

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT
May 13, 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 3:42 p.m. on Tuesday, May 13, 2003, with the following present:

From the Board:

Mrs. Chris Adler, Mrs. Minnie Arriaga, Dr. Haysam Dawod, Mrs. Olga Gonzales, Mr. Bill Martin, Mr. Gabe Rivas, Mrs. Dorothy Spann, 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; Ms. Theresa Cox, Executive Director of Equity and Human Resources; Mrs. Vickie Natale, Dean of Administrative Services; Mrs. Linda Ard, Chairperson, Department of Human Services; Ms. Diane West, Director of Center for Early Learning; 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. Marvin Leary, firm of Linebarger, Blair, Peña & Simpson, LLP; Mr. Bill Wison, Coordinating Architect; Mr. Eusebio Garza, City of Corpus Christi; 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.

Ms. Claudia Jackson began the meeting with the recognition of several faculty and staff. She announced that because of the lateness of the meeting, several of those to be recognized had to leave, but would be invited back to next month's meeting. She reported that Dr. Lee Sloan, Dean of the Division of Occupational Education and Technology, had been notified that the Chemical Technology and Medical Technology programs had received favorable reports and were awarded accreditation until the year 2009; the Journalism program and Del Mar College Press Club hosted the Texas Intercollegiate Press Association Conference here they came back with 28 awards; the Corpus Christi Concert Ballet Board of Directors sent a letter of appreciation to Mr. Howard Karsh, Auditorium Supervisor, for his efforts in ensuring as successful Ailey II performance.

Under Awards and Innovations, Mr. José Rivera announced that the Center for Early Learning, under the direction of Ms. Diane West, would be presented at today's meeting as the Program of Excellence and Innovation. Dr. Lee Sloan provided a brief background of the Center and introduced Mrs. Linda Ard, chairperson of the Department of Human Services, and Ms. West. Ms. West presented a slide show that provided statistics on the children, students, and parents; accomplishments; partnerships with other agencies; and the financial support they receive. Dr. Sloan and Mrs. Gonzales presented Mrs. Ard and Ms. West with a plaque in appreciation for her leadership.

The meeting recessed at 4:05 p.m. to continue with the Buildings and Grounds Committee meeting and reconvened at 4:32 p.m. (Mr. Martin was not present at this time.)

Mrs. Gonzales announced that a quorum was present and opened the meeting for public comments.

Mr. John Crisp thanked the Board for their courage to vote in favor of an increase in tuition and fees.

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

Under Committee Reports, Ms. Beverly Winters, chairperson of the Finance Committee, reported that the Committee voted in favor of recommending a \$3 increase in tuition, a \$35 instructional fee, and to increase the out-of-district fee to \$25.

Mr. Gabe Rivas, chairperson of the Buildings and Grounds Committee, reported that the Committee had approved several items related to the bond projects and that he would make the recommendations under their respective agenda items later in the meeting.

Dr. Gustavo Valadez, president of the College, distributed and reviewed his campus and community activities for April 2003. He provided the Board with information on his efforts to offer classes in Sinton which is located in San Patricio County. After a brief discussion it was the consensus to include this issue on the agenda for a June 3rd called meeting of the Board.

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

Mr. Rivas made a motion, seconded by Mrs. Arriaga, to approve the minutes of the Regular Meeting, April 8, 2003, and Called Meeting, May 6, 2003, as presented, and the motion carried by unanimous vote of those present.

(Mr. Martin arrived at the meeting.) Mr. Rivas requested that the Board skip to agenda item #6 related to offers for foreclosed properties. Mr. Marvin Leary, delinquent tax attorney, explained that the representative from Flour Bluff ISD could not be present, but had made an offer on foreclosed property that was presented to the Board at the last meeting.

Mrs. Spann made a motion, seconded by Dr. Dawod, to accept Flour Bluff ISD's offer on the property known as .54 acres, lot 23, section 49, Flour Bluff and Encinal, as presented. After a brief discussion, the motion carried by unanimous vote.

Mr. Eusebio Garza, manager with the City of Corpus Christi, explained the City's need for the foreclosed properties in which the City had made an offer.

After a brief discussion, Mrs. Spann made a motion, seconded by Mr. Rivas, to approve the offer made by the City of Corpus Christi for the foreclosed properties: (1) .72 acres, Rankin tract and .34 acres, Kleberg Farm tract; (2) 4.58 acres, Lots 1 and 2, Section 6, Bohemian Colony; (3) Lot 27, Jasmin Addition; and (4) Lot 28, Jasmin Addition. The motion carried by unanimous vote.

Mrs. Gonzales returned to the beginning of the action items on the agenda. The next item for discussion was related to the FY 04 budget.

Ms. Winters made a motion to accept the recommendation by the Finance Committee to increase tuition \$3 per semester hour; increase out-of-district fee by \$15 per semester hour; and add a \$35 instructional fee. Mrs. Adler seconded, the question was called, and the motion carried with Adler, Arriaga, Dawod, Gonzales, Martin, Rivas, Spann, and Winters voting in favor; Watts opposing; and none abstaining.

Mr. Rivas reported that the Buildings and Grounds Committee had made recommendations related to priorities for projects, criteria for project architects, and a HUB policy.

Mr. Rivas made a motion to approve the consultant's recommendations for the Board: authorization is requested to proceed with consultant selection process for the following according to the above schedule.

- ! DMC Selected Single Project Consultants
 - < South Campus Development
 - < West Campus Central Plant
 - < Industrial Education Complex
- ! DMC Selected Campus-Wide Consultants
 - < Civil Engineering and Surveying
 - < Geotechnical Engineering Investigations
 - < Educational Technology Design
 - < Data and Telecommunications Design
 - <

Mrs. Arriaga seconded, the question was called, and the motion carried by unanimous vote.

Mr. Rivas reported that, although no action was taken during the Buildings and Grounds Committee meeting on agenda item #5 related to an analysis of parking needs, studies, consulting architects, students, Regents, citizens, and administrators, Dr. Valadez would present a committee report and recommendations at a later date.

Related to the Oversight Committee for the bond projects, Mrs. Alder reported that guidelines were being prepared. No action was taken.

Agenda item #4 was inadvertently skipped. Mr. Rivas told the Board that the Buildings and Grounds Committee had made a recommendation regarding this item.

Mr. Rivas then made a motion to approve Mr. Jack Solka's proposal for the construction manager-at-risk method for the Venters Business Building mold abatement project. Mrs. Arriaga seconded, and the question was called. The motion carried by unanimous vote of those present. (Ms. Winters was not present during the vote.)

Mr. Watts announced that he was withdrawing agenda item #11 because ACCT would be holding a session June 25th on the issue.

Back to agenda items #9 and #10, Mr. Watts provided a brief history of class organizations and the Hall of Fame at Del Mar College, and expressed his concern with the process being used by the College in selecting these individuals. Discussion followed, and Mrs. Arriaga suggested the issues be presented at a meeting of the Student and Academic Issues Committee. (Mr. Watts left the meeting.)

Mrs. Spann expressed her concern with administration's handling of requests for information made by Board members. She distributed information related to the issue, and commented on several of her requests. The Board also discussed the issue of placing items on the agenda. Mrs. Spann read a letter from former Regent, and past Board president, Mary Helen Dunnam, regarding Board requests. Mrs. Spann asked that the Board adopt the same as a method to provide easier access to requested information.

Mrs. Spann then made a motion to adopt the six points in Mrs. Dunnam's letter as a method of acquiring information. Mrs. Arriaga seconded. After a brief discussion, Mrs. Spann changed her motion to refer consideration of the six points to the Policy Review Committee. Mrs. Arriaga seconded, and the question was called. The motion carried by unanimous vote of those present. (Mrs. Adler and Ms. Winters were not present during the vote.)

Mrs. Spann provided the Board with information related to televising Board meetings. She reported that she knew of an individual who would consider raising the funds to cover the cost if needed. Mr.

Bud Harris, Dean of Workforce and Community Education, reviewed the process involved if the televised meetings were provided by the College's distance learning program.

After a brief discussion, Dr. Dawod made a motion to find out if the Board supports the idea of televising the Board meetings. Mrs. Arriaga seconded. Mr. Rivas amended the motion to read that no College funds would be used to pay the expense.

Dr. Dawod clarified that his motion was to decide whether the Board should pursue the issue to find out if there was enough support from the Board to televise Board meetings. The motion carried with Arriaga, Dawod, Gonzales, Martin, Rivas, and Spann voting in favor; Adler opposing; and none abstaining. (Ms. Winters was not present during the vote.)

The next item on the agenda was related to the Aramark food services contract. Mrs. Spann commented on her request for the documents related to the contract. Mr. Alaniz reviewed a five year analysis of the budget. Mrs. Arriaga expressed her concern that the contract was not brought to the Board each year for review, and Mr. Alaniz pointed out that contracts are reviewed by the College's legal counsel. Dr. Dawod stated that those contracts which are associated with income and expense should be brought to the Board's attention when the possibility exists that the College may be losing money.

Dr. Dawod asked that the Board table the issue until further information is provided to the Board for review, to table to a time certain. Mrs. Spann asked that the issue be reviewed at the July meeting, and Mrs. Arriaga asked that the bookstore contract also be reviewed at that time.

Mr. Leo Rodriguez, supervisor of Aramark, the College's food service provider, reviewed some of the activities that are held for the students during the year. Board members assured Mr. Rodriguez that they were not questioning the quality of service provided. Mrs. Spann requested a copy of the accounting and any costs associated with Aramark, and Mrs. Gonzales asked that it be provided before the July meeting.

Mr. Alaniz then reviewed the financial statements for March 2003.

Mrs. Adler made a motion, seconded by Dr. Dawod, to accept the financial statements for March 2003 as presented, the question was called, and the motion carried by unanimous vote of those present. (Ms. Winters was not present during the vote.)

Mrs. Alder made a motion, seconded by Mrs. Arriaga, to approve the Investments for April 2003 as presented, and the motion carried by unanimous vote of those present. (Ms. Winters was not present during the vote.)

No action was taken on agenda item #17, related to employment, evaluation, duties or discipline of public officers or employees; item #18, related to Cause No. 02-05428-00-0-G, *Dorothy Spann vs Del Mar Board of Regents*, District Court, 319th Judicial District; or item #19, related to consultation with and receiving advice from the College attorney related to pending or contemplated litigation, a settlement offer, or with respect to a matter in which the duty of the attorney for the College under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code.

There were no items calendared.

With no further business, the meeting adjourned at 6:26 p.m.