



**Board of Trustees**

*Ruben Herrera, J.D.*  
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*Tony Zavaleta, Ph.D.*  
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*Eva Alejandro*  
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*Delia Saenz*

*J.J. De Leon, M.Ed.*

**TSC President**

*Jesus Roberto Rodríguez, Ph.D.*

**TEXAS SOUTHMOST COLLEGE DISTRICT**

**Minutes of the Special Meeting of the Board of Trustees**

**November 23, 2020**

The Board of Trustees of the Texas Southmost College District convened in open session via video conference on November 23, 2020 at 5:32 p.m. Board Members present were Mr. Ruben Herrera Chair; Dr. Tony Zavaleta, Vice Chair; Ms. Eva Alejandro, Secretary; Ms. 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, Mr. Frank Perez, Legal Counsel and Mr. Ruben Peña, Legal Counsel.

**SPECIAL MEETING  
AGENDA**

**1. Call to Order**

The meeting was called to order by Chair Herrera at 5:32 p.m.

**2. Pledges of Allegiance**

Secretary 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. Consideration and possible action on Texas Southmost College response to COVID-19 and Operations for Spring 2021**

Chair Herrera called on Dr. Jesus Roberto Rodríguez, President, and Mr. Jaime Salazar, Executive Director of Environmental Health, Safety, and Risk Management, to present the item. Dr. Rodríguez stated that the TSC Board of Trustees has always been on the cutting

edge of higher education and was one of the first to make the decision to move to remote operations for the Spring, Summer, and Fall 2020 semesters. He introduced Mr. Salazar to provide a recap of health and safety precautions under remote operations.

Mr. Salazar said since last spring, college staff has been engaged in deep cleaning and sanitization of college facilities. Personal protection equipment (PPE) has also been distributed, as needed, and temperature kiosks have been installed in higher traffic areas. Messaging—via email and campus signage—has advised the college community of best practices when coming to campus, which are based on CDC guidelines as well as state and local ordinances.

Mr. Ruben Pena, Attorney, read the following resolution into the minutes:

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

**TEXAS SOUTHMOST COLLEGE DISTRICT**

**RESOLUTION OF THE BOARD OF TRUSTEES OF  
TEXAS SOUTHMOST COLLEGE**

**COVID-19 Virus**

WHEREAS, the TEXAS SOUTHMOST COLLEGE Board of Trustees recognizes that officials in the Brownsville, Cameron County and Willacy County have declared an emergency regarding the spread of coronavirus/COVID-19 (hereafter "COVID-19") and that the territory included in Texas Southmost College is within the areas where an emergency has been declared; and,

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a statewide emergency, and, later that same day, the President of the United States declared a national emergency regarding COVID-19;

WHEREAS, the Texas Southmost College Board of Trustees recognizes that COVID-19 is an unforeseen and unavoidable emergency of urgent public necessity, that the World Health Organization has declared COVID-19 a pandemic, and that additional emergency declarations may follow in the coming days and weeks; and,

WHEREAS, the Texas Southmost College Board of Trustees has a substantial public interest in protecting the health and safety of its students, staff, and community and therefore desires to ensure that the college district and community are prepared to the fullest extent possible to protect the health and safety of students, staff, and community in light of COVID-19; and,

WHEREAS, the Board of Trustees of Texas Southmost College seeks to retain its employees, reduce turnover, increase morale, help employees focus on work-related matters while at work, and facilitate the return of employees to normal operations, and believes that an additional public purpose exists in doing so; and,

WHEREAS, the Board of Trustees of Texas Southmost College believes the public purposes described above are fulfilled by efficiently and effectively making certain delegations, as described more fully herein, to the President to address this ever-changing emergency situation in the best interest of the health, safety, and well-being of its students, staff, community, and the citizenship at-large.

**IT IS THEREFORE:**

**RESOLVED THAT** the Board of Trustees of Texas Southmost College finds a substantial public purpose exists in protecting the health and safety of its students, staff, and community and therefore in ensuring that the college district and community are prepared to the fullest extent possible to protect the health and safety of students, staff, and community in light of COVID-19; and,

**FURTHER RESOLVED THAT** the Board of Trustees of Texas Southmost College finds a public purpose also exists in retaining its employees, reducing turnover, increasing morale, helping employees focus on work-related matters while at work, and facilitating the return of employees to normal operations; and,

**FURTHER RESOLVED THAT** the Board of Trustees of Texas Southmost College may have telephonic or video conference Board meetings accessible to the public in order to provide continued governmental operations while preserving transparency;

**FURTHER RESOLVED THAT** in furtherance of the public purposes so stated in this Resolution, the Board of Trustees of Texas Southmost College makes the following delegations to the President in order to efficiently and effectively prepare the college district in response to the declarations of emergency announced by the United States, the State of Texas, the City of Brownsville, Cameron County and Willacy County as well as in preparation for the potential declarations of emergencies by other local, state, and/or national

and international officials:

1. The authority to act in the place of the Board under Board Policy DEA (LEGAL) & DEA (LOCAL) Compensation and Benefit, and all related Procedures, and thus make all decisions regarding the payment of employees during altered operations and/or a college closure, to implement the provisions of Board Policy DEA (LEGAL) & DEA (LOCAL) Compensation & Benefits and all related Procedures, and to make determinations regarding the purpose and parameters of any such payments;
2. The authority to make decisions regarding the compensation, if any, of full-time and part-time employees, both exempt and non-exempt, who may be required to report to work or work remotely during altered operations and/or a college closure and to implement those decisions;
3. The authority to determine work days and hours, if any, for all employees during altered operations and/or a college closure;
4. The authority to implement an educational program for students during altered operations and/or a college closure;
5. The authority to postpone, suspend, or cancel regular Board meetings during altered operations and/or a college closure in the interest of health and safety after consultation with the Board President;
6. The authority to alter the Texas Southmost College 2019-2020 calendar by changing and/or adding campus/instructional hours and work/campus days as necessitated by altered operations and/or a college closure or related concerns;
7. The authority to create guidelines and make determinations regarding absences, leave time, leave days, and compensation of any employee who is quarantined as a result of COVID-19 and/or who tests positive for COVID-19 and who presents appropriate medical documentation regarding themselves and/or an immediate family member, in the sole discretion of the President or his designee, in compliance with Texas and federal law;
8. The authority to seek any necessary waivers from the Texas Higher Education Coordinating Board, SACSCOC, and any other accreditation or certifications agencies, without further action of the Board of Trustees regarding missed instructional days, low attendance, or any matters related to altered operations and/or a college closure as part of this Resolution;

- 9. The authority to declare a catastrophe and take all actions as appropriate in accordance with Texas Government Code Section 552.233 regarding temporary suspension of the Texas Public Information Act;
- 10. In the event other waivers or immediate action is needed, the President is authorized to take other action and to submit/apply for other waivers in accordance with guidance and instructions from the national, state and local authorities and/or agencies.

**FURTHER RESOLVED THAT** (1) the emergence of COVID-19 and its spread constitute an unforeseen emergency/matter of urgent public necessity; (2) the delays posed by competitive procurement of contracts necessary to mitigate, prevent, restore, replace and/or repair equipment, personal property, and/or facilities will prevent or substantially impair the conduct of classes or other essential college activities; and (3) upon approval by a majority of the chair, vice- chair and secretary (hereinafter executive committee of the Board of Trustees), the President and his designee(s) are authorized to procure, negotiate, and execute contracts for goods and services that are necessary to mitigate, prevent, restore, replace and/or repair damage caused to Texas Southmost College equipment, personal property, and facilities or to protect the safety of Texas Southmost College students and employees; and (4) the President shall inform the Board of Trustees of all emergency purchases made hereunder at the next regular Board meeting following such purchases

The President and/or designee(s) will provide timely and reasonable information to the Board of Trustees with regard to decisions made pursuant to this Resolution.

This Resolution shall remain in effect until rescinded by Board Action at a duly called Board Meeting.

**CERTIFICATE FOR RESOLUTION**

I hereby certify that the foregoing resolution was presented to the Board of Trustees of Texas Southmost College during a special called meeting November 23, 2020, a quorum of the Board of Trustees being then present, it was then duly moved and seconded that the resolution be adopted, and such resolution was then adopted according to the following vote:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Abstentions: \_\_\_\_\_

To certify which, witness my hand and the official seal of the District this \_\_\_\_ day of November, 2020.

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Chair, Board of Trustees

ATTEST:

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Secretary, Board of Trustees

**A motion was made by Mrs. Saenz to approve remote instruction, alternate operations during the Spring 2021 semester and the resolution in response to COVID-19 as presented. The motion was seconded by Mr. De Leon and carried unanimously.**

**5. Consideration and possible action on Budget Amendment 21-004 to recognize revenue to cover TSC Cares initiatives for Spring 2021 Semester**

Chair Herrera called on Dr. Jesus Roberto Rodríguez, President, and Dr. Gisela Figueroa, Vice President of Finance and Administration, to present the item.

Dr. Rodríguez reminded the board that when the budget for this year was passed, \$300,000 was set aside for a 20% tuition scholarship for students. The initiative was so successful, a total of \$455,000 was awarded. At the same time, tuition and fees collected exceeded fall 2020 projections by \$1,338,870. Dr. Rodríguez said the agenda item requests that the board recognize the additional revenue to be allocated for the following items:

- Cover the 20% Tuition Discount Scholarship Fall 2020 deficit - \$155,000
- Cover the proposed 20% Tuition Discount Scholarship for Spring 2021 - \$435,000
- Increase the adjunct/overload faculty budget - \$750,870

A motion was made by Mr. De Leon to approve Budget Amendment 21-004 to recognize revenue to cover TSC Cares initiatives for Spring 2021 Semester in the amount of \$1,338,870 as presented and authorize President Rodriguez to execute the related document(s). The motion was seconded by Ms. Eva Alejandro and carried unanimously.

**6. Consideration and possible action on creating a scholarship to pay for 20% of student's tuition for Spring 2021 semester**

Chair Herrera called on Dr. Jesus Roberto Rodríguez, President, and Dr. Gisela Figueroa, Vice President of Finance and Administration, to present the item.

President Rodríguez said that by amending the budget as described, the Board has the opportunity to authorize the continuation of the 20% tuition discount. He said the previous scholarship aided many students and helped drive enrollment growth. It also builds upon previous TSC CARES initiatives. Currently, spring enrollment is trending approximately 23% below this time last year.

Vice Chair Zavaleta asked what the estimate for the scholarship awards are and where the funding will come from. President Rodríguez stated the estimated total award amount is \$435,000 and would be allocated from the funding approved in the previous agenda item. He said the TSC Board gave back approximately \$500,000 to the community during the fall semester, and he projects the same amount in the spring semester. Vice Chair Zavaleta asked for clarification of how the college "gives back" the funding to the community. Dr. Figueroa explained the funding is going back to the students in the form of scholarships so they can use the money for their personal expenses.

Mr. De Leon said it is not always easy to look at the figures and make decisions during the meeting. He thanked President Rodríguez and Dr. Figueroa for their vision in creating a brighter future for the community and for their heart and dedication to the college.

**A motion was made by Vice Chair Zavaleta to approve the creation of a scholarship to pay 20% students tuition for Spring 2021 semester and authorize President Rodríguez to execute the related document(s). The motion was seconded by Mr. De Leon and carried unanimously.**


**7. Consideration and possible action on TSC CARES initiative to waive parking fees for Spring 2021.**

Chair Herrera called on Dr. Jesus Roberto Rodríguez, President, to present the item. President Rodríguez said the administration recommended to extend the initiative to waive parking fees for the Spring 2021 semester.

A motion was made by Ms. Alejandro to approve the TSC CARES initiative to waive parking fees for Spring 2021 and authorize President Rodriguez to execute the related document(s). The motion was seconded by Mr. De Leon and carried unanimously.

#### 8. Adjournment

A motion was made by Mrs. Saenz to adjourn the workshop. The motion was seconded by Ms. Alejandro and carried unanimously. The meeting was adjourned at 7:09 p.m.



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Ruben Herrera, J.D.  
Chair, Board of Trustees



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Eva Alejandro  
Secretary, Board of Trustees

The video recording of the Regular Board of Trustees meeting held on November 23, 2020, is available on the TSC.EDU website. Final version of the minutes presented by Claudia Cortina, Interim Chief of Staff and Board Liaison. Videotaping of the Board of Trustees' meetings began on April 11, 1996.