

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT
February 18, 2003

The Regular 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 1:10 p.m. on Tuesday, February 18, 2003, with the following present:

From the Board:

Mrs. Chris Adler, Mrs. Minnie Arriaga (arriving at 4:30 p.m.), Dr. Haysam Dawod, 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. J. L. 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; Ms. Theresa Cox, Executive Director of Equity and Human Resources; Mrs. Vickie Natale, Dean of Administrative Services; Ms. Chris Palacios, Coordinator of General Educational Development programs; Ms. Beverly Bonner, Director, High School Equivalency Program; 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, Inc.; Mr. Marvin Leary, Linebarger Goggan Blair & Sampson, LLP; and other interested citizens.

Mr. Gabe Rivas, vice president of the Board, presided and called the meeting to order. With a quorum present, he requested a moment of silence.

Ms. Claudia Jackson began the meeting with the recognition of several faculty and staff: Ms. Amy Tilton-Jones, PTK advisor, and the Gamma Sigma Chapter of Phi Theta Kappa, for receiving the Pinnacle Scholarship Award and a \$100 stipend for the club; Dr. Lee Sloan, Dr. David Arreguin, Ms. Patti Biro, and Dr. Rosie Garcia for their efforts toward continued funding by the Coastal Bend Health Education Center; and Mr. Fino Palacios and Mr. Steven Ondrejas, professors in Business Administration, for their efforts in obtaining a grant through the Department of Transportation.

Under Awards and Innovations, Mr. José Rivera announced that the programs of General Educational Development (GED) and High School Equivalency (HEP) would be presented at today's meeting as the Program of Excellence and Innovation. Mr. Bud Harris, dean of the Division of Workforce and Economic Development, provided a brief description of the programs and then introduced Ms. Chris Palacios, coordinator of GED, and Ms. Beverly Bonner, director of HEP. Ms. Palacios and Ms. Bonner gave a presentation on the programs, which included a review of the student profiles, eligibility, goals, program statistics, factors leading to successful performance, orientations, retention, and opportunities and challenges for the students. Mr. Rivera and Mr. Rivas presented plaques to Ms. Palacios and Ms. Bonner recognizing their efforts at the College.

Under Public Comments, Mr. Bill Kopecky expressed his concern with the ballot language for the bond election. He also stated his disapproval that the College was considering building a parking garage at taxpayers' expense.

Mr. Jack Gordy voiced his agreement with Mr. Kopecky on the ballot language issue. He also commented on food expenditures at the College.

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

Under Committee Reports, Mr. Gabe Rivas, chairperson of the Buildings and Grounds Committee, reported that the committee had met several times to discuss the bond issue, and the joint committee on naming the Central Kitchen-West Campus had met to consider names for the building and would be meeting again. Mr. Bill Martin, chairperson of the Audit Committee, reported that they had met and, after the presentation of the audit for fiscal year ending August 31, 2002, had agreed to recommend acceptance. Mr. Alaniz pointed out that an invoice for additional services by the external auditing firm would also be presented during the related action item on the agenda. Due to Mrs. Gonzales' absence, no report was given from the Policy Review Committee.

Regents Dawod, Martin, Rivas, and Watts provided brief summaries of their meetings at the ACCT convention they recently attended.

Under Staff Reports, Mr. José Alaniz provided a PowerPoint presentation on the actions administration had taken in response to the Governor's mandated reductions. He reviewed the specific budgetary reductions and the College's plan to address the shortfall.

After a lengthy discussion, Dr. Valadez briefly reviewed his campus and community activities for January 2003.

Approval of minutes was the first action item on the agenda.

Mr. Watts made a motion, seconded by Mr. Martin, to approve the minutes of the Buildings and Grounds Committee meeting. Mr. Hilmy interjected that because the minutes of the committee meetings would be posted on the College's website, the minutes should be approved by their respective committee. Mr. Watts withdrew his motion.

Mrs. Adler made a motion, seconded by Dr. Dawod, to approve the minutes of the Regular Meeting, January 21, 2003, and Called meeting, January 24, 2003, as presented, and the motion carried by unanimous vote.

The next item on the agenda was related to the presentation of construction and renovations on the East and West Campuses. Because of issues expressed in the preceding Buildings and Grounds Committee meeting, Mr. Hilmy pointed out that if the Board were to consider changing the bond election order, it would have to be an agenda item. As comments were being made on the issue, Mrs. Spann requested point of order because the Board had previously approved a \$108 million bond election. Mr. Bill Wilson, consulting architect, reviewed the issues in which the Board needed to give the firm direction. Mr. Watts requested that action be taken on each issue and further discussion followed.

Mr. Watts made a motion to delete the parking garage from the bond proposal.

The Board continued discussing the issues and Mr. Wilson pointed out that parking improvements, as opposed to a parking garage, was listed in the bond program.

Dr. Dawod made a motion to reject the idea of a parking structure, and any wording, be associated with the bond election, and to refer to the issue as parking improvements. Mr. Watts seconded, and the motion carried by unanimous vote.

Mr. Wilson informed the Board that a new Science Building would cost between \$5.3 million to \$10 million. Mr. Hilmy advised that there was not an action item on the agenda to change the election bond proposition, and lengthy discussion ensued on any action related to increasing the total amount of the bond proposition.

Mr. Watts made a motion to approve the renovations to the Garcia Health Science Building for the purpose of the Chemistry and Biology programs, and renovations to the St. Clair Science Building for non-science programs. Mr. Wilson pointed out that this issue was currently in the plans as stated. Mr. Watts then made a motion that the Board authorize the architect to renovate the Garcia Health Science Building to

accommodate both Biology and Chemistry programs, and to renovate the St. Clair Science Building for offices and classrooms. After brief discussion, Mrs. Adler seconded.

After further discussion, Dr. Dawod requested to amend the motion that the St. Clair Science Building be more science classrooms. Mr. Wilson pointed out that it is currently planned in that way. Mr. Watts suggested that Dr. Dawod make the motion, and withdrew his motion. Dr. Dawod made a motion that the Garcia Health Science Building be renovated for Biology and Chemistry classrooms, and the St. Clair Science Building to be renovated for a Science Classroom Building, to leave as is in the plans. Dr. Dawod was asked to repeat his motion because the original plans did not have the Science Building specifically designated for science classes. Dr. Dawod stated that his motion was to designate the building for science classrooms. After a brief discussion, Mr. Martin seconded, and after further discussion, the wording was modified to designate renovations to the Science Building to serve the needs of the Science Department, and others to general classrooms and offices. Dr. Dawod approved the modification to the motion and added that the Science Department has first priority for the space. The motion carried by unanimous vote.

The next issue was related to building an entryway at the Louisiana Parkway entrance to campus. Mr. Wilson pointed out that by deleting the parking structure, those monies would be available to use for an entryway.

Mrs. Spann made a motion to address the Louisiana bottleneck traffic congestion and general constant problems using the \$6 million budgeted for parking. Mrs. Winters seconded, and the motion carried by unanimous vote.

The last issue to decide upon was related to identifying specific renovations.

Mr. Watts made a motion to include in the bond package renovations to the reception room and to correct the problems in the rehearsal hall in the Music Building. Mrs. Winters seconded, and the motion carried with Adler, Dawod, Rivas, Watts, and Winters voting in favor; Martin and Spann voting against.

Mr. Alaniz reported that the audit report for the fiscal year ending August 31, 2002, had been submitted to the Board, and recommended that the Board accept it as presented.

Mr. Martin made a motion, seconded by Mrs. Spann, to approve the audit report for fiscal year ending August 31, 2002. The motion carried by unanimous vote.

Mr. Alaniz then reviewed an invoice submitted by Fields, Nemece and Company for additional services related to the audit.

Mr. Martin made a motion, seconded by Dr. Dawod, to approve payment of the invoice for additional services performed by Fields, Nemece and Company for the fiscal year 2002 audit. The motion carried by unanimous vote.

The next item on the agenda was related to an amendment to the Bylaws regarding charges for Board committees. Mr. Rivas stated that the charges had been approved by the Policy Review Committee.

Mrs. Spann made a motion to accept the amendment to the Board Bylaws, section III-A regarding charges for the Board of Regents' committees, as presented. Dr. Dawod seconded, and the motion carried with Adler, Dawod, Martin, Rivas, Spann, and Winters voting in favor; Watts abstaining. (This amendment to the Bylaws will be recorded as Document #03-4 in the document section of the Official Minutes Book of the Board.)

Mr. Rivas moved on to the next item on the agenda related to posting of Board committee meeting minutes on the College's website.

Mrs. Winters made a motion to post the minutes of Board committee minutes to the Del Mar College website. Mrs. Adler seconded, and the motion carried by unanimous vote.

Related to the next item for approval, revisions to Board policies, Mrs. Adler made a motion, seconded by Ms. Winters, to approve the revisions to Board Policy B4.27, Purchasing; and Board Policy B4.28 Advertising for Bids or Proposals, or Responses for Requests for Qualifications, as presented, and the motion carried by unanimous vote. (These revisions to Board Policy will be recorded as Document #03-5 in the document section of the Official Minutes Book of the Board.)

Mr. Rivas reported that action related to naming of the Central Kitchen building on the West Campus would be deferred.

Mr. Alaniz reported that the Election Services Agreement between the College, City of Corpus Christi, and Nueces County Clerk had been revised to reflect changes the board had requested, and all parties had signed the final agreement. He also told the Board that the Order Calling for Bond Election had been revised to include City Hall as one of the early voting sites. The Board specifically requested that the proposition be a separate ballot from the City's.

Mrs. Spann made a motion to amend the Order Calling Bond Election for the April 5, 2003, Del Mar College District Bond election, to add a permanent branch early voting location as follows: City Hall Lobby, 1201 Leopard, Corpus Christi, Texas. The President of the College and the President of the Board of Regents of Del Mar Collgee District are hereby authorized to revise the Order Calling Bond Election in accordance with such amendment, and to take such other action as is appropriate and necessary to effectuate this change for conduct of the bond election; and add that the Board ratify the Election Services Agreement between Del Mar College, City of Corpus Christi, and the Nueces County Clerk. Mrs. Adler seconded, and the motion carried with Adler, Dawod, Martin, Rivas, Spann, and Winters voting in favor; Mr. Watts was not present during the vote. (This amendment to the Order will be recorded as Document #03-6 in the document section of the Official Minutes Book of the Board.)

The next item on the agenda was related to a refund of ad valorem taxes. Mr. Alaniz briefly explained the process.

Mrs. Spann made a motion, seconded by Ms. Winters, to approve the refund or overpayment and other adjustments to ad valorem taxes as presented. The motion carried by unanimous vote.

Mr. Marvin Leary reviewed the process in which delinquent tax property is sold and put back on the tax rolls. He presented a list of properties that had been sold and requested that the Board accept the offers made on those properties.

Mrs. Spann made a motion, seconded by Mr. Watts, to accept the offers on the delinquent tax properties as presented. The motion carried with Dawod, Martin, Spann, Watts, and Winters voting in favor; Adler and Rivas abstaining.

The Board briefly discussed Mrs. Spann's request to view the certified agenda for the closed session of the December 14, 2002, Audit Committee meeting. Mr. Hilmy advised the Board on the procedure to carry out the request.

Dr. Dawod made a motion, seconded by Mr. Martin, to approve Mrs. Spann's viewing of the certified agenda for the closed session of the December 14, 2002, Audit Committee meeting at the next Board meeting, and the motion carried by unanimous vote.

Mr. Alaniz then reviewed the financial statements for December 2002.

Ms. Winters made a motion, seconded by Mrs. Adler, to accept the financial statements for December 2002, and investments for January 2003, as presented, and the motion carried by unanimous vote.

Mr. Watts told the Board that he had requested the next item related to addressing the budgetary measures taken by administration in response to Governor Perry's letter be included on the agenda, and that he was satisfied with the presentation made by Mr. Alaniz earlier in the meeting. A brief discussion on those issues followed. No action was taken.

Mrs. Arriaga arrived at the meeting.

Mr. Rivas announced that the Board would enter into closed session on agenda item #17 in accordance with Sections 551.071 and 551.074 of the Government Code beginning at 4:30 p.m.

The Board ended closed session and reconvened at 4:58 p.m.

Mrs. Adler made a motion that, based on the Board's review of the record, to accept Ms. Ard's two-line apology to Mr. Riordan and the disciplinary letter of Dean Sloan as sufficient disciplinary measures and no other disciplinary letter shall be placed in Ms. Ard's file relating to this matter. Dr. Dawod seconded, and the motion carried with Adler, Arriaga, Dawod, Martin, Rivas, Watts, and Winters voting in favor; Spann opposing.

Mr. Rivas announced that the Board would enter into closed session in accordance with Sections 551.071 and 551.074 of the Government Code beginning at 5:00 p.m.

The Board ended closed session and reconvened at 5:25 p.m.

No action was taken on item #19 related to employment, evaluation, duties or discipline of public officers or employees; or item #20 related to Cause No. 02-05428-00-0-G, *Dorothy Spann vs Del Mar Board of Regents*, District Court, 319th Judicial District.

Under Calendaring, a meeting for the Joint Committee on Naming Central Kitchen Building was scheduled for Monday, February 24, 2003, at 4:30 p.m.

With no further business, the meeting adjourned at 5:26 p.m.

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