

MINUTES OF THE CALLED MEETING
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT
November 6, 2002

The Called Meeting of the Board of Regents of the Del Mar College District opened in the Isensee Board Room, Harvin Center, Del Mar College East Campus, Baldwin and Ayers, Corpus Christi, Texas, at 12:10 p.m. on Wednesday, November 6, 2002, with the following present:

From the Board:

Mrs. Chris Adler, Mrs. Minnie Arriaga, Mrs. Olga Gonzales, Mr. Gabe Rivas, Mrs. Dorothy Spann, Mr. Guy Watts, and Ms. Beverly Winters.

From the College:

Mr. José Rivera, Interim Vice President for Instruction and Student Development; Ms. Ruth Cude for Mr. J. L. Alaniz, Vice President of Business and Finance; Ms. Claudia Jackson, Assistant to the President for Community Relations; Mrs. Vickie Natale, Dean of Administrative Services; Mr. Chuck Tines, Director of Purchasing; Mr. Willie Keller, Acting Director of Physical Facilities; Mr. Kelly White, Director of Environmental Health, Safety, and Risk Management; and Ms. Barbara Riley, Executive Administrative Assistant to Vice President of Business and Finance; and other administrators, faculty, and staff.

From the Attorney's Office:

Mr. Stephen Hilmy.

Others:

Mr. Bill Wilson, WKMC Architects, Inc., coordinating architect; representatives from Marshall Company, LTD; and other interested citizens.

Mrs. Olga Gonzales, President of the Board, presided and called the meeting to order. With a quorum present, she requested a moment of silence.

The meeting began with Public Comments and Mrs. Gonzales reminded everyone of the five minute time limit.

Mr. Jack Gordy, 4118 Bray, expressed his concern with the total amount spent on food and beverages by the Regents and College faculty and staff, and then commented on the incident with campaign signs on campus grounds.

No one else signed up or requested to address the Board.

Mr. Kelly White provided the Board with a short slide presentation of the damages to the West Campus caused by the recent tornado. He gave a brief summary of the damages to each area and explained the clean-up process currently being used to restore the areas.

Mr. Chuck Tines led off with the first item on the agenda related to the approval of the project architect for repairs to the West Campus facilities. Mr. Tines told the Board that, due to the damages

caused by the tornado and on the basis of an emergency status, it was the administration's recommendation that the College's current coordinating architect be approved as the project architect for the repairs on the West Campus.

Mr. Watts made a motion, seconded by Mrs. Adler, to approve the recommendation that the coordinating architect, WKMC Architects, Inc., serve as project architect for repairs to the West Campus facilities: Barth Learning Resources Center, Air Conditioning Building, Maintenance Building, Automotive Shop, and Diesel Shop on an emergency basis for damages caused by the recent storm.

Mr. Hilmy informed the Board that the fee would be on an hourly basis, similar to the current contract the College has with WKMC Architects, Inc.

Mrs. Spann made an amendment to the motion, accepted by Mr. Watts, that the contract be brought back to the Board for approval. Mrs. Gonzales stressed the need to begin repairs immediately, and Mrs. Spann withdrew her amendment, with Mr. Watts accepting her withdrawal. The motion carried by unanimous vote.

Mr. Tines then introduced Mr. Bill Wilson with WKMC Architects, Inc. Mr. Wilson explained that the construction manager-at-risk method would provide that the construction manager be on site to oversee the repairs, and would provide all services on a set fee basis, not a percentage of the cost of repairs. The construction manager would receive bids from subcontractors and submit their recommendation through the project architect, insurance adjuster, and College administration for approval. Mr. Wilson reported that four contractors, Fulton, Beecroft, Moorhouse, and Marshall were contacted in reference to submitting a proposal. Marshall Company was the only firm to submit a proposal. Fulton currently had too many jobs, Beecroft did not have the staff, and Moorhouse did not respond. A brief discussion followed on the repairs needed and the replacement of the portable buildings. Mr. Rivera and Mr. Harris explained the instructional need for the continued use of portables for the present time.

Mr. Hilmy clarified that in approving the construction manager-at-risk method, the Board would be deviating from the requirements of statute. He explained that the Board would have to determine that the delays posed by the damages would substantially impair the operation of the instructional process. In response to Mrs. Arriaga's request for confirmation to that effect to comply with the law, Mr. Tines, Mr. Keller, and Mr. Harris concurred.

Mrs. Adler made a motion, seconded by Mr. Watts, to approve using the construction manager-at-risk method for repairs to the West Campus facilities: Barth Learning Resources Center, Air Conditioning Building, Maintenance Building, Automotive Shop, and Diesel Shop on an emergency basis. The motion carried by unanimous vote.

Mr. Rivera then told the Board that administration recommended that Marshall Company be selected as the construction manager-at-risk to oversee the repairs on the West Campus.

Mrs. Adler made a motion that the Board determines that delays posed by customary purchasing methods would prevent or substantially impair the conduct of classes or

other essential school activities, and thus the Board approves selection of Marshall Company, LTD, as a construction manager-at-risk for repairs to West Campus facilities on an emergency basis (including the Barth Learning Resources Center, Air Conditioning Building, Maintenance Building, Diesel Shop, and Automotive Shop). Mr. Rivas seconded, and after a brief discussion on the fee proposal submitted by Marshall Company, LTD, the motion carried by unanimous vote.

Under Calendaring, the Board was reminded of the called meeting on Friday, November 8, 2002, beginning at 11:00 a.m. for canvassing of election returns. Swearing-in of newly elected Regents is scheduled for Tuesday, November 12, 2002, at the regular meeting of the Board.

With no further business, the meeting adjourned at 1:22 p.m.