



TEXAS SOUTHMOST COLLEGE DISTRICT

THE UNIVERSITY OF TEXAS AT BROWNSVILLE and TEXAS SOUTHMOST COLLEGE

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ACCEPTED FOR FILING
JULY 26 2007
COUNTY

2007 NOV 26 P 3:18

J. G. RIVERA
COUNTY CLERK

Board of Trustees

Chester Gonzalez
Chair

Rosemary Breedlove
Vice Chair

Eduardo A. Campivano
Secretary

David G. Oliveira

Roberto Robles, M.D.

Dolly Zimmerman

UTB/TSC President

Juliet V. Garcia, Ph.D

Official Notice of the

**Texas Southmost College District
Regular Meeting**

**for
November 29, 2007**

Posted
November 26, 2007

AGENDA

The Board of Trustees of the Texas Southmost College District will convene **Thursday, November 29, 2007 at 5:30 p.m.** in the Gorgas Board Room of Texas Southmost College.

Call to Order

1. Executive Session

as provided by Government Code,
Chapter 551.074

Personnel

Appointment of Trustee to Fill Board
Vacancy

**2. Consideration and possible
action on matters discussed in
Executive Session**

Personnel

Appointment of Trustee to Fill Board
Vacancy

- 3. **Approval of minutes of previous meeting**
Consideration and possible action on:

Regular Meeting October 25, 2007

ACCEPTED FOR FILING
CAMERON COUNTY

2007 NOV 26 4:52 PM

J. C. RIVERA
COUNTY CLERK

- 4. **Speakers to Agenda Items and Public Discussion**

- 5. **Board Briefing**

Bravo Opera Company's Tenth Anniversary

- 6. **Public Hearing on Continuing Taxation of Goods in Transit**

- 7. **TSC District Taxes**
Consideration and possible action on:

Resolution Continuing the Taxation of Goods in Transit

- 8. **Joint Business Affairs and Student Affairs Partnership Committees meeting**
Consideration and possible action on:

Partnership Concordance Policy: Tuition and Fees

- 9. **Physical Facilities Subcommittee**
Consideration and possible action on:

Acceptance of Guaranteed Maximum Price for Music Hall Building
Funding Allocation for Bond Projects
Selection of a firm to plan, finance, construct and operate a housing and dining facility

- 10. **Resolution**
Consideration and possible
action on:

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CAMERON COUNTY
Resolution in Support of a Regional
Convention/Events Center in Cameron
County
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- 11. **Construction Report**

JULIE B. RIVERA
COUNTY CLERK

- 12. **President's Report**

- 13. **Proposed Meeting Dates**

Board Meetings:
Thursday, December 20, 2007
Tuesday, January 22, 2008
Thursday, February 28, 2008
Thursday, March 27, 2008
Thursday, April 17, 2008

Partnership Advisory Committee:
Thursday, December 6, 2007

- 14. **Announcements**

Adjournment

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TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: TSC District Office	Board Meeting Date: November 29, 2007
Agenda Item: Consideration and possible action on minutes of previous meeting	
Rationale/Background: The draft minutes for the Regular Meeting of October 25, 2007 are attached for your review.	
Recommended Action: Motion to approve the minutes of the October 25, 2007 meeting as presented.	
Fiscal Implications: Budgeted Item: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If no, explain:	
Attachments (list): Draft of October 25, 2007 minutes	

FOR OFFICE USE ONLY:

Board Action: Approved: Yes No N/A Tabled for action on: _____

Certified by: _____ **Title:** _____ **Date:** _____

Texas Southmost College District

Minutes of the Regular Meeting of the Board of Trustees

October 25, 2007

The Board of Trustees of the Texas Southmost College District convened in open session on October 25, 2007, at 5:30 p.m., in the Board Room of Gorgas Hall at Texas Southmost College. Board members present were Mr. Chester Gonzalez, Chairman, Ms. Rosemary Breedlove, Vice Chair, Mr. Eduardo A. Campirano, Secretary, Ms. Dolly Zimmerman, Dr. Roberto Robles, and Mr. David Oliveira. Also present was Dr. Juliet V. García, President of The University of Texas at Brownsville and Texas Southmost College.

Call to Order

The meeting was called to order by Chairman Gonzalez at 5:30 p.m.

1. Executive Session

as provided by Government
Code, Chapter 551.072

Real Estate

Contract and Resolution for
Purchase of Fort Brown Villas
II, Unit 1C, Brownsville, Texas

Contract and Resolution for
Purchase of a 1.0 acre tract of
land out of the Fort Brown
Reservation, Espiritu Santo
Grant, Share 19, PT 28.273, City
of Brownsville, Cameron County

The Board convened in Executive Session at 7:30 p.m.

The Board reconvened in Regular Session at 8:50 p.m.

2. **Consideration and possible action on matters discussed in Executive Session**

**Consideration and Possible Action on
Contract and Resolution for Purchase of
Fort Brown Villas II, Unit 1C, Brownsville, Texas**

A motion was made by Ms. Breedlove to approve the contract and resolution for the purchase of Fort Brown Villas II, Unit 1C, in the amount of \$41,500. The motion was seconded by Ms. Zimmerman and carried unanimously. *“Exhibit A”*

**Consideration and Possible Action on
Contract and Resolution for Purchase of a 1.0 acre tract of land
out of the Fort Brown Reservation, Espiritu Santo Grant,
Share 19, PT 28.273, City of Brownsville**

A motion was made by Ms. Zimmerman to approve the contract and resolution for the Purchase of a 1.0 acre tract of land out of the Fort Brown Reservation, Espiritu Santo Grant, Share 19, PT 28.273, City of Brownsville, in the amount of \$484,000. The motion was seconded by Ms. Breedlove and carried unanimously. *Exhibit “B”*

3. **Approval of Minutes of Previous Meeting**

**Consideration and possible action on approval of
Minutes of Regular Meeting of September 26, 2007**

A motion was made by Mr. Oliveira to approve the Minutes of the Regular Meeting on September 26, 2007. The motion was seconded by Ms. Breedlove and carried unanimously.

4. Speakers to Agenda Items and Public Discussion

The Honorable Pat Ahumada, Mayor of the City of Brownsville, addressed the Board regarding several community issues. Among the issues presented were the following: calling for cooperative communication among city and university leaders, a proposed virtual Border Wall, Cameron County's pet crisis, Imagine Brownsville, the renovation of the Brownsville International Airport, Brownsville 2020, and the WEER Project.

5. Board Briefing

An Overview of the Math and Science Academy

Dr. Charles Dameron, Vice President for Academic Affairs, introduced Mr. Edward Argueta, Principal of the Mathematics and Science Academy (MSA) at UTB/TSC. Mr. Argueta provided an overview of the curriculum and activities of the MSA. He reminded the Board that the MSA was established by the 79th Legislature 2005 as a commuter program for high school-aged students who are gifted in mathematics and science. MSA students take classes from UTB/TSC faculty with regular UTB/TSC students, but are provided with more supervision and guidance than traditional college students. He stated that MSA students are involved in many extracurricular activities at UTB/TSC, including sports, chess, and other recreational activities. Mr. Argueta introduced students Emily Boster and Andrew Garcia to present what a typical day looks like for students at the MSA. The Board congratulated Mr. Argueta and the MSA staff and thanked them for their efforts

6. Memory Park

Consideration and possible action on Memorandum of Understanding with the City of Brownsville Beautification Committee for renovations and improvements to the Garden of Memory-Xeriscape Park Project

Dr. David Pearson, Vice President for Partnership Affairs, stated that the Garden of Memory-Xeriscape Park is a half acre triangular piece of land owned by TSC located at the junction of University Boulevard, Washington Street, and International Boulevard. He explained that the purpose for the Memorandum of Understanding (MOU) is to enter into an agreement with the City of Brownsville to provide the funding for the renovations and improvements for the park. According to the proposed MOU, the City of Brownsville Beautification Committee will pay all expenses up to \$70,000 plus any donations received towards the renovations and improvements of the park. TSC will reimburse the Beautification Committee up to a maximum of \$35,000. Cameron County will also contribute \$10,000. Work on the park will be completed by August 31, 2008. Plans, specifications, project requirements and selection of contractor will be approved by both TSC and the Beautification Committee.

A motion was made by Ms. Breedlove to approve the Memorandum of Understanding with the Beautification Committee for renovations and improvements to the Garden of Memory-Xeriscape Park Project and authorize the Vice President for Partnership Affairs to execute all documents related to this MOU. The motion was seconded by Dr. Robles and carried unanimously.
"Exhibit C"

7. Business Affairs Partnership Committee

Mr. Campirano reported that the Business Affairs Partnership Committee (BAPC) met on Monday, October 22, 2007. He stated that the committee did not have a quorum, and therefore took no formal action on the items presented.

**Consideration and possible action on
Bid for Construction of Jackson Street Parking Lot Additions**

Mr. Campirano explained that this bid is for construction of about 90 new parking spaces along Ridgely Road and Jackson Street. He reported that staff recommends awarding the bid to R & R Paving Company, since they submitted the lowest qualified bid. This determination was made after the apparent lowest bid, by Ferguson Construction, Inc., was deemed non-responsive to requests for additional information, and later officially withdrew their bid.

A motion was made by Mr. Campirano to award the bid for Construction of Jackson Street Parking Lot Additions to R & R Paving Co., in the amount of \$337,748.99. The motion was seconded by Ms. Breedlove and carried unanimously. Exhibit "D"

**Consideration and possible action on
Builder's Risk Insurance Policy for Construction Projects.**

Mr. Campirano reported that the committee was presented with cost control strategies for construction projects. He introduced Ms. Veronica Mendez, Assistant Vice President for Planning and Construction, to elaborate on the procurement strategies that have already been implemented and the plans to continue to maximize the available budget for construction.

Ms. Mendez explained how unprecedented cost escalation has negatively impacted the projects, requiring innovative cost control strategies. Cost control strategies include: 1) Value engineering and constructability sessions, are evaluation techniques used to identify alternate materials at a lesser price. 2) Schedule compression, allowing the shortening of the construction schedule to reduce costs. 3) Strategic scheduling of contracts, entailing scheduling concurrent construction of buildings to reduce costs. 4) Procurement strategies, which maximize the available budget for construction.

Ms. Mendez introduced Mr. Joe Rafac of Broaddus & Associates to present the recommendation. He noted that purchasing the Builder's Risk Insurance from ACE Fire Insurance/Admitted Max Specialty at the recommended annual premium price would represent a gross savings potential of approximately \$405,000.

A motion was made by Mr. Campirano to accept the proposal for Builder's Risk and Windstorm-Hail insurance coverage from ACE Fire Insurance/Admitted Max Specialty in the amount of \$248,394.50 and authorize the Assistant Vice President for Planning and Construction to negotiate the contract. A motion was seconded by Ms. Zimmerman and carried unanimously. *Exhibit "E"*

8. Resolution

Consideration and possible action on a Resolution Urging Alternatives to the U.S. /Mexico Pedestrian Border Fence

Chairman Gonzalez read the proposed resolution which urges the U.S. Government to pursue alternative solutions to the U.S./Mexico Pedestrian Border Fence.

A motion was made by Mr. Campirano to adopt the resolution Urging Alternatives to the U.S./Mexico Pedestrian Border Fence. The motion was seconded by Ms. Breedlove and carried unanimously. *"Exhibit F"*

9. Construction Report

Dr. Pearson provided an update on the following construction projects:

- The main entrance to Rusteberg Hall was renovated to create an elegant entryway, which complements the new art gallery. Artwork by Artist Carlos Gomez was showcased during the first show at the gallery.
- The new roof for the Lightner Center, which is under construction by Sechrist Hall, is near completion.
- The new paseo leading to Eidman Hall will be completed in a couple of weeks.
- The George Truan Sculpture Garden was dedicated this week. The garden is now fully functional with a new fountain that complements the art students' sculptures currently on display at the garden.

Ms. Veronica Mendez provided the following construction update:

- A new roof is under construction on a major portion of the ITEC Campus. The main entrance to the building will be closed during the renovations. The two side entrances and the Workforce Training entrance remain open.

- Construction is progressing at the REK Center. The building shell has been erected and the grass has been planted on the new multi-purpose field. The multi-purpose field is expected to be ready for use by the time the REK Center opens next fall.

10. President's Report

President García reported the following:

- Community members, faculty, staff, and students gathered to dedicate the George Truan Sculpture Garden on Monday, October 22nd.
- Earlier today, UTB/TSC broke ground for two new buildings: a new Library and a Classroom building. The projects are part of the \$68 million bond package approved by the voters in November 2004.
- The Radiology Technology Program of the School of Health Sciences underwent an on-site visit by the Joint Review Committee on Education on October 18-19. Dr. García congratulated Dr. Elson Nelson, Dean of the School of Health Sciences, Ms. Marti Flores, Chair of the Allied Health Department, Mr. Manuel Gavito, Director of the Radiology Technology Program, and Mr. Eusebio Ortiz, Associate Master Technical Instructor, for meeting and exceeding the standards that were reviewed during the site visit.
- The last graduate of the August 2007 Vocational Nursing Program passed the state exam; thus setting a 100% pass rate for the cohort. The pass rate for the entire year stands at 98%. Dr. García congratulated Dean Nelson and Ms. Karen Fuss-Sommer, Director of the Vocational Nursing Program, for their outstanding work.
- The United Nations Day celebration, a joint venture between UTB/TSC and BISD, attracted the participation of more than 400 students from local high schools. Students debated a current proposal before the U.N. Security Council. The event was coordinated by Dr. Alexander Dawoody, Associate Professor of Social Sciences, Dr. Mari Fuentes-Martin, Dean of Students and Associate Vice President for Student Affairs, and graduate students from the Public Policy and Management Program.

- The Texas Art Education Association has announced that UTB/TSC Fine Arts faculty members Dr. Bret Lefler and Dr. Ruth Keitz have been selected for the 2006 Ivy Laurel Award for their presentation entitled "Advertising as Part of Visual Culture and the Art Classroom."
- Dr. Alma Leal, Professor in the School Specialties Department, has been named Counselor of the Year by the Texas School Counselors Association (TSCA). She will be recognized at the TSCA Conference on November 9, in Corpus Christi, Texas.
- In time to celebrate Father Armand Matthew's 85th birthday, the Public Welfare Foundation awarded \$10,000 to Father Matthew's favorite cause: Kid's Voting USA. The award will become part of Brownsville's Kids Voting USA endowment.
- Three-time Grammy Award winner Vikki Carr will perform Friday, November 2, at the Jacob Brown Auditorium. She will serve as the finale to the 2007 Arts & Entertainment Season.

11. Proposed Meeting Dates

Board Meetings:

Thursday, November 29, 2007

Thursday, December 20, 2007

Partnership Advisory Committee

Thursday, December 6

Mr. Gonzalez reviewed the dates with the Board

12. Announcements

- Ms. Rosemary Martinez, Vice President for Business Affairs, introduced Mr. Juan Andres Rodriguez, Program Director for Career Services, as the new President of the Staff Senate.
- Dr. Charles Dameron, Vice President for Academic Affairs, introduced Karen Fuss-Sommer, Director of the Vocational Nursing Program, as the new President of the Academic Senate.

- Mr. Campirano congratulated the UTB/TSC Men's and Women's Soccer Teams for their success this fall.
- Winter Commencement 2007 is scheduled for Saturday, December 22, 2007, at 10:00 a.m. at the Mary Rose Cardenas South Hall Lawn.

Adjournment

The meeting was adjourned by Chairman Gonzalez at 8:50 p.m.

DRAFT

Mr. Chester Gonzalez
Chairman, Board of Trustees

Mr. Eduardo A. Campirano
Secretary, Board of Trustees

NOTE: The tape of the Regular Board of Trustees meeting held on October 25, 2007, is on file at the District Office of the Texas Southmost College District. The master tape is on file at the UTB/TSC Media center. These minutes were taken and transcribed by Gloria Miranda, Administrative Assistant. Videotaping of the Board of Trustees' meetings began on April 11, 1996. They are aired on Channel KISD in cooperation with the Brownsville Independent School District.

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TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Finance Office/Partnership Affairs	Board Meeting Date: August 30, 2007
Agenda Item: Consideration and possible action on Resolution Continuing the Taxation of Goods in Transit	
Rationale/Background: The 80 th Legislature passed House Bill 621 allowing a property tax exemption of "goods in transit", which is described as inventory stored in a location not owned by the owner of the goods. The Act allows governing bodies to adopt a resolution prior to January 1, 2008 to continue taxing these goods as before. A public hearing must be conducted and a resolution adopted to continue taxing these goods. The resolution remains in effect until rescinded by the governing body.	
Recommended Action: Motion to adopt Resolution Continuing the Taxation of Goods in Transit as authorized by Section 11.253 of the Texas Property Tax Code.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No N/A If no, explain: The Texas Southmost College District estimates a tax revenue loss of \$347,000 annually beginning in FY 2009 if the resolution is not adopted by the Board by January 1, 2008.	
Attachments (List): Resolution	

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

THE STATE OF TEXAS §
COUNTY OF CAMERON §

TEXAS SOUTHMOST COLLEGE DISTRICT

Resolution Continuing Taxation of Goods in Transit

Whereas, pursuant to the Texas Constitution and Texas Tax Code § 11.253, local taxing units are granted the option to continue taxing goods in transit; and

Whereas, the Board of Trustees of the Texas Southmost College District has held a hearing pursuant to Art. VIII, § 1-n(d), Texas Constitution, on the issue of whether goods in transit that are not exempt by statute other than Texas Tax Code § 11.253 should continue to be taxed; and

Whereas, the Board of Trustees finds and determines that; it is in the public’s interest to continue the ad valorem taxation of goods in transit; and

Whereas, the Board further finds and determines, that the meeting at which this resolution is adopted was open to the public; and that public notice of the time, place, and purpose of such meeting was given, all as required by Chapter 551, Texas Government Code, as amended,

Now, Therefore, it is Accordingly Found, Declared, Ordered, and Resolved by the Board of Trustees of the Texas Southmost College District that goods in transit as defined by Tex. Tax Code § 11.253 shall remain subject to ad valorem taxation by the Texas Southmost College District, pursuant to the annual ad valorem tax assessment, if not otherwise exempt.

Passed, Ordered, and Adopted by the Board of Trustees of the Texas Southmost College District on this the 29th day of November 2007.

Chester Gonzalez
Chairman, Board of Trustees

Eduardo A. Campirano
Secretary, Board of Trustees

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TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Business Affairs/Student Affairs	Board Meeting Date: November 29, 2007
Agenda Item: Consideration and possible action on Partnership Concordance Policy: Tuition and Fees for FY 2009-2010	
Rationale/Background: Since FY 2005-2006, UTB has followed a biennial deregulated tuition and mandatory fee-setting process. In preparation for setting tuition and fee rates for academic years 2008-2010, a consultative process was followed based on the following five operating assumptions: <ol style="list-style-type: none">1. Consultative. Proposals are developed with the participation of the entire campus community. Representatives of students who pay tuition and fees are to be actively involved throughout the process.2. Open and transparent. Interested parties have access to all of the information being used to determine tuition and fee charges.3. Comprehensive. Proposals must take into consideration deregulated tuition and mandatory fees, including average course and program fees, to provide a picture of total costs to students.4. Strategic. Proposals are aligned with campus and System priorities.5. Frugal. The U. T. System recognizes the need to operate as efficiently as possible to keep tuition and fee charges as low as possible. <p>The proposed Tuition and Fees for FY 2009-2010 will be presented at the joint meeting of the Business Affairs and Student Affairs Partnership Committees on November 28, 2007.</p> <p>Per the District's Partnership Concordance Policy, TSC shall have the same tuition and fees as UTB until otherwise determined by amendment to the policy by the Board of Trustees.</p>	
Recommended Action: A recommendation will be forwarded to the Board by the Business Affairs/Student Affairs Partnership Committees.	
Fiscal Implications:	Budgeted Item: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If no, explain:
Attachments (List): Partnership Concordance Policy	

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

