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**TEXAS SOUTHMOST COLLEGE DISTRICT**

**Minutes of the Regular Meeting of the Board of Trustees**

**March 24, 2022**

The Board of Trustees of the Texas Southmost College District convened in open session on March 24, 2022 at 4:30 p.m. Board Members present were Mr. Ruben Herrera, Chair; Dr. Tony Zavaleta, Vice Chair; 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. Absent was Ms. Eva Alejandro, Secretary. NOTE: Trustee DeLeon left at 6:30 pm.

**REGULAR MEETING  
AGENDA**

**1. Call to Order**

The meeting was called to order by Chair Herrera at 4:30 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. Consideration of Level III Grievance hearing of Kim Sanchez. At the request of the grievant this will be held in open session pursuant to the Texas Open Meetings Act, section 551.074.**

Chair Herrera advised all parties of the policies and procedures related to the grievance process. Ms. Sanchez was represented by Mr. John Shergold, attorney. Texas Southmost College was represented by Mr. Ruben Pena, College Legal Counsel, and Ms. Elizabeth Balderrama, Executive Director of Human Resources. Mr. Shergold presented the grounds for Ms. Sanchez's grievance, and Mr. Pena addressed the issues regarding the termination. Mr. Shergold and Mr. Pena each presented rebuttals.

Chair Herrera asked the board if they had any questions for the parties or representatives. Dr. Zavaleta expressed his comments and asked questions to which Mr. Pena responded. Immediate Past Chair Garza also expressed her comments. Chair Herrera asked Mr. Shergold about the proposed remedies, which were provided in the grievance packet.

Chair Herrera asked the Board members if anyone would like to make a motion. As there were none, he advised the parties that if no action is taken by the Board by the end of the next Board meeting, the decision of the administration is upheld. Mr. Frank Perez, Board Legal Counsel, added that if there was any further discussion to take place, an item would be placed on the agenda for the next board meeting and Mr. Shergold would be notified and able to witness the deliberations.

#### **4. Public Comment**

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

#### **5. President's Report**

Chair Herrera called on President Rodríguez to give his report.

##### **Charro Days**

Texas Southmost College celebrated the in-person return of Charro Days through several traditional events from parades to dances. The campus community celebration, Charro Fest, included performances by the Child Care Center's Little Scorpions, Mariachi Siete Leguas and folklorico group Tepotzcalli. Attendees participated in activities led by student clubs. President Rodríguez thanked the office of Student Life for organizing the event, and he thanked the Board of Trustees for their participation in the many Charro Days festivities.

##### **Read Across America Day**

TSC's Child Care Center hosted a Read-Along on March 2nd to commemorate Dr. Seuss' Birthday in celebration of National Read Across America Day. President Rodríguez and Mr. Frank Morris, TSC Director of Multimedia, had a wonderful time reading to the children. President Rodríguez thanked the Child Care Center staff for their great work in educating and keeping the children safe, as well as the service they provide to the communities TSC serves.

##### **ECHS Leadership Cabinet**

President Rodríguez participated in the Brownsville Independent School District Early College High School Leadership Cabinet Meeting on March 3rd. During the event, Mr. Jose Arambul, Executive Director of High School Programs and Services, and his team provided updates on TSC's dual credit program. TSC looks forward to hosting the group on campus next month to continue discussions on enhancing TSC dual credit opportunities for BISD high school students.

##### **Women in STEM**

TSC recognized Women's History Month by celebrating women in science, technology, engineering and mathematics with "STEM is your Superpower," a series of community events, one virtual and one in-person, to help raise awareness about opportunities for women in STEM-related fields.

The events featured four interactive panels of STEM professionals, who spoke about their journeys to success and provided insight into STEM-related careers. The in-person event also included hands-on experiments in robotics, construction, computer engineering, chemistry, and physics. President Rodríguez thanked Trustee Aldrete for participating in the event.

**Architecture Presentations**

TSC Architecture students held a community garden presentation to share their research, findings, and designs for a community garden on the TSC campus. The Scorpion community was joined by the Brownsville Wellness Coalition, who will manage the garden. Architecture program students worked collaboratively in small teams to create designs that will promote wellness and supply the TSC future student food pantry with fresh food options. The presentations showcased students' talent and is a model for service learning projects that benefit the community.

**CEO Certification Report**

This month the Texas Higher Education Coordinating Board reported TSC is in compliance with all Title IX reporting requirements of House Bill 1735 (Subchapter E-3). Only item was noted for improvement, timely filing of CEO Certification, which will be overseen by the Executive Director of Human Resources.

**Human Trafficking Display**

TSC partnered with the United Way of Southern Cameron County, the Bullock Texas State History Museum and the Cameron County District Attorney's Office to host the exhibit "Not Alone: Working Together in the Fight Against Human Trafficking" at the ITEC Center Central Plaza. The purpose of the exhibit is to create awareness about human trafficking and provide visitors with resources to support survivors. The event, which runs through April 9, is open to the public. President Rodríguez thanked Immediate Past Chair Garza and Secretary Alejandro for participating in the event opening.

**Pop-Up Food Pantry Distribution**

As part of TSC's continued effort to eliminate students' food insecurity, the college held two Pop-Up Food Pantry events on March 9 at the ITEC Center. TSC distributed a total of 200 bags of food to students that included farm fresh produce, which was provided with support from RGV Focus and in partnership with the Brownsville Wellness Coalition. Two additional Pop-Up Food Pantry events are planned for April and May.

**Cybersecurity Update**

President Rodríguez called upon Mr. Villarreal to provide an update on the college's cybersecurity mitigation efforts. Mr. Villarreal noted that the U.S. government has been warning organizations and institutions of higher education about the increased potential for cybersecurity attacks and the need to take important safeguards. He said the college's vendor, Ellucian, will configure and install additional software to complement the college's efforts to prevent cybersecurity attacks, as part of a one-year no-cost agreement. The Board engaged in a brief discussion of college cybersecurity efforts.

**TSC Foundation**

President Rodríguez called upon Mr. Tumlinson to provide an update on the TSC Foundation. Mr. Tumlinson reported out on February and March outreach and professional development activities. He also provided information on upcoming events including the 95<sup>th</sup> Anniversary Celebration Ruby Gala, an event to support the Center for Legal and Justice Studies, a concert by the Valley Symphony Orchestra, and the annual Scorpion Golf Classic.

**Video Presentation**

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

President Rodríguez thanked the Scorpion Family for their continued hard work and commitment to our students and the communities they serve.

**6. Consideration and possible action on the minutes of the following meetings:****a. Regular Meeting – February 23, 2022**

**Vice Chair Zavaleta made a motion to approve the minutes of the Regular Meeting on February 23, 2022. Trustee Saenz seconded the motion, which carried unanimously.**

**7. Academic Committee**

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

**a. Consideration and possible action to approve a new Clinical Affiliation Agreement with Mission Regional Medical Center in Mission, Texas**

Dr. Joanna Kile, Vice President of Instruction, and Dr. David R. Pearse, Dean of Health Professions, were called upon to present the item. Dr. Kile said the proposed agreement would be effective for one year with automatic renewals.

**A motion was made by Trustee De Leon to approve the Clinical Affiliation Agreement with Mission Regional Medical Center for the Medical Laboratory Technology Program and authorize President Rodríguez to sign the agreement. Immediate Past Chair Garza seconded the motion, which carried unanimously.**

**b. Consideration and possible action to approve an amended Clinical Affiliation Agreement with Columbia Rio Grande Regional Healthcare dba Rio Grande Regional Hospital**

Dr. Joanna Kile, Vice President of Instruction, and Dr. David R. Pearse, Dean of Health Professions, were called upon to present the item. Dr. Kile said the proposed amendment to the current affiliation agreement requires proof of COVID-19 vaccination or exemption based upon religious or medical reasons.

**A motion was made by Trustee De Leon to Clinical Affiliation amendments with Columbia Rio Grande Regional Healthcare dba Rio Grande Regional Hospital for the Health Professions Programs and authorize President Rodríguez to sign the agreement. Trustee Saenz seconded the motion, which carried unanimously.**

**c. Consideration and possible action to approve an amended Clinical Affiliation Agreement with Columbia Valley Regional Healthcare System dba Valley Regional Medical Center**

Dr. Joanna Kile, Vice President of Instruction, and Dr. David R. Pearce, Dean of Health Professions, were called upon to present the item. Dr. Kile said the proposed amendment to the current affiliation agreement requires proof of COVID-19 vaccination or exemption based upon religious or medical reasons.

**A motion was made by Trustee De Leon to approve Clinical Affiliation amendments with Columbia Valley Regional Healthcare System dba Valley Regional Medical Center for the Health Professions Programs and authorize President Rodríguez to sign the agreement. Immediate Past Chair Garza seconded the motion, which carried unanimously.**

**d. Consideration and possible action on an Articulation Agreement between Texas Southmost College (TSC) Associate of Science in Architecture and Texas Tech University (TTU) Bachelor of Science in Architecture**

Dr. Joanna Kile, Vice President of Instruction, and Dr. Murad Abusalim, Dean of STEM, were called upon to present the item. Dr. Kile said the proposed articulation agreement is with the primary transfer partner for TSC's Associate of Science in Architecture degree. It has a reverse transfer agreement so if students transfer early, they can still receive their degree from TSC. The Board engaged in a brief discussion of articulation agreements with other institutions. Chair Herrera commended the Instructional Division for their good work.

**A motion was made by Trustee De Leon to approve the proposed articulation agreement between Texas Southmost College (TSC) Associate of Science in Architecture and Texas Tech University (TTU) Bachelor of Science in Architecture. Immediate Past Chair Garza seconded the motion, which carried unanimously.**

**e. Consideration and possible action on award of RFP 22-18 "Bookstore Services"**

Dr. Joanna Kile, Vice President of Instruction, and Dr. Angelica Fuentes, Associate Vice President of Instruction-Academic Success, were called upon to present the item. Dr. Fuentes presented the RFP timeline, background, scope of work, review committee, and scoring tabulation. Six vendors submitted proposals, with Follet Higher Education Group, Inc. receiving the highest score from the review committee. The Board engaged in a brief discussion of the scope of work for the RFP and how textbooks are selected. Vice Chair Zavaleta requested that he receive a report each semester regarding the textbooks adopted by the departments and any deviations.

**A motion was made by Trustee De Leon to award RFP 22-18 for "Bookstore Services" to Follet Higher Education Group, Inc. and authorize President Rodríguez to execute the contract, as presented. Immediate Past Chair seconded the motion, which carried unanimously.**

## 8. Finance Committee

Chair Herrera called on Past Chair Garza to present the items.

**a. Consideration and possible action on adoption of the 2022 Historic Preservation Plan Resolution granting tax exemptions to eligible historic sites listed in the 2022 Historic Preservation Plan adopted by the City of Brownsville**

Dr. Gisela Figueroa, Vice President of Finance and Administration, was called on to present the agenda item. Dr. Figueroa said the City of Brownsville asks the Board to consider granting certain tax exemptions to eligible historic sites under the 2022 Historic Preservation Plan. The financial implication to Texas Southmost College District will be a total of \$21,867 in taxes forgone for the properties in the plan.

**A motion was made by Immediate Past Chair Garza to adopt the 2022 Historic Preservation Plan Resolution granting tax exemptions to eligible historic sites listed in the 2022 Historic Preservation Plan adopted by the City of Brownsville. 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 January 31, 2021.

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

**c. 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.

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

**d. Grants Report for February 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 February 2022 and through Fiscal Year 21-22.

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

**e. Consideration and possible action to approve 95th anniversary community event in partnership with the TSC Foundation**

David Tumlinson, Director of TSC Foundation was called on to present the item. Mr. Tumlinson said the proposal would support concerts by the Valley Symphony Orchestra to continue the yearlong 95<sup>th</sup> Anniversary Celebration. Programming would include a free matinee to promote exposure to the arts for the youth of our community, as well as an evening performance, which would support student scholarships. Trustee Aldrete recommended Estudiantina and other student ensembles also be invited to attend the matinee.

**A motion was made by Immediate Past Chair Garza to approve financial support of \$16,000 towards the April 30, 2022, Valley Symphony 95<sup>th</sup> anniversary community event in partnership with the TSC Foundation. Trustee Aldrete seconded the motion, which carried unanimously.**

**9. Student Services Committee**

Chair Herrera called on Vice Chair Zavaleta to present the item.

**a. Student Services Update: Mental Health and Counseling Services Presentation**

Mr. Luis Villarreal, Vice President of Information Technology and Interim Vice President of Student Services, and Dr. Armando Ponce, Executive Director of Student Life and Civility, were called upon to present the item. Dr. Ponce reported on the various initiatives TSC offers to provide students with mental health and counseling services, as well as accessibility services. The Student Services Division provides case management in partnership with behavior health agencies, government offices, and community based organizations. Dr. Ponce also reported out on the many workshops and professional development opportunities provided for students and employees. The Board engaged in a discussion of tracking the use of services and providing employee training for mental health first aid. Vice Chair Zavaleta also requested that a report of the number of services provided be presented to the Board annually.

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

**10. Facilities Committee**

Chair Herrera called on Trustee Saenz to present the items.

**a. Consideration and possible action on award RFP 22-19 for "Windstorm and Hail Insurance"**

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, scope of work, pricing tabulation, review committee, review criteria, and budget and financial impact. He presented four proposed options for coverage.

The Board engaged in a discussion of how the proposals compare to last year, as well as how the percentage of buildings covered is determined. Mr. Roger Garza, Valley Risk Consulting Licensed Risk Manager, was called upon to clarify the options provided to the board and industry trends.

Trustee Saenz made a motion to award RFP 22-19 for “Windstorm and Hail Insurance” to Shepard Walton King Insurance Group in the amount of \$791,659 for option number three and authorize President Rodríguez to execute the purchase order contract, as presented. The motion was seconded by Immediate Past Chair Garza and passed by majority, with Vice Chair Zavaleta opposing the motion.

**b. Consideration and possible action on award of RFP 22-20 for “Roof Repairs at ITECC and Armory Buildings”**

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 two projects, review committee, scoring tabulation, review criteria, and budget and financial impact. Five vendors responded to the RFP with G’s Phoenix Construction, LLC. and J&N King, Inc. receiving the highest scores from the committee.

Trustee Saenz made a motion to award RFP 22-20 for “Roof Repairs at ITECC and Armory Buildings” to G’s Phoenix Construction Company, LLC for project one in the amount of \$46,000 and J&N King, Inc. for project two in the amount of \$89,985 plus ten percent contingency for each individual project to cover unforeseen events and authorize President Rodríguez to execute the contracts, as presented. The motion was seconded by Vice Chair Zavaleta 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 2<sup>nd</sup> Floor cafeteria project, and the Oliveira Student Services Center 2<sup>nd</sup> Floor restroom addition project.

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

**11. Policy Committee**

Chair Herrera called on Trustee Aldrete to present the item.

**a. Consideration and possible action on approval of the following LOCAL policies:**

- CM (LOCAL) FACILITIES CONSTRUCTION
- DK (LOCAL) PROFESSIONAL DEVELOPMENT
- ECC (LOCAL) INSTRUCTION ARRANGEMENTS COURSE LOAD AND SCHEDULES
- FLB (LOCAL) STUDENT RIGHTS AND RESPONSIBILITIES STUDENT CONDUCT
- CF (LOCAL) PURCHASING AND ACQUISITION

Mr. Ruben Pena, College Legal Counsel, was called upon to present the item. Mr. Pena reviewed the changes to LOCAL policies recommended by the Texas Association of School Boards as a result of the LEGAL Update 42 presented to the Board of Trustees in November 2021.

- GD (LOCAL) COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

Mr. Perez, Board Legal Counsel, reported that TSC had asked TASB to review the GD local policy, based on the increased demand by community members to use college facilities for Charro Days festivities.

**Trustee Aldrete made a motion to approve the LOCAL policies as presented. The motion was seconded by Immediate Past Chair Garza and passed unanimously.**

**12. Executive Session**

The Board convened in Executive Session at 7:09 p.m.

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

**13. Action on Executive Session Matters**

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

No action was taken.

**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**

**Trustee Aldrete made a motion to approve the FY2021-2022 salary schedule as presented in executive session. The motion was seconded by Trustee Saenz and carried unanimously.**

**14. Announcement of Proposed Meeting Dates**

**a. Regular Board Meeting – Thursday, April 21, 2022, 5:30 p.m.**

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

**15. Adjournment**

A motion to adjourn the meeting was made by Trustee Saenz. The motion was seconded by Trustee Aldrete and passed unanimously. The meeting was adjourned at 8:20 p.m.



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Mr. Ruben Herrera  
Chair, Board of Trustees



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Ms. Eva Alejandro  
Secretary, Board of Trustees

The video recording of the Regular Board of Trustees meeting held on March 24, 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.