



TEXAS SOUTHMOST COLLEGE DISTRICT
THE UNIVERSITY OF TEXAS AT BROWNSVILLE and TEXAS SOUTHMOST COLLEGE

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CAMERON COUNTY
2009 SEP 25 P 3:51
JOE G. RIVERA
COUNTY CLERK

Board of Trustees
David G. Oliveira
Chair
Eduardo A. Campirano
Vice Chair
Roberto Robles, M.D.
Secretary
Adela G. Garza
Chester Gonzalez
Rosemary Breedlove
René Torres

UTB/TSC President
Juliet V. García, Ph.D

Official Notice of the
**Texas Southmost College District
Regular Meeting**
for
September 30, 2009

Posted

September 25, 2009

AGENDA

The Board of Trustees of the Texas Southmost College District will convene **Wednesday, September 30, 2009, at 5:30 p.m.** in the Gorgas Board Room at The University of Texas at Brownsville and Texas Southmost College, 80 Fort Brown, Brownsville, Texas 78520.

Call to Order

1 Announcements

2 Resolution

Consideration and possible action on:

Resolution Honoring Bob Shepard for His Service to the Texas Higher Education Coordinating Board

Resolution in Support of a Living Wage Requirement for Those Employed by and Those Doing with Texas Southmost College

3 Appearance before the Board

Presentation, Charro Days, Inc.
Mr. Kenneth Lieck, President

4 Speakers to Agenda Items and Public Discussion

5 Approval of Minutes of Previous Meetings

Consideration and possible action on:

Special Meeting, August 24, 2009
Regular Meeting, August 27, 2009

6 Board Briefing

TSC Challenge for Excellence
Scholarship Celebration

7 Executive Session

as provided by Government Code,
Chapter 551.071 and .072

Real Estate

Utility Easement to the Brownsville
Public Utilities Board for the Arts Center

Contract and Resolution for Purchase of
Fort Brown Villa Condominiums Unit
7C, Type A, Bldg C, Phase II,
Brownsville, Texas.

Contract and Resolution for Purchase of
Fort Brown Villa Condominiums Unit
4F, Type B, Bldg F, Phase II,
Brownsville, Texas.

Legal Matters

Approval of Correction Deed with
Zimmerman Brothers, Inc. Interlocal
Agreement and Exclusive Use Permit
with Port Isabel.

Litigation Regarding 6.09 Acres of
Land Cause No. 1:08-CV-428 United
States of America vs. 6.09 Acres of
Land More or Less, et al.

8 Consideration and possible action on matters discussed in Executive Session

Real Estate

Utility Easement to the Brownsville
Public Utilities Board for the Arts Center

Contract and Resolution for Purchase of Fort Brown Villa Condominiums Unit 7C, Type A, Bldg C, Phase II, Brownsville, Texas.

Contract and Resolution for Purchase of Fort Brown Villa Condominiums Unit 4F, Type B, Bldg F, Phase II, Brownsville, Texas.

Legal Matters

Approval of Correction Deed with Zimmerman Brothers, Inc. Interlocal Agreement and Exclusive Use Permit with Port Isabel.

Litigation Regarding 6.09 Acres of Land Cause No. 1:08-CV-428 United States of America vs. 6.09 Acres of Land More or Less, et al.

9 Bond Projects

Consideration and possible action on:

Report

Approval of Schematic Design for the Oliveira Library Renovations

10 Construction Report

Commandant's Quarters, Commissary Building, Cavalry Building, Campus Roof Repairs, Center for Early Childhood Studies, Arts Center, Science & Technology Learning Center

11 President's Report

UTB/TSC and UTPA Sign Social Work Memorandum of Understanding, Center for Gravitational Wave Astronomy Receives NASA Grant, UTB/TSC Makes Top 25 NAIA Ranking for the First Time, Institute for Museum and Library Services Awards Grant for Border Studies Resource Center, Border History Book Published, Border History Colloquium Planned, Hispanic Heritage Week Celebrated, Homecoming Week, Distinguished Lecture Series to Feature Dr. George Friedman

12 Proposed Meeting Dates

Board Meetings:

Friday, October 2, 2009

12:00 p.m. – 8:00 p.m.

Board Retreat

Saturday, October 3, 2009

9:00 a.m. – 2:00 p.m.

Board Retreat

Thursday, October 29, 2009

Thursday, November 19, 2009

Thursday, December 17, 2009

Adjournment

Individuals with disabilities are entitled to have access to and participate in public meetings. An individual requiring an accommodation for access to the meeting must notify the Texas Southmost College District in writing 24 hours prior to the scheduled meeting of the necessity of an accommodation. Upon receipt of this request, the Texas Southmost College District will furnish appropriate auxiliary aids and services when necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of the Board meeting as non-handicapped individuals enjoy.

THE STATE OF TEXAS §

COUNTY OF CAMERON §

TEXAS SOUTHMOST COLLEGE DISTRICT

RESOLUTION

A Resolution Honoring the Service and Contributions of Robert W. Shepard

WHEREAS, Robert W. Shepard has been a longtime friend and staunch supporter of UTB/TSC and higher education in the Rio Grande Valley and the entire State of Texas; and

WHEREAS, he ensured that South Texas had a seat at the table in statewide decisions; and

WHEREAS, for the last 13 years as a Member of the Texas Higher Education Coordinating Board, his support of our degree proposals has been invaluable; and

WHEREAS, as Chairman of the Coordinating Board, he played a key role in highly recommending the approval of our first doctoral program, the Doctor of Education in Curriculum and Instruction; and

WHEREAS, he was a founding Member and former Chairman of UTB's Development Board and helped raised funds to support UTB/TSC students and faculty; and

WHEREAS, he has brought recognition and honor to UTB/TSC;

NOW, THEREFORE, BE IT RESOLVED, this 30th day of September, 2009, that the Board of Trustees of Texas Southmost College hereby commends and pays tribute to Bob Shepard for his leadership, courage, and diligence in ensuring that education is available to all.

BE IT FURTHER RESOLVED that a duly certified copy of this resolution be presented to Bob Shepard and a copy be incorporated into the minutes of the meeting of the Board of Trustees of Texas Southmost College.

PASSED AND ADOPTED THIS 30th DAY of SEPTEMBER 2009.

David G. Oliveira
Chair

Eduardo A. Campirano, Vice Chair

Roberto Robles, M.D., Secretary

Chester Gonzalez, Trustee

Rosemary Breedlove, Trustee

Adela Garza, Trustee

René Torres, Trustee

Juliet V. García, Ph.D.
President,
The University of Texas at Brownsville
and Texas Southmost College

THE STATE OF TEXAS §

COUNTY OF CAMERON §

TEXAS SOUTHMOST COLLEGE DISTRICT

RESOLUTION

A Resolution in Support of a Living Wage Requirement for Those Employed By, and Those Doing Business With, Texas Southmost College

WHEREAS, the Rio Grande Valley of Texas has in recent years experienced unprecedented growth and associated increases in the cost of living; and

WHEREAS, the Board of Trustees of Texas Southmost College wishes to ensure that all employees of the Texas Southmost College District receive a living wage consistent with human dignity and the needs of life; and

WHEREAS, the Board of Trustees of Texas Southmost College wishes to require that all employees of prime and subcontractors who bid for, and perform contractual work for, the Texas Southmost College District receive a living wage consistent with human dignity and the needs of life,

NOW THEREFORE, BE IT RESOLVED this 30th day of September, 2009, that the Board of Trustees of Texas Southmost College commits to pursuing and implementing a living wage requirement for all employees of the Texas Southmost College District, and for all employees hired by prime and subcontractors who bid for, and perform contractual work for, the Texas Southmost College District.

ADOPTED this 30th day of September 2009.

David G. Oliveira
Chair, Board of Trustees

Roberto Robles, M.D.
Secretary, Board of Trustees

Texas Southmost College District

Minutes of the Special Meeting of the Board of Trustees

August 24, 2009

The Board of Trustees of Texas Southmost College convened in open session on August 24, 2009, at 5:30 p.m., in the Board Room of Gorgas Hall, The University of Texas at Brownsville/Texas Southmost College. Board members present included David Oliveira, Chair; Eduardo A. Campirano, Vice Chair; Dr. Roberto Robles, Secretary; Chester Gonzalez; Adela G. Garza; Rosemary Breedlove; and René Torres. Also present was Dr. Juliet V. García, President of The University of Texas at Brownsville/Texas Southmost College.

Call to Order

The meeting was called to order by Chairman Oliveira at 5:36 p.m.

1. Tax Rate

Consideration and Possible Action Texas Southmost College District 2009 Ad Valorem Tax Rate

Dr. David Pearson, Vice President for Partnership Affairs, reported that the operating budget for the District is funded by ad valorem tax revenues and that a budget has been drafted to cover the District's needs for the upcoming fiscal year. He said the tax rate necessary to cover the proposed budget is equal to the effective tax rate and requires Board approval. The District's operating budget funds scholarships, capital improvements, property acquisitions deferred maintenance, insurance, and administration.

Dr. Pearson introduced Melba Sanchez, Assistant Vice President for Finance, to make a presentation regarding the proposed 2009-10 tax rate for the District. Ms. Sanchez said that the effective tax rate was adequate to fund the District budget for fiscal year 2009-10. The effective tax rate is the rate needed to raise the same funds as during the previous fiscal year. The effective tax rate for fiscal year 2009-10 included a Maintenance and Operations Tax Rate of \$0.108949 per \$100 of property valuation and a Debt Tax rate of \$0.052975 per \$100 property valuation.

Dr. Robles made a motion that the current tax rate be placed on the Board of Trustees' agenda for adoption at its August 27, 2009, meeting. The motion was not seconded, and the motion died for lack of a second. A motion was made by Vice Chairman Campirano that the effective tax rate, which reflected a Maintenance and Operations Tax Rate of \$0.108949 per \$100 of valuation and a Debt Tax rate of \$0.052975 per \$100 valuation, be placed on the Board of Trustees' agenda for adoption at its August 27, 2009, meeting. The motion was seconded by Mr. Gonzalez and carried unanimously.

2. Setting Dates for Public Hearings

No action was necessary for public hearings because the recommendation to the Board was to adopt the effective tax rate. The District was not required to hold public hearings to adopt the effective tax rate, and could adopt this rate at the next regularly scheduled meeting.

Adjournment

The meeting was adjourned by Chairman Oliveira at 6:16 p.m.

David G. Oliveira
Chairman, Board of Trustees

Dr. Roberto Robles
Secretary, Board of Trustees

NOTE: The tape of the Special Board of Trustees meeting held on August 24, 2009, is on file at the District Office of the Texas Southmost College District. The master tape is on file at the UTB/TSC Media Services. These minutes were taken and transcribed by Max E. Roca, Administrative Secretary. Videotaping of the Board of Trustees' meetings began on April 11, 1996. They are aired on Channel KBSD in cooperation with the Brownsville Independent School District.

Texas Southmost College District

Minutes of the Regular Meeting of the Board of Trustees

August 27, 2009

The Board of Trustees of the Texas Southmost College District convened in open session on August 27, 2009, at 5:30 p.m., in the Board Room of Gorgas Hall, The University of Texas at Brownsville/Texas Southmost College. Board members present were David Oliveira, Chair; Eduardo A. Campirano, Vice Chair; Dr. Roberto Robles, Secretary; Adela G. Garza; Rosemary Breedlove; and René Torres. Absent were Chester Gonzalez and Dr. Juliet V. García, President of The University of Texas at Brownsville/Texas Southmost College. Sitting in for Dr. Garcia was Dr. Antonio Zavaleta, Interim Provost.

Call to Order

The meeting was called to order by Chairman Oliveira at 5:37 p.m.

1. Announcements

No Announcements.

2. Acceptance of Gift and Resolution

Consideration and Possible Action on Adoption of Resolution Naming The Arts Center Box D “The Graciela Gutierrez Box”

Dr. Ruth Ann Ragland, Vice President for Institutional Advancement, announced the acceptance of a gift from Graciela Gutierrez. Dr. Ragland provided a brief biography of Ms. Gutierrez, describing her work as a community leader promoting education, economic development, and the fine arts. She thanked Ms. Gutierrez for her

donation and her important contribution to our university. Mr. Oliveira then read a resolution honoring Ms. Gutierrez,

A motion was made by Dr. Robles to adopt the resolution naming The Arts Center Box D “The Graciela Gutierrez Box,” as presented. The motion was seconded by Ms. Breedlove and carried unanimously. Exhibit “A”

3. Resolution

Consideration and Possible Action on Adoption of Resolution Honoring Paul Cowen for his Service as Chief of Staff for State Senator Eddie Lucio, Jr.

Chairman Oliveira read the resolution honoring Paul Cowen for his service as Chief of Staff to State Senator Eddie Lucio, Jr., and thanked him for his many contributions to our community and university.

A motion was made by Ms. Breedlove to adopt the resolution honoring Mr. Cowen for his service as Chief of Staff for State Senator Eddie Lucio, Jr., as presented. The motion was seconded by Mr. Torres and carried unanimously. Exhibit “B”

4. Speakers to the Items and Public Discussion

Kenneth Lieck, President of Charro Days, Inc., spoke regarding his organization’s request to stage the annual Charro Days Carnival at the ITEC Center.

5. Approval of Minutes of Previous Meeting

Consideration and Possible Action on Minutes of Regular Meeting on June 18, 2009

A motion was made by Mr. Torres to approve the Minutes of the Regular Meeting on June 18, 2009. The motion was seconded by Ms. Breedlove and carried unanimously.

6. Board Briefing

Dr. Antonio Zavaleta made a presentation on the TSC Foundation Challenge for Excellence Scholarship. He noted how, in 1987, the U.S. Department of Education challenged TSC to raise \$1 million to create a scholarship endowment. If the College reached that goal, the federal government would match it with an additional \$2 million. TSC accepted the challenge, and in 1989, with the help of numerous local

and statewide contributors, successfully reached the target amount. Twenty years later, the program has awarded \$3.7 million in scholarships to 13,000 TSC students. The corpus of the fund has grown to \$4.6 million. UTB/TSC will commemorate the 20th anniversary of the Endowment on September 17, 2009, recognizing community volunteers and the scholarship recipients.

7. Executive Session

as provided by Government
Code, Chapter 551.071, .072

The Board convened in Executive Session at 6:12 p.m.

The Board reconvened in Regular Session at 6:48 p.m.

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

Contract and Resolution for Purchase of Lot 20, Block 9, Colonia Alta Vista Subdivision, Brownsville, Texas

A motion was made by Dr. Robles to approve the earnest money contract and resolution for the acquisition of Lot 20, Block 9, in the amount of \$35,000, as presented. The motion was seconded by Mr. Torres and carried unanimously. "Exhibit C"

9. Business Affairs Committee Report

Report

Mr. Oliveira called on Mr. Campirano, Vice Chair, to report for the Business Affairs Partnership Committee, which met on Thursday, August 26, 2009. The following items were recommended for Board action:

Consideration and Possible Action for Approval of a Change Order on the Contract with Design Build Solutions for the Fort Brown Memorial Center Roof Project

A motion was made by Mr. Campirano to accept the roof deck change order from Design Build Solutions, a Garland company, in the amount of \$65,205, and to authorize the Assistant Vice President for Facilities Services to execute the contract. The motion was seconded by Ms. Garza and carried unanimously. *Exhibit "D"*

**Consideration and Possible Action on Approval
of Interlocal Agreement between the City of Brownsville and
The University of Texas at Brownsville/Texas Southmost College**

A motion was made by Mr. Campirano to accept the Interlocal Agreement between the City of Brownsville and UTB/TSC in the amount of \$143,964.11 and to authorize the Assistant Vice President for Facilities Services to execute the contract. The motion was seconded by Mr. Torres and carried unanimously. *Exhibit "E"*

**Consideration and Possible Action on the
Renewal of General Liability, Educators Legal, Crime, and
Auto Insurance Policies**

A motion was made by Mr. Campirano to approve the renewal of General Liability, Educators Legal, Crime, and Auto Insurance Policies in the amount of \$38,857, as presented. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "F"*

**Consideration and Possible Action on
Second Reading of the TSC District Budget for
Fiscal Year 2009-2010**

A motion was made by Mr. Campirano to adopt the TSC District Budget for Fiscal Year 2009-2010, as presented. The motion is seconded by Ms. Garza and is carried unanimously. *Exhibit "G"*

**Consideration and Possible Action on
Approval of Budget Amendments for FY 2009**

A motion was made by Mr. Campirano to approve the budget amendments #09-011, #09-012, and #09-013 for Fiscal Year 2009, as presented. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "H"*

10. Appointments of Special Audit Committee

Chairman Oliveira noted that the appointment of a committee would be deferred to a later time.

11. 2009-10 TSC District Ad Valorem Tax Rate

Consideration and Possible Action on the 2009-10 TSC District Ad Valorem Tax Rate

Chairman Oliveira noted that the adoption of the 2009-10 Ad Valorem Tax would not represent an increase in the tax rate, nor would it have a negative impact on District taxpayers.

A motion was made by Mr. Torres to adopt a Maintenance and Operations Tax Rate of \$0.108949 per \$100 of property valuation, and a Debt Tax Rate of \$0.052975 per \$100 of property valuation. The motion was seconded by Mr. Campirano and passed unanimously. Exhibit "I"

12. Third Quarter Financial Statements and Investment Report

Chairman Oliveira called on Melba Sanchez, Assistant Vice President for Finance, to present this item. Ms. Sanchez noted that the information for this item was in the Trustees' binders for informational purposes.

No action necessary.

13. Construction Report

Dr. David Pearson, Vice President for Partnership Affairs, reported the following:

- Work on the Commissary Building is progressing. The ceilings and the woodwork are nearing completion. The office walls have been erected and the windows repaired.
- Work on the Commandant's Quarters is being accelerated and should be completed by late October 2009. The interior walls are being painted, and the woodwork is being installed.
- The Ringgold sidewalk is completed. The sidewalk has pavers reminiscent of the pavers in other areas of campus.
- Renovation work in Cavalry Hall is progressing. The plumbing work has begun. The project is scheduled for completion in spring 2010.

- The Campus Security Center is now completed. Sidewalks have been completed, PUB has removed overhead power lines and installed underground lines to the facility.

Ms. Veronica Mendez, Assistant Vice President for Construction and Planning, reported the following:

- The University Boulevard Classroom Building opened for classes on August 24, 2009.
- The REK Center parking lot is complete with 139 spaces now available.
- Improvements to Scorpion Soccer Field have been completed, including a new scoreboard, goal netting, and benches.
- Work at the Center of Early Childhood Studies continues. The irrigation system is being installed, and the parking and drop-off drive are now under construction.
- At the Arts Center, metal arches decorating the exterior building halls are now installed, and a connection to the campus paseo is in progress.
- Work at the Science and Technology Learning Center has begun. The first concrete pour for the building's slabs occurred on August 11, 2009. Steel beams have since been erected.

14. President's Report

Chairman Oliveira called on Dr. Zavaleta to make the report.

- The new Center for Teaching Excellence and Innovation in the College of Education has been awarded \$1.6 million for mathematics and science teacher preparation. The grant will provide more than 75 scholarships over a five-year period. Dr. Zavaleta offered congratulations to the grant's principal investigators: Dr. Reynaldo Ramirez, Jr., Dr. Jerzy K. Mogiliski, Dr. Eli E. Peña, Dr. Phil Dukes, and Dr. Carmen Garcia Caceres.
- The Texas Higher Education Coordinating Board has approved a name change for the School of Education, which will now be the College of Education. The majority of universities in Texas and the United States have switched to "College of Education" to indicate that they are not only professional schools, but also research and doctorate-granting academic units of the universities. The Coordinating Board also approved name changes for several of the College of Education's departments to more accurately reflect the scope of study. The College is now composed of:
 1. The Department of Educational Psychology and Leadership Studies
 2. The Department of Language, Literacy, and Intercultural Studies
 3. The Department of Teaching, Learning, and Innovation
 4. The existing Department of Health and Human Performance

- The Brownsville Early College High School, in partnership with the Brownsville Independent School District, has received TEA's top rating of exemplary. Congratulations were given to Ronnie Rentfro, the principal and a UTB/TSC alumnus, and to faculty and students. Dr. Steven Rosales, Assistant Dean for Lifelong Learning, was also acknowledged.
- UTB/TSC has joined a national project involving several colleges and universities called Foundations of Excellence in the First College Year. The project is sponsored by the Policy Center on the First Year of College. Our campus will participate in a self-study focused on first-year student activities. The goal is to examine all aspects of the first year experience. The campus-wide effort will be led by project managers Ethel Cantu, Associate Vice President for Academic Affairs, and Dr. Vincent Solis, Associate Vice President for Student Affairs.
- UTB/TSC's first Homecoming Week will kick off with the dedication of the REK Center on Wednesday, October 14th, 2009.
- Karim Meijer has been appointed by Governor Rick Perry to a one-year term as Student Regent on The University of Texas System Board of Regents. Mr. Meijer will visit Brownsville on September 2, 2009.

15. Proposed Meeting Dates

Thursday, September 17, 2009

Friday, October 2, 2009

12:00 p.m.-8:00 p.m.

Board Retreat

Saturday, October 3, 2009

9:00 a.m.-2:00 p.m.

Board Retreat

Thursday, October 29, 2009

Thursday, November 19, 2009

Thursday, December 17, 2009

Adjournment

The meeting was adjourned by Chairman Oliveira at 7:30 p.m.

Mr. David G. Oliveira
Chairman, Board of Trustees

Dr. Roberto Robles
Secretary, Board of Trustees

Draft

NOTE: The tape of the Regular Board of Trustees meeting held on August 27, 2009 is on file at the District Office of the Texas Southmost College District. The master tape is on file at UTB/TSC Media Services. 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 KBSD in cooperation with the Brownsville Independent School District.



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Office of Planning and Construction / Partnership Affairs.	Board Meeting Date: September 30, 2009
Agenda Item: Consideration and possible action on approval of schematic design for the Oliveira Library renovation.	
Rationale/Background: The Firm of PBK Architects was hired on June 18, 2009 to perform architectural and design services for the renovation of the Oliveira Library. PBK has been working with the various campus committees to develop the schematic design for the proposed renovation. According to the organizational structure of the Bond Project the next step of the process is to present the schematic design to the Board for their approval. Schematic design for the Oliveira Library Renovations will be presented to the Bond Board Advisory Committee members on Monday September 28, 2009. In addition, PBK architects will present the renovation plans to the Board of Trustees at meeting on September 30, 2009.	
Recommended Action: A recommendation from the Board Bond Advisory Committee will be presented to the Board of Trustees on September 30, 2009.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain:	
Attachments (List): None	

FOR OFFICE USE ONLY:

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

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