

MINUTES OF THE CALLED MEETING
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT
June 17, 2003

The Called Meeting of the Board of Regents of the Del Mar College District opened in the Isensee Board Room, Harvin Student Center, Del Mar College East Campus, 101 Baldwin, Corpus Christi, Texas, at 6:05 p.m. on Tuesday, June 17, 2003, with the following present:

From the Board:

Mrs. Chris Adler, Dr. Haysam Dawod, Mrs. Olga Gonzales, Mr. Bill Martin;
Mr. Gabe Rivas, Mrs. Dorothy Spann, Mr. Guy Watts, and Ms. Beverly Winters.

From the College:

Dr. Gustavo Valadez Ortiz, President; Mr. José Alaniz, Vice President, Business and Finance; Mr. José Rivera, Interim Vice President of Learning and Academic Affairs and Vice President of Student Development and Community Learning; Ms. Claudia Jackson, Assistant to the President for Community Relations; Mr. John Johnson, Internal Auditor; Mrs. Vickie Natale, Dean of Administrative Services; Mr. David Andrus, Director of Institutional Research and Effectiveness, and staff; 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 and Mr. Dan Talley, WKMC Architects; Mr. Ray Torno, Project Architect for Venters Business Building; representatives from various architect and construction firms and associations; 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. Ms. Melody Lopez, a student at the College, commented that Dean Anne Matula was a racist and that the Board had been allowing racism at the College to continue by not taking action against Dean Matula.

Mr. Steve Hilmy interrupted and advised the Board president that decorum rules prohibited a speaker from using specific names in a derogatory manner. Mrs. Gonzales cautioned Ms. Lopez to refrain from using names in her comments.

Ms. Lopez then continued her personal attack on Dean Matula without specifying Dean Matula's name.

Dr. Anne Matula, dean of the Division of Business and Career Programs, addressed agenda item #2

related to RFQs for a construction manager. Dr. Matula informed the Board of several problems with the Venters Business Building, both during construction and after completion, and urged them to develop a quality control system for maximum accountability. Dr. Matula suggested that personnel in physical facilities, maintenance, and custodial be included in the process selected by the Board.

Mr. Bud Harris, dean of Business and Community Education, invited Regents to visit the West Campus to view the repairs that had been made since the tornado damage. Mr. Harris expressed his appreciation to all those who assisted in putting the campus back together. He also announced that the GED graduation was scheduled for Thursday, June 26th, at 7 p.m., with Mr. Ruben Bonilla as guest speaker.

The first item on the agenda was approval of the contract with Moorhouse Construction for construction manager-at-risk services for the Venters Business Building Exterior Envelope Upgrade. Mr. José Alaniz presented the contract and reported that procedures were in place to include the Buildings and Grounds Committee chairperson at all future meetings where these issues would be discussed. Mr. Ray Torno informed the Board that bi-weekly meetings would be held in which reports would be forwarded to the Board.

Mrs. Spann made a motion to approve the construction manager-at-risk services contract with Moorhouse Construction for the Venters Business Building Exterior Envelope Upgrade as presented, and that bi-weekly reports be submitted to the Board. Mr. Rivas seconded, and the motion carried by unanimous vote of those present.

In reference to the RFQs for construction manager, Dr. Valadez told the Board that three draft RFQs were provided for their consideration and that administration was recommending the first option, which was to hire a construction manager, but keep the coordinating architect as the coordinator of the bond program. He pointed out that the terms consulting architect and coordinating architect were the same. Mr. Alaniz provided the Board with a memo detailing the history of the College's use of the coordinating architect and construction management firm. Mr. Alaniz recommended that the College hire a construction management firm, but retain the services of the consulting architect for the overall bond program. He stated that, as such, the construction manager would report to the consulting architect, and his office and that of the President's would provide control through the Buildings and Grounds Committee. Mr. Alaniz advised that the Board begin the RFQ process for construction manager as soon as possible if that was to be their preference, and delineate the reporting process within the contract.

A lengthy discussion on the issue ensued. Mr. Martin reminded the Board that they had already approved the solicitation of RFQs for construction manager at their last meeting, and they just needed to clarify the statement of work and reporting lines. Discussion continued. Mrs. Adler expressed concern that the Board was only hearing from one firm and had not provided an opportunity for others to present their qualifications. Mr. Rivas pointed out that the Board had approved the solicitation of RFQs, but had to determine what the role of the current consulting architect would be within the process. Discussion again followed.

Mr. Rivas made a motion to approve RFQ #1—hiring a construction management firm, but keep the coordinating architect as the coordinator of the bond program, but with change in the language to read that the construction management firm will “assist” the coordinating architect. Mrs. Winters seconded the motion.

Discussion followed on the wording, and Mr. Hilmy reminded the Board on the possibility that WKMC Architects my wish to be considered as the construction manager. A lengthy discussion followed on the various RFQ options. Mrs. Spann then called the question.

The motion to approve RFQ option #1 failed with Gonzales, Martin, Rivas, and Winters voting in favor; Adler, Dawod, Spann, and Watts opposing; and none abstaining.

Dr. Dawod made a motion, seconded by Mrs. Adler, to approve RFQ option #2— hiring a construction management firm, keeping the coordinating architect, but making the construction management firm the coordinator of the bond program. Mr. Rivas called the question. The motion failed with Adler, Dawod, and Rivas voting in favor; Gonzales, Martin, Spann, Watts, and Winters opposing; and none abstaining.

Mrs. Spann made a motion that the coordinating architect be the authorized person in the bond projects, and that he be made project manager. Dr. Dawod advised that the issue was not on the agenda and, therefore, no motion could be made.

Mrs. Spann amended RFQ option #1 to read –Hiring the coordinating architect as the project manager. She then changed the wording to read --Keeping the coordinating architect as the coordinator of the bond program. Mrs. Winters seconded.

Mr. Hilmy clarified that Mrs. Spann’s motion would mean that the Board would not seek RFQs for construction management, but was intended to expand the duties of the current coordinating architect to include coordination of the bond program and construction management responsibilities, and to amend their contract to include that language. Mr. Hilmy advised that the motion should be a calendaring item to be acted upon at the next meeting. Mrs. Spann agreed and requested that it be included on the agenda as an action item at the next meeting. Mr. Hilmy informed the Board that with this action, administration would not begin the solicitation of RFQs for construction management.

The next item on the agenda was related to the bid documents for bank depository services, which had been discussed in the Finance Committee meeting preceding this meeting.

Ms. Winters made a motion, seconded by Mr. Rivas, to approve the bid documents for bank depository services as presented, and the motion carried by unanimous vote of those present. (Dawod was not present during the vote.)

The next item on the agenda was related to a resolution to assess educational site viability in the Del Mar College service area, which had been discussed in the Finance Committee meeting preceding this meeting.

Ms. Winters made a motion, seconded by Mr. Rivas, to approve the resolution to assess educational site viability in the Del Mar College service area as presented, and the motion carried by unanimous vote of those present. (Dawod and Watts were not present during the vote.) (This Resolution will be recorded as Document #03-9 in the document section of the Official Minutes Book of the Board.)

The next item on the agenda was related to offering classes in Sinton Learning Center, and a resolution to that effect. This issue had also been discussed in the Finance Committee meeting preceding this meeting.

Ms. Winters made a motion, seconded by Mrs. Spann, to approve the offering of classes in Sinton Learning Center, and the resolution, as presented. The motion carried by unanimous vote of those present. (Dawod and Watts were not present during the vote.) (This Resolution will be recorded as Document #03-10 in the document section of the Official Minutes Book of the Board.)

Mrs. Gonzales recessed the meeting at 7:25 p.m. in order to begin the Policy Review Committee meeting.

The Board reconvened at 7:46 p.m. (Mrs. Adler and Mr. Rivas did not return.)

The Board began where they left off, with agenda item #6 related to Board agenda development, which was discussed in the preceding Policy Review Committee meeting.

Dr. Dawod made a motion, seconded by Mr. Martin, to adopt the Board agenda development guidelines as presented and recommended by the Policy Review Committee, and the motion carried by unanimous vote of those present. (These Board agenda development guidelines will be recorded as Document #03-11 in the document section of the Official Minutes Book of the Board.)

The next item was related to the adoption of a Board bylaw defining the method for proposing and seconding requested agenda items.

Mr. Martin made a motion, seconded by Dr. Dawod who called the question, to adopt the Board bylaw defining the method for proposing and seconding requested agenda items as presented and recommended by the Policy Review Committee. The motion carried by unanimous vote of those present.

Mrs. Gonzales reported that the agenda item related to adoption of a method for requesting and receiving information had been tabled to time certain, July 1, 2003.

Under Calendaring, Dr. Dawod requested that Board committee meetings be scheduled after 4:00 p.m. to accommodate those Regents that have practices. The Finance Committee and Policy Review Committee meetings, which were scheduled earlier, were changed to begin at 4:00 p.m.

With no further business, the meeting adjourned at 7:51 p.m.