

## **MINUTES OF THE REGULAR MEETING**

### **OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT**

**October 14, 2003**

**The Regular Meeting of the Board of Regents of the Del Mar College District convened in the Atrium of the Venters Business Building, Del Mar College East Campus, Baldwin and Ayers, Corpus Christi, Texas, at 11:30 a.m. on Tuesday, October 14, 2003, with the following present:**

**From the Board:**

**Mrs. Minnie Arriaga (11:35), Dr. Haysam Dawod, Mrs. Olga Gonzales (11:37), Mr. Bill Martin (11:40), Mr. Gabe Rivas, and Mrs. Dorothy Spann.**

**From the College:**

**Ms. Claudia Jackson, Assistant to the President for Community Affairs; Mr. Willie Keller, Assistant Director of Physical Facilities; Mr. Mike Snyder, Superintendent, East Campus; Mr. August Alfonso, Chief Information Officer; Dr. Anne Matula, Dean of Business and Career Programs; Mr. Bill Lofton, Assistant Director of Safety; Ms. Vickie Natale (11:50), Dean of Administrative Services; Ms. Barbara Kimball, Assistant to the Vice President for Business Services; and other administrators, faculty, and staff.**

**Others:**

**Mr. Ray Torno, Project Architect for Venters Business Building Project; Mr. Burt Moorhouse, Construction Manager-at-Risk for Venters Business Building Project; Mr. Bill Wiggins, Mr. Gary Willard, and Mr. Mike Wiley, Moorhouse Construction.**

### **CALL TO ORDER/QUORUM CALL**

**Mr. Gabe Rivas, president of the Board, called the meeting to order and announced that a quorum was not present, but that a walk-through of the Venters Business Building would be conducted to view some of the work on the building.**

### **WALK-THROUGH OF VENTERS BUSINESS BUILDING**

**Mr. Ray Torno reviewed the problems with the building and the subsequent process used to correct the deficiencies. Dr. Anne Matula informed the Board of the steps the division took to ensure classes would not be interrupted. Mr. Burt Moorhouse then explained the construction process and repairs made, and led the group on a tour of the facilities, pointing out those repairs.**

### **QUORUM**

**Mr. Rivas announced that a quorum was now present (immediately before the walk-through began).**

### **RECESS**

**At the completion of the walk-through at approximately 12:10 p.m., Mr. Rivas announced that the meeting would recess and reconvene at 1:00 p.m.**

## RECONVENE

The Board reconvened at 1:05 p.m. in the Isensee Board Room, Harvin Student Center, Del Mar College East Campus, Baldwin and Ayers, Corpus Christi, Texas, 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, Mr. Guy Watts, and Ms. Beverly Winters.

### From the College:

Mr. Jose Alaniz, Acting President and Vice President, Business and Finance; Dr. Rosie Garcia, Interim Vice President of Learning and Academic Affairs; Mr. Jose Rivera, Vice President of Student Development and Community Learning; Ms. Claudia Jackson, Assistant to the President for Community Relations; Mr. John Johnson, Internal Auditor; Mr. Chuck Tines, Director of Purchasing, and staff; Ms. Vickie Natale, Dean of Administrative Services; Ms. Barbara Kimball, Assistant to the Vice President for Business Services; 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. Loyd Neal, HRH Insurance Co., Inc.; Mr. Bob Reim, risk management consultant; and other interested citizens.

## MOMENT OF SILENCE

Mr. Rivas explained that the Board had conducted a walk-through of the Venters Business Building earlier, and then requested a moment of silence.

## RECOGNITION

Ms. Claudia Jackson recognized several faculty and staff: Ms. Sandra Pair, executive secretary to the president, on her appointment to the Professional Growth Committee of the Texas Educational Support Staff Association; Mr. Henry Garcia, assistant dean of Financial Aid and Retention Services, and his staff, for their leadership in reducing the student loan default rate; Mr. Kim Frederick, associate professor of Drama, for his contributions to the City of Corpus Christi's successful bid as an All America City 2003; Mr. Ed Cohn, instructor of Business Administration, and Mr. Frank Pimentel, adjunct instructor for Business Administration, who authored an article published in the *Economic Pulse* newsletter; Mr. Abel Villarreal, associate professor of Occupational Therapy, for his leadership resulting in four former students receiving state-wide recognition; and Dr. Anne Matula, dean of Business and Career Planning, for her selection as a finalist for the newly-formed San Patricio seat on the Port of Corpus Christi Commission.

## AWARDS AND INNOVATIONS

Mr. Jose Alaniz recognized the Purchasing department, under the direction of Mr. Chuck Tines, as this month's Program of Excellence and Innovation. Mr. Tines provided a PowerPoint presentation outlining the purpose and organization of the department, statistics, and services provided. Mr. Jim Robertson, assistant director of Purchasing, gave a brief review of services and future plans. Mr. Rivas presented them with a certificate of appreciation for program excellence.

## PUBLIC COMMENTSC5 minutes

Mr. Mike Anzaldua, English department, commented on the need to have representation from APT, Faculty Council, and Council of Chairs on the Presidential Search Committee.

Mr. Richard Rodriguez, Student Government Association, reported that they had been reviewing the student grievance policy and invited the Board to attend their meetings.

Mr. Bob White, retired, and a student at Del Mar College, expressed his support for the Spanish Language Institute, and encouraged the College's continuation of the program.

Mr. Howard Karsh, Richardson Auditorium supervisor and taxpayer, addressed several issues related to the auditorium, including a proposed draft from WKMC and the alcohol request being presented by the Foundation at today's meeting.

Mr. John Crisp, English department and chair of Faculty Council, commented on the faculty's involvement in the last presidential search and the possibility that decisions are being made without their input. Mrs. Adler assured Mr. Crisp that, to her knowledge, no discussion had taken place outside of the Board meetings.

Mr. Bill Wilson informed the Board that he had only provided a preliminary draft for the auditorium, and that it is still in the review process and has not been finalized.

Mr. Rowland Andrade, member of several organizations, asked that the student organizations receive the same alcohol use privilege for their fundraisers if the Board approves the Foundation's request at today's meeting.

## COMMITTEE REPORTS -- None

## REGENTS=REPORTS AND COMMENTS

Mr. Guy Watts provided a brief report on the seminars he attended at the ACCT Annual Convention he recently attended.

## RENEWAL OF INSURANCE COVERAGES (#3)

Mr. Loyd Neal and Mr. Bob Reim reviewed the renewals for insurance coverage for the College and the final claim for the damages the College sustained during the 2002 storm.

Mr. Watts made a motion, seconded by Dr. Haysam Dawod, to approve the renewal of insurance coverage as presented, and the motion carried by unanimous vote.

## STAFF REPORTS

**Report on Service Contracts:** Mr. Alaniz gave a brief report on the service contracts the College has with various companies. Mr. Bill Martin asked that a list be provided on-line for vendor use for competitive shopping.

**Enrollment Report:** Dr. Rosie Garcia gave a lengthy presentation on enrollment, providing statistics and demographics, and reviewing faculty loads.

**Update on Program Reviews:** Dr. Garcia told the Board that a list of programs and their status was provided in their packets.

## DEL MAR COLLEGE FOUNDATION'S USE OF CAMPUS FACILITIES FOR A COME HOME TO DEL MAR@ SCHOLARSHIP FUNDRAISER, INCLUDING THE SALE OF ALCOHOLIC BEVERAGES AT BARBECUE EVENT (#4)

Mrs. Pat Townsend, executive director of the Office of Development, and Ms. Peggy Ahuja, member of the Foundation, presented a proposal to the Board to use College facilities for a fundraiser, which would benefit the College, and requested approval to serve alcohol at the event. The Foundation was asked to provide a certificate of insurance. Dr. Dawod asked that the Policy Committee draft a policy with strict guidelines for the serving and selling of alcoholic beverages on campus for the Board's review.

Dr. Dawod then made a motion to grant a special waiver of the Del Mar College alcohol policies for the specific event on April 2, 2004, sponsored by the Del Mar College Foundation called A Come Home to Del Mar Scholarship Fundraiser and Barbeque Event. The College President and DMC Foundation shall insure strict compliance with State law licensing and other requirements concerning the possession, consumption, and sale of alcoholic beverages at said event. Mrs. Chris Adler provided a second, and after a brief discussion, the motion carried with Adler, Arriaga, Dawod, Gonzales, Martin, Rivas, and Winters voting in favor; Spann and Watts voting against; and none abstaining.

## STAFF REPORTS (Continued)

**Update on Summer Spanish Language Institute:** Dr. Ann Lopez, dean of Arts and Sciences, provided an update on the program. Mr. Alaniz pointed out that the summer program cost the College about \$34,000, and that a fee increase needed to be implemented, and costs reduced.

## SELECTION OF PROJECT ARCHITECT FOR THE HEALTH SCIENCES CENTER (#8)

Mr. Bill Wilson reported that the evaluation team had reviewed proposals from 13 firms; 6 firms were interviewed. It was their recommendation to accept the proposal and award a contract to Richter Architects and Watkins Hamilton Ross Architects.

Dr. Dawod made a motion, seconded by Mrs. Spann, to accept the recommendation of the evaluation team to select the firms of Richter Architects and Watkins Hamilton Ross Architects as Project Architect for the Health Sciences Center, and the motion carried by unanimous vote.

## APPROVAL OF MINUTES (#1)

Mrs. Dorothy Spann made a motion, seconded by Mrs. Minnie Arriaga, to approve the

minutes of the Regular Meeting, September 9, 2003, and the Called Meeting(a) of September 16, 2003; and Called Meeting(b) of September 16, 2003; as presented, and the motion carried by unanimous vote of those present. (Mr. Watts was not present during the vote.)

**EAST CAMPUS PARKING, SPECIFICALLY PARKING GARAGE CONCERNS (#12); RECORDS RETENTION FOR AUDIO TAPES OF BOARD MEETINGS (#13); POLICY FOR CAMPAIGN SIGNS ON CAMPUS (#14); EFFECTS OF CHANGES IN TEXAS ELECTION LAWS ON REGENTS OF DEL MAR COLLEGE (#17)**

Mrs. Spann made a motion, seconded by Mrs. Arriaga, to table items #12, #13, #14, and #17, and the motion carried by unanimous vote.

**ANNOUNCEMENT OF APPOINTMENT OF REGENT CHRIS ADLER AS CHAIR OF PRESIDENTIAL SEARCH COMMITTEE (#2)**

Mr. Rivas announced that he had appointed Mrs. Adler as chairperson of the Presidential Search Committee.

**APPROVAL OF CONTRACT FOR BANK DEPOSITORY SERVICES (#5)**

Mrs. Spann made a motion, seconded by Dr. Dawod, to approve the contract with Frost Bank for bank depository services as presented, and the motion carried by unanimous vote.

**REPORT BY COORDINATING ARCHITECT ON THE BOND IMPROVEMENT PROGRAM, INCLUDING CURRENT STATUS AND UPCOMING ACTIVITIES (#7)**

Mr. Wilson provided an update on the bond program, and the Board requested a current schedule. Mr. Wilson reported that the website was progressing, and that he had prepared a preliminary draft of the RFQ for Richardson Auditorium, but no meetings had been held to discuss the project.

**APPROVAL OF CONTRACT FOR PROJECT ENGINEER FOR CENTRAL PLANT, EAST CAMPUS (#9)**

Mr. Wilson presented the Project Engineer's Contract for the Central Plant, East Campus.

Mrs. Spann made a motion, seconded by Mr. Martin, to approve the Project Engineer's Contract between the College District and Stridde, Callins & Associates, Inc., for the Central Plant, East Campus bond project as presented. After a brief discussion, Mrs. Spann called the question.

Mr. Rivas requested confirmation by legal counsel that the contract had been reviewed. Mr. Wilson then informed the Board that the total project was budgeted at \$2,700,000, with an estimated \$202,000 fee.

Mrs. Spann withdrew her call for the question. After requesting clarification on several contract items, Mrs. Spann called the question again. The motion carried by unanimous vote.

**APPROVAL OF CONTRACT FOR PROJECT ENGINEER FOR CENTRAL PLANT, WEST CAMPUS (#10)**

Mrs. Arriaga made a motion, seconded by Mrs. Olga Gonzales, to accept the Project Engineer's Contract between the College District and Carter & Burgess, Inc., for the Central Plant, West Campus bond project as presented.

Mr. Wilson pointed out that a \$15,000 travel allowance had been incorporated into the contract for Carter & Burgess, separate from the construction costs.

With no further discussion, the motion carried by unanimous vote.

**SELECTION OF ROOFING CONSULTANT (#11)**

Mr. Wilson reported that four firms had been interviewed and it was the evaluation team's recommendation to select Amtech Roofing Consultants, Inc., from Houston, for the roofing design reviewing and consulting; and Porcher, Inc. for the roofing site inspections.

Mrs. Gonzales made a motion to accept the recommendation to select Amtech Roofing Consultants, Inc., and Porcher, Inc., as roofing consultants as presented, and after an explanation of how the decision was made to select the two firms, the motion carried by unanimous vote.

**APPROVAL OF UNPAID LEAVE OF ABSENCE FOR MS. DOLORES MENDOZA (#15)**

Dr. Rosie Garcia reported that Ms. Dolores Mendoza, professor of Respiratory Therapy, had requested that she be granted an unpaid leave of absence for summer 2004.

Mrs. Adler made a motion, seconded by Mrs. Spann, to approve Ms. Dolores Mendoza's request for an unpaid leave of absence for summer 2004, and the motion carried by unanimous vote.

**LOCAL OVERSIGHT COMMITTEE FOR CAPITAL IMPROVEMENTS RESULTING FROM RECENTLY PASSED BOND ELECTION (#6)**

The Board briefly discussed the issue and how it related to good public relations, but because the bond improvement program would soon be on a website, and the Board meetings were televised, it was the consensus of the Board that no action be taken.

**BOARD SUPPORT OF REGENT GUY WATTS RUNNING FOR A POSITION ON BOARD OF DIRECTORS OF THE ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES (ACCT) (#16)**

Mr. Watts explained that regulations required that a letter be on file from the Board supporting his quest for a position on the ACCT Board.

After a few comments, Mrs. Spann made a motion, with a second by Dr. Dawod, that the Board support Guy Watts for the position he is seeking on the ACCT board.

Mrs. Gonzales expressed her concern that Mr. Watts was not participating with the current bond improvement program, and Mrs. Arriaga cautioned that Mr. Watts did not always speak for the Board, but expressed his own opinions.

The motion carried with Adler, Dawod, Martin, Rivas, Spann, Watts, and Winters voting in favor; Arriaga and Gonzales opposing; and none abstaining.

**ACCEPTANCE OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING AUGUST 31, 2003 (#18); ACCEPTANCE OF FINANCIAL STATEMENT FOR AUGUST 2003 (#19); AND ACCEPTANCE OF INVESTMENTS FOR SEPTEMBER 2003 (#20)**

Dr. Dawod made a motion, seconded by Mrs. Adler, to accept the Quarterly Investment

Report for the Quarter Ending August 31, 2003; financial statement for August 2003; and investments for September 2003 as presented, and the motion carried by unanimous vote.

**CLOSED SESSIONBPRESIDENTIAL SEARCH AND APPOINTMENT OF ADVISORY SEARCH COMMITTEE (#21); TERMS OF EMPLOYMENT OF MR. JOE L. ALANIZ AS ACTING PRESIDENT (#22); EMPLOYMENT, EVALUATION, DUTIES & DISCIPLINE OF PUBLIC OFFICERS OR EMPLOYEES (#23); CONSULTATION WITH AND RECEIVING ADVICE FROM COLLEGE ATTORNEY (#24)**

The Board entered closed session in accordance with Government Code, Sections 551.071 and 551.074 beginning at 4:30 p.m. Mr. Watts left the meeting at 4:56 p.m., with Mr. Martin following at 5:02 p.m. The Board ended closed session and reconvened at 5:30 p.m.

Mrs. Adler announced that the advisory committee for the Presidential search would consist of: 9- Board members, 1- selected by Faculty Council, 1- selected by Council of Chairs, 1- selected by APT, 1- selected by Classified Committee, 1- representative from Arts & Sciences, 1- representative from Business, 1- representative from Occupational Education and Technology, 2- community representatives, and 2- students, 1 from East Campus and 1 from West Campus, for a total of 20. Mrs. Adler stated that those interested in representing the instructional areas must submit their names to the College President's office by noon, Friday, October 24, 2003, in order to be considered. The Board would select the 3 representatives from the names submitted.

No action was taken related to terms of Mr. Alaniz's employment as acting president.

**CALENDARING DATES (#25)**

A Presidential Search Committee was scheduled for Wednesday, October 29, 2003, at 12 noon; and a Policy Committee was scheduled for November 11, 2003, at 11:00 a.m. Mrs. Spann requested a report on the Chemical Technology program, and a report on the true effect of the 7% reductions.

With no further business, the meeting adjourned at 5:40 p.m.