



TEXAS SOUTHMOST COLLEGE DISTRICT

THE UNIVERSITY OF TEXAS AT BROWNSVILLE and TEXAS SOUTHMOST COLLEGE

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Texas Southmost College District

Minutes of the Regular Meeting of the Board of Trustees

May 17, 2010

The Board of Trustees of the Texas Southmost College District convened in open session on May 17, 2010, at 5:30 p.m., in the Board Room of Gorgas Hall at The University of Texas at Brownsville and Texas Southmost College. Board members present were David Oliveira, Chair; Eduardo A. Campirano, Vice Chair; Dr. Roberto Robles, Secretary; Rosemary Breedlove; Adela G. Garza; Chester Gonzalez; and René Torres. 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 Oliveira at 5:31 p.m.

1. Announcement

Chairman Oliveira called on Dr. Alan Artibise, Provost, to make an introduction. Dr. Artibise introduced Mr. Rene Villarreal, as the new Associate Vice President for Enrollment Planning. Mr. Villarreal thanked everyone for the opportunity he has been given.

2. Board Briefings

Chairman Oliveira called on Ms. Meloney Linder, Associate Vice President for Marketing & Communication. Ms. Linder stated that the UTB/TSC Integrated Marketing Committee is made up of representatives from each division who meet on a monthly basis to discuss marketing efforts, promote messages that are consistent with the strategic goals, and encourage collaboration between offices.

She introduced Dr. Maria Hodgson, Assistant Professor for Communications. Dr. Hodgson introduced two students Chelsa Rodriguez and Julianna Sosa who gave a brief presentation. The presentation's executive summary consists of research, competitive analysis, scorpion traditions council, "I Got Stung", in-house promotional strategies, social media, and public relations.

3. Executive Session

as provided by Government
Code, Chapter 551.071

The Board did not convene in Executive Session.

4. Consideration and Possible Action on Matters Discussed in Executive Session

Discussion of The University of Texas System and Texas Southmost College Educational Partnership Agreement

There was no report given.

5. Speakers to Agenda Items and Public Discussion

There were no speakers.

6. Approval of Minutes of Previous Minutes

Consideration and Possible Action on Minutes of Regular Meeting on April 22, 2010

A motion was made by Mr. Campirano to approve the Minutes of the Regular Meeting April 22, 2010 as presented. The motion was seconded by Mr. Gonzalez and carried unanimously.

7. Board Policy

Consideration and possible action on Second Reading Board Policy V.B.5 – Checks, V.D – Investment, V.F – Purchasing and Bids, V.F.5 – Purchasing and Bids: Level of Approval, and V.I – Travel

Chairman Oliveira called on Dr. Wayne Moore, Special Assistant to the Provost. Dr Moore stated that these policies were reviewed by Juan Mendoza of Long Chilton, LLP and meet or exceed state laws and regulations. He also stated that these changes revise the signature delegation to reflect recent organizational changes so that signature authority for daily operations and other operational activities can continue and to facilitate efficient transition in the future when there are management and/or organizational changes.

A motion was made by Dr. Robles to approve of second reading of policies as presented. The motion was seconded by Ms. Breedlove and carried. Opposed by Ms. Garza. Exhibit "A"

8. Physical Facilities Committee

Report

Chairman Oliveira called on Mr. Campirano to give the report. He reported that the Physical Facilities Committee met on Tuesday, May 11, 2010, and discussed the following items:

Consideration and Possible Action to award a bid for the Oliveira Library window replacement

Mr. Campirano reported the first item discussed was the Oliveira Library window replacement. He stated that Ms. Veronica Mendez, Assistant Vice President for Facilities and Planning reported that as part of the renovation of the Oliveira Library, various building systems were inspected and planned for repair. The inspections demonstrated that various windows on the 2nd floor needed to be replaced. She stated a total of 21 windows are being proposed to be replaced with high impact resistant glass. She reported that two bids were received on time for this project and two others were received late and were not taken into consideration due to policy. She also explained that this project will be funded by restricted insurance allocation in the fiscal year 2010 budget.

A motion was made by Mr. Campirano to award the contract to The John Wyatt Company in the low bid amount of \$46,963.57 and to authorize the Associate Vice President for Facilities and Planning to execute the contract as presented. The motion was seconded by Ms. Breedlove and carried unanimously. Exhibit "B"

Consideration and Possible Action to award a bid for Campus Parking Lot Improvements

Mr. Campirano reported that the second item discussed was the campus parking lot improvements. Ms. Mendez explained that upon demolition of the former Resaca Club, the area became available for parking lot improvements. She also explained that in order to take advantage of existing parking surface the plan was expanded to include renovation of existing parking for better flow of traffic. She stated that as part of the parking improvements needs on campus, numerous parking lot repairs were identified. The parking lot repairs were incorporated to this bid proposal to achieve savings by reducing mobilization and overhead expenses; for this reason, the proposal is divided in base bid, alternate one, and alternate two. Ms. Mendez reviewed with the committee the bid results. Ms. Mendez stated that funding for this project will come from the Capital Improvements project list included in fiscal year 2010 budget for Resaca Club parking and demolition. Ms. Mendez informed that after review of the bid proposals, the review committee recommends R&R Paving Co.

A motion was made by Mr. Campirano to award a contract to R&R Paving Co. in the low bid amount of \$213,898.82 and to authorize the Associate Vice President for Facilities and Planning to execute the contract as presented. The motion was seconded by Ms. Breedlove and carried unanimously. Exhibit "C"

Consideration and Possible Action on Budget Amendment for Fiscal Year 2010

Mr. Campirano reported that the last item discussed was the Budget Amendments for Fiscal Year 2010. Dr. Moore reported that these budget amendments reflect transfer of funds necessary to fund for Board approved projects and that all projects remain within budgeted amounts. As expenses come in for the various projects, funds need to be moved from the General Fund to the Campus Facilities fund to accurately account for expenses in the current year. These Budget Amendments reflect adequate budget for expected expenses until the end of the fiscal year. Dr. Moore gave a brief explanation of each of the budget amendments.

A motion was made by Mr. Campirano to approve budget amendment #10-005, #10-006, #10-007 and #10-008 for Fiscal Year 2010 as presented. The motion was seconded by Ms. Breedlove and carried unanimously. Exhibit "D"

9. Audit Committee

Report

Chairman Oliveira called on Mr. Gonzalez. He reported that the Audit Committee met on Tuesday, May 4, 2010, and discussed the following items:

Consideration and Possible Action on Proposal for Annual Financial Audit

Mr. Gonzalez reported that the first item discussed was on the selection of external auditors for FY 2010 Audit. Dr. Moore reported that the District received three proposals for the auditing services for the current fiscal year from Pattillo, Brown & Hill, LLP, Long Chilton, LLP and BKD CPA's & Advisors. Staff is recommending Pattillo, Brown & Hill, LLP as they are highly qualified, presented a thorough and comprehensive proposal and received the highest rating on the staff evaluation matrix. Dr. Moore reported that although the District has had a successful relationship with our current auditing firm, staff is recommending a change. Mr. Gonzalez thanked Long Chilton, LLP and Juan Mendoza for their service.

A motion was made by Mr. Gonzalez to accept the proposal by Patillo, Brown & Hill, LLP to provide auditor services for Fiscal Year 2010 in the amount of \$30,000 with an option to extend each year for up to a maximum of four years as presented. The motion was seconded by Mr. Torres and carried unanimously. Exhibit "E"

Consideration and Possible Action on External auditor fees for Fiscal Year 2009 audit

Mr. Gonzalez reported that the next item discussed was on Fees for the FY 2009 Audit. Dr. Moore stated that the District reported two additional grants, the Texas Workforce Commission Skills Development Grant and the U.S. Department of Commerce Economic Development Agency (EDA) Grant, in fiscal year 2009 which required additional compliance testing and review. Total fees stated in the contract are \$32,035, however, consideration of additional fees in the amount of \$6,200 for the audit and compliance testing of the additional grants has been requested. Staff is recommending payment for the additional services performed.

A motion was made by Mr. Gonzalez to approve additional fees of \$6,200 for audit services performed for FY2009 audit as presented. The motion was seconded by Mr. Torres and carried unanimously. Exhibit "F"

Consideration and Possible Action on Budget Amendment for Fiscal Year 2010

Mr. Gonzalez reported that the next item discussed was on approval of budget amendment for FY 2010. The staff requests for budget amendment #10-004 to adjust expenditures in the General Fund. The budget amendment is necessary to cover expenditures through year end.

A motion was made by Mr. Gonzalez to approve budget amendment # 10-004 for Fiscal Year 2010 as presented. The motion was seconded by Dr. Robles and carried unanimously. Exhibit "G"

Mr. Gonzalez reported that the final item discussed was a report by Dr. Moore regarding change in management. Dr. Moore reported that the Office of Internal Audits will conduct an audit of Partnership Affairs since there has been a change of management. Internal Audits will review the internal controls over the Office of Partnership Affairs regarding the control environment, segregation of duties, approvals and authorizations, safeguarding assets, and monitoring, to provide reasonable assurance that existing internal controls in departments are adequate. Also, they will provide reference materials and guidance that will assist new administrators in developing an adequate system of internal controls in their departments.

10. Construction Report

Veronica Mendez, Associate Vice President for Facilities and Planning, reported the following:

- Work continues at Oliveira Library. Upgrades to infrastructure of elevator, electrical panels. The A/C units are connected to the thermal plant. All parking spaces are open and landscape is complete.
- Work continues at the Recreation, Education and Kinesiology Center. She reported that the two additional racket ball courts will be complete at the end May 2010.
- Work at the Cavalry Building continues. There have been electrical upgrades and brick work.
- Work continues at Athletic Zone phase I. Construction is in progress. All the connections to the main water and sewer lines have been completed. The prep work for the field has begun.

- Work continues at Science and Technology Learning Center. Water proofing outside is being installed to prepare for installation of bricks. The roof is 50% complete. Completion will be in 2011.

11. President's Report

Dr. García reported the following:

- UTB/TSC held Commencement on May 15, 2010 and conferred almost 900 degrees and certificates. She also mentioned for Winter and Spring commencement there was a total of 2,100 degrees and certificates awarded. UTB/TSC commencement speaker Luis Ubinas, President of the Ford Foundation, was captivated by UTB/TSC graduates stories. Dr. David Prior, the UT System Executive Vice Chancellor for Academic Affairs, was also at commencement. She also stated that Ana Gaytan was awarded the first associate degree in the new Architecture program. She will be attending UTSA to pursue her bachelor's degree in architecture.
- UTB/TSC baseball team has had its best season since they joined the NAIA. At the Red River Athletic Conference Tournament, held in Fort Worth in May, UTB/TSC qualified for the NAIA National Baseball Championship Opening Round for the first time.
- UTB/TSC received the Red River Athletic Conference All-Sports Award in all five conference-sponsored sports that UTB/TSC participates in.

12. District Elections

Consideration and Possible Action on Canvassing the Results of the Texas Southmost College District Election

Chairman Oliveira presented the election results for the TSC District Trustee election held on May 8, 2010. The results were read as follows: Place 3: Robert Lopez, 2,979; Robert A. Lozano, 3,029. Place 4: Eduardo Roberto Rodriguez, 2,605; Trey Mendez, 3,571. Place 5: Francisco "Kiko" Rendon, 2,567; Rene Coronado, 1,013; and Rosemary Breedlove, 2,686.

Mr. Oliveira announced that Francisco "Kiko" Rendon and Rosemary Breedlove must engage in a run-off election for Place 5. Dr. Robert A. Lozano was duly elected to Place 3, and Trey Mendez was duly elected to Place 4 by receiving the majority of the votes cast for all candidates for those positions. Mr. Oliveira entertained a motion to accept the results of the Texas Southmost College District Election.

A motion was made by Mr. Gonzalez to accept the results of the Texas Southmost College District Election as presented. The motion was seconded by Mr. Torres and carried unanimously. Exhibit "H"

**Consideration and Possible Action on
Order Declaring Results of the Texas Southmost
College District Election**

On May 8, 2010, an election was held for Place 3, 4 and 5 on the TSC Board of Trustees ballot. Mr. Oliveira read the Order Declaring Results of Texas Southmost College District Election.

A motion was made by Mr. Campirano to adopt the Order Declaring Results of the Election as presented. The motion was seconded by Ms. Garza and carried unanimously. Exhibit "I"

**Consideration and Possible Action on
Notice and Order of the Runoff Election of the Texas Southmost
College Board of Trustees, Place 5**

Dr. Wayne Moore reported that the Runoff Election for Texas Southmost College District Trustees, Place 5 will be held on Saturday, June 12, 2010. Early voting will be held on June 1, 2, 3, 4, 5, 7, and 8th. Dr. Moore addressed the Board recommending some changes to the Notice and Order for the Runoff Election. He stated that the Los Fresnos Community Center currently has a conflict for Saturday, June 5, 2010 for early voting. Staff is recommending that location be moved next door to the Los Fresnos City Hall for that day only. He also stated that there was a conflict at the Brownsville Navigation District Office and is recommending that location be removed from the Notice and Order. Finally, Dr. Moore recommended an additional location, South Padre Island City Hall, for early voting. The voting times will remain the same as in the Regular election.

A motion was made by Mr. Gonzalez to approve Notice and Order of the Runoff Election of the Texas Southmost College Board of Trustees, Place 5 as presented. The motion was seconded by Dr. Robles and carried unanimously. Exhibit "J"