courtroom and Criminal Justice Project

Dr. Joanna Kile, Vice President of Instruction, and Dr. Gisela Figueroa, Vice President of Finance and Administration, were called on to present the item. Dr. Kile said the proposal supports the purchase of furniture for five classrooms/areas of the Music Building that are under renovation to house the courtroom, as well as the paralegal and criminal justice programs. The purchase would be made through the OMNIA purchasing cooperative contract with funds that were previously approved by the Board of Trustees. Dr. Figueroa noted that staff from the TSC Facilities department will be building some of the specialized furniture for the courtroom.

Trustee Saenz made a motion to approve classroom furniture purchase for the Courtroom and Criminal Justice Project from Trendway in the amount of \$65,000 through OMNIA Partners purchasing cooperative contract and authorize President Rodríguez to execute the purchase order contract, as presented. The motion was seconded by Trustee Aldrete and passed unanimously.

b. Consideration and possible action on award of RFP 22-21 for “Rusteberg Building Repairs”

Dr. Gisela Figueroa, Vice President of Finance and Administration, and Mr. Jaime Salazar, Associate Vice President of Operations, were called on to present the item. Mr. Salazar reviewed the RFP timeline, an overview of the projects, review committee, scoring tabulation, review criteria, and budget and financial impact. Eight vendors responded to the RFP, with RCJ Roofing and Construction receiving the highest score from the committee. The board engaged in a discussion of the vendors’ qualifications and building usage.

Trustee Saenz made a motion to award RFP 22-21 for “Rusteberg Building Repairs” to RCJ Roofing and Construction in the amount of \$255,204 for both projects plus 10 percent contingency to cover unforeseen events and authorize President Rodríguez to execute the contracts, as presented. The motion was seconded by Secretary Alejandro and carried unanimously.

c. Facilities Update

Dr. Gisela Figueroa, Vice President of Finance and Administration, and Mr. Jaime Salazar, Associate Vice President of Operations, were called on to present the item. Mr. Salazar presented updates on the following projects: Dillard’s roof, campus parking lot improvements, the Courtroom and Criminal Justice Program project, Oliveira Student Services 2nd Floor cafeteria project, and the Oliveira Student Services Center 2nd Floor restroom addition project.

The item was for information only. No action was taken.

11. Executive Session

The Board convened in Executive Session at 7:36 p.m.

The Board reconvened in Open Session at 8:18 p.m.

12. Action on Executive Session Matters

- a. **Consultation with Attorney on Pending or Contemplated Litigation, Section 551.071 Texas Government Code**

Trustee Aldrete made a motion to approve the creation of a restricted account in the amount of \$1,106,243.08 and move funds from the unrestricted fund balance to the restricted account. Trustee De Leon seconded the motion, which passed unanimously.

- b. **Consultation with Attorney on Pending Real Estate Issues, Section 551.072 Texas Government Code**

No action was taken.

- c. **Deliberation on Personnel Matters, Section 551.074 Texas Government Code**

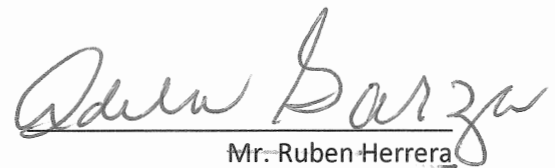
No action was taken.

13. Announcement of Proposed Meeting Dates

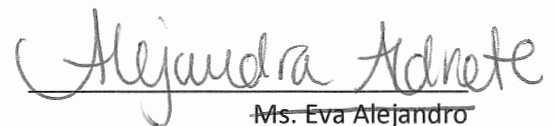
- a. **Regular Board Meeting – Thursday, May 19, 2022, 5:30 p.m.**
b. **Regular Board Meeting – Thursday, June 16, 2022, 5:30 p.m.**

14. Adjournment

A motion to adjourn the meeting was made by Immediate Past Chair Garza. The motion was seconded by Trustee Saenz and passed unanimously. The meeting was adjourned at 8:19 p.m.



Mr. Ruben Herrera
Chair, Board of Trustees



Ms. Eva Alejandro
Secretary, Board of Trustees

The video recording of the Regular Board of Trustees meeting held on April 21, 2022 available on the TSC.EDU website. These minutes were taken and transcribed by Dr. Angela K. McCauley, Director of Special Instructional Projects. Videotaping of the Board of Trustees' meetings began on April 11, 1996.