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TEXAS SOUTHMOST COLLEGE DISTRICT

Minutes of the Regular Meeting of the Board of Trustees

May 21, 2020

The Board of Trustees of the Texas Southmost College District convened in open session on May 21, 2020 at 5:30 p.m. via video conference and in the TSC Performing Arts Center at Texas Southmost College. Board Members present were Mr. Ruben Herrera, Vice Chair; Dr. Tony Zavaleta, Secretary; Mrs. Delia Saenz, Mr. Arturo Rendon, Mr. J.J. De Leon and Ms. Eva Alejandro. Absent was Ms. Adela Garza, Chair. Also present was Dr. Jesús Roberto Rodríguez, President of Texas Southmost College.

1. Call to Order

The meeting was called to order by Vice Chair Herrera, at 5:30 p.m.

2. Pledges of Allegiance

Secretary Zavaleta led the United States Pledge of Allegiance and the Texas Pledge of Allegiance.

3. Public Comment

There were no speakers.

4. Consideration and possible action on the Minutes of the following meetings

b. Consideration and possible action on the Minutes of the Special Meeting of the Board of Trustees held on April 30, 2020

A motion was made by Ms. Alejandro to approve the Minutes of the Special Board Meeting of April 30, 2020, as presented. The motion was seconded by Secretary Zavaleta and carried with six votes and one absence.

a. Consideration and possible action on the Minutes of the Regular Meeting of the Board of Trustees held on April 16, 2020

A motion was made by Mr. De Leon to approve the Minutes of the Regular Board Meeting of April 16, 2020. The motion was seconded by Ms. Alejandro and carried with six votes and one absence.

b. President's Report

Vice Chair Herrera called on President Rodriguez to give his report and he reported on the following items.

Summer & Fall Enrollment Projections

President Rodriguez began by presenting the data for Summer enrollment. He stated that enrollment for this semester has been trending extremely well. He added that the college has already met and exceeded their Summer I and Summer II enrollment goals. As of May 20th, the data shows the Summer I semester at 52% higher than last year and Summer II at 44% above last year.

On the other hand, President Rodriguez reported that the current Fall semester enrollment is trending below last year by about 20%. President Rodriguez expressed that the negative trend for this projection is likely due to uncertainty of the current health crisis. However, he added that it is still very early for the Fall enrollment process.

TSC Revenue

President Rodriguez announced Governor Abbott's notice to all higher education entities of reduced appropriations by 5% for the next fiscal year. However, community colleges were excluded from the state appropriation budget cuts which means TSC will receive the same amount of funds as last fiscal year.

COVID Disinfection Specialist Training

The college launched the COVID Disinfection Specialist Training program on Monday, May 18, 2020 through the office of Workforce Training and Continuing Education. This is an eight-hour online course which is being offered to small businesses and focuses on fostering a safe working environment for employees reporting back to work and a safe environment for customers as well. As a result, the college has received a great deal of media coverage and an even greater response from community members who would like to take the course. This program is in partnership with the city of Brownsville, Workforce Solutions Cameron and the Alliance Safety Council. Other partners include Valley Baptist Medical Center Brownsville, The Greater Brownsville Incentives Corporation, The Brownsville Chamber of Commerce, The Brownsville Community Improvements

Corporation, and the Texas Workforce Commission. President Rodriguez reported that as of Thursday morning the office of (WCTE) Workforce Training and Continuing Education had received requests for training from sixty-four companies for a total of two hundred and twenty-eight employees.

President Rodriguez stated that Dr. Joseph Fleishman, Associate Vice President of Instruction-Workforce Development, and his team, had done an excellent job rolling this training out to the community. He added that the college hopes to continue to have success with the program.

Read Aloud Story Time

President Rodriguez extended his thanks to Madam Chair, Ms. Adela Garza, and Trustees, Mrs. Delia Saenz and Ms. Eva Alejandro for participating in the Read Aloud Story Time event for children from the TSC Childcare Center on May 6th and 7th. He added that the children were excited, listened attentively, and engaged with the Trustees during the read aloud.

Virtual Town Hall Meeting

The Student Government Association held a virtual scorpion town hall meeting on April 30, 2020. President Rodriguez as well as other members of administration participated in the meeting to answer questions and address concerns from the TSC students.

Division of Instruction Meeting

A second online meeting was held by the Division of Instruction on May 11, 2020. Nearly one hundred and ninety faculty and staff participated in the online event. President Rodriguez as well as Dr. Joanna Kile, Vice President of Instruction, thanked the faculty for their efforts and for helping TSC students finish the semester "Scorpion Strong"!

Update on Safety Procedures for Safe Return

Mr. Jaime Salazar, Director of Safety and Risk Management, provided an update on the preparations that were made for the safe return to campus of students involved in the Criminal Justice Institute and Emergency Medical Science Program. Students in these programs returned on a limited basis on May 11, 2020 and although the return for these programs took place at the ITEC Center, there have also been actions taken at the main campus. He stated that immediately after the news of the COVID outbreak, the college had some deep cleaning done by the contracted cleaning company. Major traffic areas, common areas, and any possible problem areas were identified and were disinfected and sanitized. Additional efforts were made to close off and isolate these areas once they were deep cleaned and disinfected in order to avoid contamination or opportunities for the area or anyone in those areas to become infected. Moreover, Mr. Salazar explained that the college began to put up signage around the main campus and at ITECC in anticipation of returning employees and students. The signage was to follow and promote the guidance from national, state, and local ordinances. All CDC requirements were also posted for social distancing, hygiene, and cleanliness.

Mr. Salazar explained that he and administration engaged daily in several calls and monitored the situation daily to track all steps, changes, and progress. Guidance from Governor Abbott's office was released on May 11, 2020 via GA-18 which allowed the college to have a soft opening. Through the Texas Higher Education Coordinating Board, there was a waiver that allowed CTE Continuing Education courses to open up. The waiver was very specific and had very specific rules that the college had to follow. Mr. Salazar stated that the college met all the requirements and his office worked very closely with all professors, directors, and Dr. Fleishman to ensure that this was accomplished successfully. In addition, the college also provided training to the returning students and staff. He elaborated that we moved forward with the soft opening as the college identified an effective intake process and ensured the safety and well-being, of all involved. Further effort was made by reaching out to the students and giving them the opportunity to ask questions and express any concerns or give any feedback. Mr. Salazar added that his office continues to run contingency plans in preparation and anticipation that if and when the college does open again, the college will have the resources and steps in place to ensure safety.

Trustee Elections

President Rodriguez updated the Board of the college's progress in selecting a possible alternate date to conduct Trustee Elections other than November 3, 2020. He stated that the findings show that having the Trustee Elections on November 3rd rather than having them on an alternate date will almost double the cost. The reason for the increase in cost is due to the fact that the number of polling locations is much greater during a general election which includes a presidential election this year. He explained that when the Board approved the budget in August 2019, it included \$280,000 for the election. However, the Elections Administrator has estimated that if the Trustee Elections are held on November 3rd, the cost could range between \$400,000 and \$500,000. The additional cost would significantly impact the college's budget and divert critically needed funds for students.

Other reasons that were shared in support of selecting an alternate date for elections are guidance related to the Governor's emergency orders, the ordinances from the Center for Disease Control; as well as local health providers indicating that the public should continue to avoid large gatherings of people. To that point, conducting the TSC Elections on an alternate date other than the presidential election would diminish the number of voters gathering at polling locations; thereby, minimizing the risk of COVID-19. President Rodriguez explained that protecting the health, welfare, and safeguarding the community through smaller gatherings is another reason to consider an alternate date.

President Rodriguez continued his update by explaining that the college has been in communication with the Cameron County Elections Administrator, Mr. Remi Garza, and he has confirmed that the cost for conducting the TSC election on a date other than November 3rd would yield a cost at or near the original amount budgeted. Mr. Garza also stated that if Governor Abbott permits an alternate date, his office is prepared to carry out its responsibilities and duties.

Spawglass Scholarship

Spawglass Superintendent, Mr. Eddie Rodriguez, was introduced to present a check for student scholarships to the college from the proceeds of the company's 2019 fishing tournament. He expressed appreciation to TSC for all that they do for the community and explained that the company hosts events every year to raise money for the community. He proudly announced that of the proceeds from the 2019 fishing tournament, Spawglass allotted \$5,000 for TSC to be used for deserving students that specialize in the industry. He added that Spawglass is very proud to support TSC and the company recognizes the quality of students that graduate from the college.

Vice Chair Herrera thanked Spawglass for their generous donation and expressed appreciation for their continued support and donation to TSC students. President Rodriguez echoed with a word of thanks and appreciation and stated that the college looks forward to growing its partnership with the company.

TSC Cares Video

President Rodriguez presented the "TSC Cares" video shared via social media as part of the college's marketing campaign and reported that it has gotten a lot of traction online. He explained that the purpose of the video was to let the students know that the college cares and is moving forward, and that everyone is trying to finish the semester Scorpion Strong!

Following the video, President Rodriguez thanked everyone and stated that it takes everyone's effort to put this together.

"Take 6 On Us" Video

President Rodriguez shared the "Take 6 On Us" video as another part of the college's marketing campaign. He explained that the purpose of this video is to highlight the portion of the comprehensive care package related to the six credit hours waived for summer classes that the Board approved last month. He added that this video would be circulating on television and social media and once again thanked everyone for their contribution. He also thanked the marketing department under the leadership of Ms. Lynda Lopez, Executive Director of Advancement & Communications, which put this together.

President Rodriguez concluded his report with remarks about the current alternate operations and the conclusion of the spring semester during these challenging times. He stated that he truly wanted to thank everyone for their patience, their optimism, flexibility, and for the continued hard work and commitment to the students and community.

c. **Academic Committee**

Vice Chair Herrera called on Secretary Zavaleta to make the report.

a. **Consideration and possible action on a Clinical Affiliation Agreement with Valley Regional Medical Center in Brownsville**

A motion was made by Secretary Zavaleta to approve the Clinical Affiliation Agreement with Valley Regional Medical Center in Brownsville. The motion was seconded by Mr. De Leon and carried with six votes and one absence.

7. **Policies Committee**

Vice Chair Herrera called on Ms. Alejandro to give the report.

Ms. Alejandro began her report by announcing that a new Title IX Coordinator had been appointed. She stated that the local policies DIAA, DIAB, FFDA, and FFDB are being updated and Retired U.S. Magistrate Judge Felix Recio has been appointed as the new Title IX Coordinator. She added that attorney, Mr. Ruben Peña, was available to answer any question the Board had.

a. **Consideration and possible action on approval of local policies, DIAA, DIAB, FFDA, and FFDB as presented.**

A motion was made by Secretary Zavaleta to approve local policies DIAA, DIAB, FFDA, and FFDB as presented. The motion was seconded by Mrs. Saenz and carried with six votes and one absence.

8. **Facilities Committee**

Vice Chair Herrera presented the report.

a. **Consideration and possible action on Memorandum of Understanding with Texas Department of Public Safety for shared space at TSC Safety and Security Building**

Vice Chair Herrera called on Mr. Jaime Salazar, Director of Safety and Risk Management, to present the item. Mr. Salazar explained that this is an additional MOU to the one the college has with the Brownsville Police Department. He stated that the goal is to expand and now share space with the Texas Department of Public Safety to have seven troopers at the Newman Building. Mr. Salazar added that the troopers would be conducting patrols as they come in and out of the space and provide the college with increased visibility and high-profile protection around the campus. Additionally, an

agreement is in process to provide additional training that would be beneficial to both parties as well as raises awareness of the campus to DPS in the event of a crisis or incident.

Secretary Zavaleta asked if entering into the MOU would require the college to make any updates or renovations to the space. Mr. Salazar responded that the space is ready to go and the agreement ensures that the DPS and college will work within the existing footprint.

A motion was made by Mr. Rendon to approve a Memorandum of Understanding with Texas Department of Public Safety for shared space at TSC Safety and Security Building and authorize President Rodriguez to execute the agreement. The motion was seconded by Ms. Alejandro and carried with six votes and one absence.

b. Facilities Project Updates

Dr. Gisela Figueroa, Vice President of Finance and Administration, provided an update on the item. She began by providing current images of the progress in the Workforce Labs Project. Dr. Figueroa elaborated that all the welding booths had been installed in the Welding Program lab as well as the hoods. She stated that the progress on this project has been slower than the college would like to see but due to the current health crisis situation, the contracted builders are doing the best that they can at this time. She then provided images of the lab for the Plumbing, Pipefitting, and Electrical Program and stated that there has also been slow progress in this area. Dr. Figueroa showed images of the lab for the Industrial Maintenance Program and reported that this space was on schedule to be completed by the following week. The next phase would be to begin installation of equipment for the program. Lastly, the simulation lab for the Criminal Justice program is currently waiting for rods and curtains to arrive and be installed.

Next, Dr. Figueroa provided an update on the Roofing Renovation project. She reported that this project has also been moving at a slower pace towards completion due to the current COVID situation.

The next project was the Oliveira Student Services area. She reported that flooring, carpet, paint, and lighting have all been completed. In contrast to the other projects, she stated that this one is moving right on schedule and should be completed by next month.

Lastly, Dr. Figueroa reported that the patio between the Old Morgue and Gorgas Hall was in poor condition and needed repairs. She explained that the project was done with no additional expense to the College since brick that was on hand was used for the renovation.

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

9. Budget and Finance Committee Report

Vice Chair Herrera presented the report. He announced that the items would not be reviewed in the order presented on the posted agenda and explained that he had rearranged the items to be considered in a different way.

a. Consideration and possible action on adoption of a resolution for TexPool Investment Fund for signature card authorization

Dr. Gisela Figueroa, Vice President of Finance and Administration, was called on to present the item. She explained that a TexPool account is one of the approved accounts through the college's policy as well as through the Texas Public Funds Investment Act. Dr. Figueroa further explained that the account could give the college a better rate than the current bank depository rate which changes from time to time. In essence, this is a request for the authority to open the TexPool account so that funds can be moved between accounts if the rate provides a higher yield than the current depository rate. She added that benefit using a TexPool account as opposed to a CD account allows for liquidity, which means that the funds can be moved around as the college needs without penalties at any time. Dr. Figueroa then introduced the college's Investment Advisor, Ms. Susan Anderson from Valley View Investments, who could answer any questions the Board had on this item.

Vice Chair Herrera asked Ms. Anderson to provide a brief presentation over the TexPool account. Ms. Anderson explained that it is always good to have options for where to put your funds and a TexPool account would give the college a third option. The college currently has their funds in a bank depository which is paying at a rate of .25%. The college also has funds invested in a local investment pool called "Logic". Ms. Anderson elaborated on the Logic portfolio and stated that it has a bit more risk than a government pool such as TexPool. She added that TexPool is the largest pool in the state of Texas and is overseen by the State Controller's Office. Although it is not guaranteed by the Controller's Office, there are very tight constraints on it which make it a good option. Vice Chair Herrera interjected and asked Ms. Anderson about the lack of guarantee on the TexPool account. She responded that none of the pools are guaranteed. She added that this account operates much like a money market mutual fund. This requires them to maintain a credit rating, it is triple A rated and are only allowed to invest in certain types of options, as well as many other safe guards. Ms. Anderson stated that this type of account is about as safe as you can get in any environment these days when making an investment. Vice Chair Herrera then asked if it was correct that since the money was not guaranteed, the money could dissipate with the volatility of the market. Ms. Anderson responded that every day, according to the law and the rules, the market value versus the amount of the deposits is tested. If the outcome does not meet that test, they have to go out and sell something until it comes

back into the one-dollar range. This means that the risk is extremely minimal and even if there was a loss, the loss would be in interest earned and not on the principal. Vice Chair Herrera further questioned whether the principal was guaranteed. Ms. Anderson replied that she could not legally say that anything is guaranteed in those pools. She added that even in a money market mutual fund, it can not be said that anything is guaranteed.

Further discussion ensued as Vice Chair Herrera stated that the Budget and Finance Committee was assured that this money would be guaranteed. With this new information and understanding, he stated that he would not recommend this item for approval and suggested that it be tabled and taken back to the committee for further investigation. However, he added that he would take a vote if any of the Trustees wanted to proceed with the item and explain their reasoning.

Mr. De Leon made a motion to proceed with approval of this item. He explained that he clearly understood the logistics of the explanation by the college's Investment Advisor, Ms. Anderson. He reiterated the fact that there is no guarantee, even if the money were to be put into a CD.

Secretary Zavaleta commented that approval of this item would be too risky, there is a lack of understanding, it's not necessary and at this point in time with an unstable market he was concerned about why the Board would put any of the college's money at risk.

Mr. Rendon added that he did not support the item at this time and agreed with Vice Chair Herrera's suggestion for further investigation.

A motion was made by Mr. De Leon to approve the adoption of a resolution for TexPool Investment Fund for signature card authorization. The motion was seconded by Ms. Alejandro and did not pass with three votes in favor, three votes against, and one absence.

p. Consideration and possible action on annual contract approval of Texas Association of School Boards (TASB) Risk Management Fund (Worker's Comp Insurance Coverage) through Interlocal Agreement for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, was called on to present the item. She explained that most of the items to be presented in this section of the agenda are for consideration and approval of purchases that will happen next year that are over \$25,000. Dr. Figueroa then stated that Local Government Code 271.102, as well as the colleges local policy CF, allow the college to use Interlocal Agreements to procure items. Lastly, she provided the Board with the current cost and the expected increase in cost for the next fiscal year.

Mr. Rendon began discussion by asking if this was the best value for this type of risk management or worker's comp insurance coverage and whether the college met with others, or if there are others who offer this besides TASB. Dr. Figueroa responded that the college does have other options; however, the college is utilizing the Texas Association of School Boards because they leverage the value of most of the forty-eight community colleges in Texas as well as local school districts. She added that the college has gone out for bids on this item in the past but it proved that the interlocal agreement with TASB was the best value at that point in time and at this time, administration is recommending the college continue with it. Mr. Rendon then asked if Dr. Figueroa felt this was the best value. She confirmed that it is believed to be the best value. Mr. Rendon later asked how it was determined to be the best value if there were no other competitive bids. Dr. Figueroa explained that the best value was based on the last bid that was conducted.

Vice Chair Herrera interjected and asked if the item could be sent out for bids. Dr. Figueroa stated that the item could be sent out for bids if the Board decided they wanted to go that route. She added that one of the reasons that the item is brought before the Board in May is to allow for time to conduct a bid process if the Board chooses. Vice Chair Herrera commented that during the committee meeting, he believed that TASB was the only option that the college had and with a new understanding of the options could not recommend approval.

A motion was made by Mr. Rendon to table consideration and possible action on the annual contract approval of Texas Association of School Boards (TASB) Risk Management Fund (Worker's Comp Insurance Coverage) through Interlocal Agreement for FY2020-2021. The motion was seconded by Secretary Zavaleta and carried with five votes, one abstention, and one absence.

dd. Update on grants awarded to Texas Southmost College for the month of April 2020

Dr. Gisela Figueroa, Vice President of Finance and Administration, was called on to present the item. She stated that three grants were received by the college during the month of April. One of the grants received was an extension to the Apprenticeship Expansion Program. For this grant, the college received \$57,404 in addition to the original \$81,844. Together, the total award for this grant is \$139,249. Next, the college applied for and received the Federal Cares Emergency Grant for Financial Aid and Higher Education Institutions Cares Act. The college received \$1.8 million dollars for both Financial Aid and Higher Education. She added that most of the student portion of the funds received have already been awarded to students that qualify for it. On the other hand, the college is currently in the process of receiving guidance on how the institutional portion of the funds can be spent.

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

ee. Monthly Financial Statement Report for the Month Ending March 31, 2020

Dr. Gisela Figueroa, Vice President of Finance and Administration, was called on to present the item. She provided an overview of the in-depth report provided to the Trustees. She highlighted specific information on the report such as expenses, travel, and bond payments; as well as additional reports such as the Fund Balance and the Debt Service Payments report.

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

d. Consideration and possible action on annual contract approval of Elsevier, Inc., (testing study software) through Sole Source for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. She pointed out that sole source contracts are not awarded to any vendor. The total cost for this testing software is based on a projection for next year. In this case, it depends on the amount of students that are enrolled for the ADN and LVN programs. If there is an increase in enrollment, the total cost will increase as well. However, if it is not needed, then the college will not make the expense. Administration is not awarding this item to any vendor but is bringing it before the Board for consideration and approval as a projected expense for next year. Dr. Figueroa stated that this is a proactive effort just in case the cost goes above the \$25,000 threshold.

Vice Chair Herrera commented that the item did not match Dr. Figueroa's explanation. He stated that the item says, "consideration and possible action on annual contract...". Dr. Figueroa clarified that the item was for approval of this contract if it is needed through sole source as the procurement method.

A motion was made by Ms. Alejandro to approve an annual contract with Elsevier, Inc., (testing study software) through Sole Source for FY2020-2021. The motion was seconded by Mrs. Saenz and carried with five votes and two absences.

*Note: Mr. De Leon was not present when this vote was taken.

k. Consideration and possible action on annual contract approval of Lamar Texas Limited, LP (billboard advertising services) through Sole Source for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. Once again, she explained that the total presented before the board is based on the projected need for purchases during next fiscal year for billboard advertising services. The request is for approval to use Lamar Texas Limited, LP via sole source for this need.

Secretary Zavaleta asked why this item was a sole source. Dr. Figueroa explained that there are a few other smaller or electronic options with other vendors, but the specific locations that are targeted for advertising make this item a sole source.

A motion was made by Ms. Alejandro to approve an annual contract with Lamar Texas Limited, LP (billboard advertising services) through Sole Source for FY2020-2021. The motion was seconded by Secretary Zavaleta and carried with five votes and two absences.

I. Consideration and possible action on annual contract approval of Aim Media Texas Operating, LLC (print & digital advertising services) through Sole Source for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. She stated that the projected purchases from this vendor is about \$80,000 for the next fiscal year.

A motion was made by Mrs. Saenz to approve an annual contract with Aim Media Texas Operating, LLC (print & digital advertising services) through Sole Source for FY2020-2021. The motion was seconded by Ms. Alejandro and carried with five votes and two absences.

v. Consideration and possible action on Brainfuse contract renewal (Online Tutoring) through RFP 19-12 for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. She stated that this system provides online tutoring for TSC students and was originally approved through RFP 19-12 on June 27, 2019. Administration is proposing the first renewal of the contract at this moment.

Secretary Zavaleta recalled that a request was made for a report regarding student usage, amount of usage, satisfaction, etc. of this system and stated that no report has been received to date. Dr. Figueroa added that administration has seen an increase in the need for online tutoring and affirmed the report on usage would be forwarded to the Board.

A motion was made by Ms. Alejandro to continue with Brainfuse contract renewal (Online Tutoring) through RFP 19-12 for FY2020-2021. The motion was seconded by Mrs. Saenz and did not pass with two votes in favor, two votes against, one abstention, and two absences.

w. Consideration and possible action on Canvas Instructure contract renewal (Learning Management System) through RFP 17-13 for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. She explained that Canvas is the college's learning management system and was originally approved via RFP 17-13 on January 26, 2017. She added that the usage of this system has increased because it is the platform the college is using to offer distance learning and remote classes and administration is requesting approval to continue with this system.

Secretary Zavaleta inquired whether there was any report on the system evaluation and usefulness. Dr. Figueroa responded that a report was not prepared but reiterated that this system is what students are currently using to complete their coursework. Faculty use the system to upload assignments and materials and students use it to access and submit their work. She then introduced Dr. Joanna Kile, Vice President of Instruction, to provide further information about the system. Dr. Kile elaborated on the learning management system stating that every course the college offers has a Canvas shell. Prior to the COVID-19 situation, students would use the Canvas shell to put in their signature assignments, and faculty would use it to pull assignments, enter grades, and it is where the syllabus resides. She added that at a minimum, these features were employed within the Canvas shell. Dr. Kile further explained that currently, with the COVID situation, the Canvas shell is the support for all activities with any class that is offered. Secretary Zavaleta addressed Dr. Kile and asked if she had conducted any evaluation of this program. Dr. Kile responded that the college does have some data they can send for the Board to review. Secretary Zavaleta commented that the data was not made available to the Board in order to make an educated decision about approving a renewal for this contract.

Ms. Alejandro added to the discussion and stated that she felt this system was very essential. She asked Vice Chair Herrera if the college would have enough time to bring this item back next month if the Board decided to table it. Vice Chair Herrera responded the college has until August and administration has allowed ample time for these items to be considered before the contract expires.

Mr. Luis Villarreal, Vice President of Information Technology, joined the discussion. He reported that the Canvas system has been used at the college since inception and has been renewed each year to provide remote instruction and online learning. He stated that this would be an inopportune time for the college to go out for a new system because the college has basically exploded the usage of the system through the remote instruction that is being provided to the students during the COVID situation. Mr. Villarreal expressed his recommendation to avoid going out for a bid or changing the learning management system at least until next year because a transition would be at least a six-month project. He added that there are only a few major candidates for this type of service in higher education such as Black Board, Moodle, etc. and Canvas is one of the leaders in the field and particularly with the use of Colleague which is the

y. Consideration and possible action on Labatt Food Services and Sysco Central Texas, Inc. contract renewal (Food Products) through RFP18-07 for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. Dr. Figueroa stated that administration is requesting the approval of renewal for RFP 18-07. This would be the second renewal and was originally awarded on May 16, 2018. She added that the two vendors are the purveyors for purchasing food for the Child Care Centers.

Secretary Zavaleta inquired whether or not the child care centers were satisfied with the services and the food that are being provided by these companies. Dr. Figueroa responded that the two vendors provide all of the nutritional food items needed for the child care centers and the college upholds very strict standards that the companies have to meet. She stated the college is very satisfied with the service, the delivery, and with the availability of the items.

A motion was made by Mr. Rendon to approve the contract renewal with Labatt Food Services and Sysco Central Texas, Inc. (Food Products) through RFP18-07 for FY2020-2021. The motion was seconded by Ms. Alejandro and carried with five votes and two absences.

z. Consideration and possible action on Valley View Consulting, L.L.C contract renewal (Financial Advisor Services) through RFP 18-13 for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. She explained that the Board approved the award of RFP 18-13 back in November 15, 2018 with Valley View Consulting. They provide the college with advising services with respect to investment of funds and administration is requesting approval of the second renewal for fiscal year 2021.

Mr. Rendon asked where the firm was based out of. Dr. Figueroa stated the firm is based out of Virginia. Mr. Rendon then asked about the primary form of communication with the company and whether it was mainly through internet, email, and telephone. Dr. Figueroa confirmed these are the primary modes of communication; however, Ms. Anderson does live in Texas and does visit the office about once a month. She added that although the company is not based out of Texas, they do have representatives that live in the state. Dr. Figueroa further explained that all representatives are financial advisors for the college, but Ms. Anderson is the personal contact for the college and assists with contracts, analytics, etc. Mr. Rendon commented that he was a little surprised that not one firm out of Texas was selected to provide financial services. Dr. Figueroa recalled that when this RFP was bid out, the college only received two or three bids and Valley View was the most qualified and had the most clients in higher education in Texas. The company has seventeen employees and eleven of them are in Texas.

A motion was made by Mr. Rendon to approve the contract renewal with Valley View Consulting, L.L.C (Financial Advisor Services) through RFP 18-13 for FY2020-2021 and authorize President Rodriguez to execute the contract. The motion was seconded by Ms. Alejandro with three votes in favor, two votes against, and two absences. Mr. Herrera declared the motion passed.

aa. Consideration and possible action on Cascos & Associates, PC contract renewal (Auditing Services) through RFP 19-06 for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. The item was originally approved by the Board on May 16, 2019 after an RFQ was conducted. This would be the first renewal with this firm for fiscal year 2021.

Secretary Zavaleta asked how many years in a row the college has given Cascos and Associates this contract. Vice Chair Herrera replied that this was the first renewal with the firm. Secretary Zavaleta stated that they had the auditing contract before, perhaps under a different name. Dr. Figueroa responded that the college had auditing services before with Patillo LLC. and although the lead auditor is the same owner, it is two different companies. When this item was out for bids, that was one of the distinctions that the college had to ensure. The company had to be different than the one before. Mr. Rendon interjected and commented that in essence the same company had been providing audits for the last five to seven years. Dr. Figueroa reiterated that prior to Cascos and Associates, the college was with Patillo, Brown, and Hill. Mr. Rendon continued and stated that he did not believe administration was doing their due diligence. He added that the college needed to be really careful with these external audits and get a new fresh set of eyes on the information. Secretary Zavaleta agreed with Mr. Rendon and said he has expressed this concern every year since he has been on the Board. Vice Chair Herrera interjected and reminded the Board that last year Dr. Figueroa came to the Board with a proposed RFQ with no set amount of money for a contract and the Board did not want to allow her to do that search because the cost was unknown. He continued stating that Dr. Figueroa assured the Board that the cost would not exceed more than 10% of what the college had been paying and the RFQ process commenced. Vice Chair Herrera recalled that Patillo, Brown, and Hill's bid came in at almost twice the amount of money that Cascos and Associates was charging. He asked Dr. Figueroa to confirm his recollection. Dr. Figueroa responded that following the receipt of qualifications, the college began negotiations with the highest ranked vendor but ceased once the cost came out to twice the amount that was being paid the prior year. At this point the college began negotiations with the second most qualified vendor which was Cascos and Associates. Dr. Figueroa added that Patillo, Brown, and Hill did not bid last year but there was one firm from Brownsville and another from Austin that participated. She stated there were a total of three bids for that RFQ. Vice Chair Herrera asked who the other firm was that bid. Dr. Figueroa responded, Burtton McCumber.

A motion was made by Secretary Zavaleta to approve Cascos & Associates, PC contract renewal (Auditing Services) through RFP 19-06 for FY2020-2021. The motion was seconded by Mr. Rendon and carried with five votes and two absences.

bb. Consideration and possible action on BridgeNet Communications, LLC, INNOVAERA, INC/SUPERNOVA, and SMTELCOM, Inc. contract renewals (Data Cabling Services) through RFP 19-08 for FY2020-2021

Mr. Luis Villarreal, Vice President of Information Technology, was called on to present the item. He explained that this item was approved last year via RFP and the three vendors satisfy the standards for cabling requirements, networking, and fiber connections. The RFP allows the college to have three different options throughout the year for various projects.

A motion was made by Mrs. Saenz to approve BridgeNet Communications, LLC, INNOVAERA, INC/SUPERNOVA, and SMTELCOM, Inc. contract renewals (Data Cabling Services) through RFP 19-08 for FY2020-2021. The motion was seconded by Ms. Alejandro and carried with four votes and three absences.

*Note: Mr. Rendon stepped out and was not present for this vote.

cc. Consideration and possible action on Leadership Empowerment Group contract renewal (Small Skills Training) through RFP 19-05 for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, was called on to present the item. She stated that this RFP was originally awarded on January 31, 2019 and administration is requesting approval of the first contract renewal. Dr. Figueroa added that this company provides small skills training mainly in Dr. Fleishman's workforce training area.

Mrs. Saenz asked about the big difference in the cost projected for next year in comparison to what was spent this year. Dr. Joanna Kile, Vice President of Instruction, elaborated that the initial approval of this contract had a goal of \$25,000 and the company serviced twenty students. However, this year the college has been approved for \$74,000 in funding and the company has services one hundred and fifty students already. She explained that administration used this information to make projections through to the end of the year and \$220,000 is the total estimated cost that administration arrived at.

Vice Chair Herrera asked for confirmation about whether there was no direct cost to TSC. Dr. Kile confirmed this is correct.

A motion was made by Ms. Alejandro to approve the Leadership Empowerment Group contract renewal (Small Skills Training) through RFP 19-05 for FY2020-2021. The motion was seconded by Mr. Rendon and carried with five votes and two absences.

b. Consideration and possible action on the purchase of Envisions Argos reporting system

Vice Chair Herrera announced this item did not have an RFQ or RFP, or a sole source justification. Mr. Luis Villarreal, Vice President of Information Technology, was called on to present the item. He explained that this request is to purchase a reporting software that integrates with the college's ERP system, Ellucian/Colleague. The reporting software is Argos and is made by Envisions who is a primary partner of Ellucian. This is the recommended software for reporting and analytics dashboarding that works with Colleague. Mr. Villarreal added that he personally had experience with this application at prior institutions and it would provide support for functions such as enrollment reports with graphs and charts. The college is currently having to construct those types of report manually and the idea is to employ this reporting software to create a reporting database out of Colleague that will allow reports to be automated. The software would not only make data reports available historically but also on demand.

Vice Chair Herrera addressed legal counsel and asked how it would be possible to bypass the RFP process in order to approve this. Dr. Figueroa interjected the administration received a sole source letter for this item. Vice Chair Herrera responded that the letter was not included in the packet and the Board has not seen it. Mr. Villarreal apologized for the omission and confirmed that Envisions is the only seller of the Argos reporting software.

Legal counsel stated that if administration had a sole source letter, the motion could be made subject to administration providing this letter to the Board. They added that the only other option would be to table the item pending receipt by the Board of the information.

A motion was made by Mr. Rendon to approve Envisions Argos reporting purchase based on the recommendation of administration that the Board is entirely in compliance with purchasing protocols and authorize President Rodriguez to execute the agreement as presented. The motion was seconded by Ms. Alejandro and carried with four votes in favor, one vote against, and two absences.

c. Consideration and possible action on approval of proposal for Storage Area Network Solutions

Vice Chair Herrera announce that this item did not have an RFP, no sole source, or Buyboard, etc. Mr. Luis Villarreal, Vice President of Information Technology, presented this item. He explained that formerly, when purchasing an application software, a physical server would be purchased to go with it; however, currently, the field has moved into purchasing one hardware system that services various applications and provides different services for storage and connectivity on the network. Mr. Villarreal further explained that the college has a storage area network through Dell/EMC that is essentially at the end of its life. He added that the storage area network can be considered the heart and soul of the network and the data center. Mr. Villarreal reported that about three weeks ago the college experienced a hardware failure which compromised four different applications that resided in that storage area network. He stated that the applications were able to be migrated over to a different storage area but now the college is at risk that if something else fails in that storage device, the college may suffer some catastrophic business loss. Essentially, administration is asking for approval to upgrade the current solution to the next generation provided by Dell/EMC.

Vice Chair Herrera asked if this had gone through an RFP. Villarreal replied that administration engaged in a bidding process in which Dell was contacted and asked to provide several vendors that could price out a solution for the college. Vice Chair Herrera interjected and asked legal counsel for their guidance. Attorney, Mr. Frank Perez stated that he could understand the extenuating circumstances that led to this course of action; however, he felt that administration needed to provide the Board with backup documentation for the justification of such measures. Vice Chair Herrera responded that there was no back up and pressed Mr. Perez to give the Board some legal guidance. Mr. Perez insisted that he wanted a better description and proof of justification to better evaluate whether this item would fall under exceptions to the Request for Proposal process.

Mr. Villarreal continued in the discussion by explaining that there are other components of technology that the college uses that are owned by Dell. He stated that an RFP could be done in theory to review the few options available such as Hewlett Packard, but the outcome is not as simple as just removing one system and putting in the other because of all the different tie-ins that are involved on the network. Mr. Villarreal explained that it is a complex issue and it can be done; however, it is his responsibility to make the Board aware of the risk that if there was another failure, it could compromise the college's business operations. Lastly, he added that administration was initially waiting to present this item to the Board for next year's budget but the hardware failure that occurred a few weeks ago has created a risk that did not exist before.

Further discussion ensued and Mr. Perez explained there are exceptions to every rule, but in order to ensure the Board that the correct process is being followed, legal counsel would need to review the information.

Mr. Villarreal noted one other important factor. He explained that the college is having trouble receiving hardware due to the COVID situation. It could take months to receive the hardware and the implementation in and of itself is going to take months. This adds some pressure to get the purchasing process going as soon as possible. He stated that this is preemptive, but with a purpose.

Mr. Rendon asked if other institutions are experiencing this type of situation when it comes to purchasing these types of products. Mr. Villarreal confirmed he has received communication from other colleges regarding the same issues. He stated that he is not normally one to convey negativity but it is important to make the Board aware that there is the potential that another hardware failure can occur. The storage solution the college has is about six or seven years old and should have been replaced about two years ago. A failure could result in a loss of service which could even include Colleague which is the college's application that runs everything.

A motion was made by Mr. Rendon to accept proposal from Sequel Data to provide a Storage Area Network Solution in the amount of \$193,707.57 for three years and authorize President Rodriguez to execute the contract; contingent on administration providing legal counsel with documentation to support an exception to the RFP process. The motion was seconded by Mrs. Saenz and carried with five votes and two absences.

*Note: Before proceeding with the following items, Vice Chair Herrera announced that the items were procured through Buyboards which are perfectly legal to buy from but the committee is not inclined to recommend.

- e. **Consideration and possible action on annual contract approval of Carolina Biological Supply and VWR International DBA Ward's Science (laboratory supplies) through Buyboard for FY 2020-2021.**

A motion was made by Mr. Rendon to approve an annual contract with Carolina Biological Supply and VWR International DBA Ward's Science (laboratory supplies) through Buyboard for FY 2020-2021. The motion was seconded by Secretary Zavaleta and carried with five votes and two absences.

h. Consideration and possible action on annual contract approval of Focus Camera, LLC (forensic equipment) through General Services Administration (GSA) for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, was called to present. She explained that GSA is a federal co-op that the college is requesting approval to purchase equipment for a program through continuing education. She stated that the amount of purchases is only a projection at this point and will depend on the number of students enrolled. Lastly, Dr. Figueroa added that this vendor is an approved federal government supplier.

Dr. Joanna Kile, Vice President of Instruction, joined in the presentation and explained that the group to be targeted for this program training is the U.S. Border Patrol and they specifically requested that the college use this company because it is where the Border Patrol purchases their material from. Using the same vendor ensures those who go through the training program are issued standard materials once they leave the program.

A motion was made by Mrs. Saenz to approve an annual contract with Focus Camera, LLC (forensic equipment) through General Services Administration (GSA) for FY2020-2021. The motion was seconded by Ms. Alejandro and carried with five votes and two absences.

o. Consideration and possible action on annual contracts approvals for Grainger Inc., Home Depot, Lowe's Companies and MSC Industrial (maintenance supplies) through Buyboard, US Communities, and Texas Cooperative Purchasing Network (TCPN) for FY2020-2021

Vice Chair Herrera commented now that times are very hard in our community, we are trying our best to keep money in the valley and these monies are not going to stay here if approved.

A motion was made by Mr. Rendon to approve annual contracts with Grainger Inc., Home Depot, Lowe's Companies and MSC Industrial (maintenance supplies) through Buyboard, US Communities, and Texas Cooperative Purchasing Network (TCPN) for FY2020-2021. The motion was seconded by Ms. Alejandro and carried with five votes and two absences.

q. Consideration and possible action on annual contract approval of Office Depot (office supplies) through Texas Cooperative Purchasing Network (TCPN) for FY2020-2021

A motion was made by Mr. Rendon to approve an annual contract with Office Depot (office supplies) through Texas Cooperative Purchasing Network (TCPN) for FY2020-2021. The motion was seconded by Secretary Zavaleta and carried with five votes and two absences.

- r. **Consideration and possible action on annual contract approval of Dell Marketing, LP and CDW Government, Inc. (computer equipment and software) through Texas Department of Information Resources (DIR) and Texas Cooperative Purchasing Network (TCPN) for FY 2020-2021**

Dr. Figueroa, Vice President of Finance and Administration, was called on to present the item. For this item, she explained that this is a projected expense for next fiscal year. No contracts are being awarded but the administration is seeking Board approval to continue using these vendors for next fiscal year through the purchasing coops if necessary.

A motion was made by Mr. Rendon to approve an annual contract with Dell Marketing, LP and CDW Government, Inc. (computer equipment and software) through Texas Department of Information Resources (DIR) and Texas Cooperative Purchasing Network (TCPN) for FY 2020-2021. The motion was seconded by Ms. Alejandro and carried with five votes and two absences.

- s. **Consideration and possible action on annual contract approval of Shi Government Solutions (Microsoft software license fees) through Texas Department of Information Resources (DIR) for FY2020-2021**

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. She explained that these are the Microsoft software licenses that are used for the operation of the college for staff, faculty, and students.

A motion was made by Ms. Alejandro to approve an annual contract with Shi Government Solutions (Microsoft software license fees) through Texas Department of Information Resources (DIR) for FY2020-2021. The motion was seconded by Mrs. Saenz and carried with five votes and two absences.

- t. **Consideration and possible action on annual contract approval of Texas Department of Information Resources (DIR) (internet bandwidth fees) through Texas Department of Information Resources (DIR) for FY2020-2021**

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. She reported that the item is request for approval to purchase of broadband through the DIR method from the Texas Department of Information Resources.

A motion was made by Ms. Alejandro to approve an annual contract with Texas Department of Information Resources (DIR) (internet bandwidth fees) through Texas Department of Information Resources (DIR) for FY2020-2021. The motion was seconded by Mrs. Saenz and carried with five votes and two absences.

m. Consideration and possible action on annual contract approval for Baker Distributing, Carrier Enterprise and Insko Distributing (HVAC maintenance supplies) through Buyboard for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. Vice Chair Herrera asked if there were any local suppliers that the college could use for these needs. Dr. Figueroa responded that most of these suppliers are local and Mr. Rendon confirmed.

Mrs. Saenz asked for confirmation that these items were for HVAC supplies for maintenance of the campus and not for the students in the HVAC program. Dr. Figueroa confirmed.

A motion was made by Mrs. Saenz to approve an annual contract with Baker Distributing, Carrier Enterprise and Insko Distributing (HVAC maintenance supplies) through Buyboard for FY2020-2021. The motion was seconded by Ms. Alejandro and carried with five votes and two absences.

n. Consideration and possible action on annual contract approval of Bush Supply and Dealers Electrical (lighting/electrical supplies) through Buyboard for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. She stated this item is a request for approval to purchase various lighting and electrical equipment through the Buyboard for maintenance of campus facilities. She added that both vendors are local.

A motion was made by Ms. Alejandro to approve an annual contract with Bush Supply and Dealers Electrical (lighting/electrical supplies) through Buyboard for FY2020-2021. The motion was seconded by Mrs. Saenz and carried with five votes and two absences.

u. Consideration and possible action on annual contract approval of Campus Labs, Inc. (compliance assist and course evaluation software license fees) through Sole Source for FY2020-2021

Dr. Gisela Figueroa, Vice President of Finance and Administration, presented the item. She explained that Campus Labs is a strategic planning software that is used by the college for institutional effectiveness. It is used for the college's reporting with SACSCOC.

Mr. Rendon asked if student data was being collected with this software. Mr. Oscar Hernandez, Executive Director of Institutional Research and Compliance, responded and explained that he uses the software for institutional effectiveness to report to SACSCOC and to collect course evaluation data. He stated that there is currently about 42% usage by the students.

A motion was made by Mr. Rendon to approve an annual contract with Campus Labs, Inc. (compliance assist and course evaluation software license fees) through Sole Source for FY2020-2021. The motion was seconded by Ms. Alejandro and carried with five votes and two absences.

10. Executive Session

The Board convened in Executive Session at 7:55 p.m.

The Board reconvened in Open Session at 8:17 p.m.

11. Action on Executive Session Matters

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

No action was taken in open session.

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

No action was taken in open session.

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

- **Consideration and possible action on FY 2019-2020 Salary Schedule**

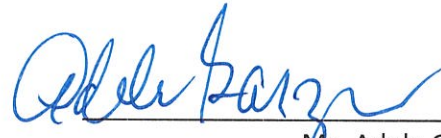
A motion was made by Vice Chair Herrera to approve the fiscal year 2019-2020 Salary Schedule as discussed in Executive Session. The motion was seconded by Secretary Zavaleta and carried with five votes and two absences.

12. Announcement of Proposed Meeting Dates

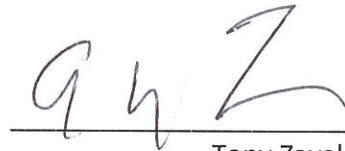
- Regular Board Meeting – Thursday, June 18, 2020 at 5:30 p.m.
- Regular Board Meeting – Thursday, July 30, 2020 at 5:30 p.m.

13. Adjournment

A motion to adjourn the meeting was made by Mrs. Saenz. The motion was seconded by Ms. Alejandro and carried unanimously. The meeting was adjourned at 8:19 p.m.



Ms. Adela G. Garza
Chair, Board of Trustees



Tony Zavaleta, Ph.D.
Secretary, Board of Trustees

The video recording of the Regular Board of Trustees meeting held on May 21, 2020, is available on the TSC.EDU website. These minutes were taken and transcribed by Claudia L. Cortina, Interim Chief of Staff and Board Liaison. Videotaping of the Board of Trustees' meetings began on April 11, 1996.