

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT  
February 17, 2004

The Regular Meeting of the Board of Regents of the Del Mar College District convened in the Isensee Board Room, Harvin Student Center, Del Mar College East Campus, Baldwin and Ayers, Corpus Christi, Texas, at 1:17 p.m. on Tuesday, February 17, 2004, 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; Mrs. 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, Mr. Dan Talley, and Mr. Mario Alaniz, coordinating architect firm of WKMC Architects; Mr. Paul Chapa and Ms. Eva Galvan, with Linebarger Goggan Blair & Sampson; Mr. Kenneth Berry; and other interested citizens.

**CALL TO ORDER/QUORUM CALL/MOMENT OF SILENCE**

Mr. Gabe Rivas, president of the Board, called the meeting to order. With a quorum present, he requested a moment of silence and asked everyone to keep in their thoughts the faculty, staff, and students of Navarro College.

**RECOGNITION**

Ms. Claudia Jackson recognized several faculty and staff: Dr. Ann Lopez, dean of Division of Arts and Sciences, one of the recipients of the "Y Women in Careers" award; Mrs. Pat Townsend, director of Development and executive director of the Foundation, for serving as the chair of the Community Planning Council of the 2004 United Way; Ms. Yvonne Rodriguez, Music Department, and Ms. Terry Garza, and Ms. Irma Lerma, Duplicating Office, for their leadership in the campus-wide Salvation Army Angel Tree Project; Dr. Donna Wofford, professor of Registered Nurse Education, for her leadership in the continued accreditation of the RN program; Dr. Andy Wen, chairperson of the Department of Music, for his leadership in receiving accreditation from the National Association of Schools and Music for two degree programs; Mr. Kelly White, director of Environmental Health, Safety, and Risk Management, for being named "Sailor of the Year" for the Naval Coastal Warfare Group; College Relations staff for their entry in the National Council for Marketing and Public Relations competition; and Ms. Carole Wilkinson and Mr. Jesse Garcia, co-chairs of the DMC bond election committee, who presented

the College with a check for the remaining funds in the account.

### **SPECIAL RECOGNITION**

Dr. Roel Carmona, professor of Reading, was presented a plaque for his completion of *An Oral History of Del Mar College*, in which he interviewed many people associated with the College through the years to provide a written history of the College.

### **PUBLIC COMMENTS—3 minutes**

Mr. Joe O'Brien, Corpus Christi Taxpayers' Association, reported that the petition drive to bring Proposition 13 to the voters had received an overwhelming response; requested that the Board include the issue as an agenda item; and commented on the implementation cost.

Mr. Ignacio Suris, Theatrical Professionals, expressed his support for Howard Karsh and commented on his good working relationship with Mr. Karsh.

Mr. Richard Rodriguez, SGA Grievance Committee chairperson, informed the Board that many students were unaware that the Student Grievance Policy was being reviewed, and announced that a meeting of the SGA was scheduled for Wednesday at 2:30 p.m. He invited all those interested to attend.

Sonia Vasquez and Jodi Paulson, Del Mar College alumni, and members of Leadership Corpus Christi, Class 32, introduced themselves and others that were present at today's meeting.

Mr. Rowland Andrade, expressed his appreciation to the Board for providing students an opportunity to be heard in the grievance policy process.

### **COMMITTEE REPORTS**

**Ad Hoc Committee**—Mrs. Dorothy Spann reported that the Committee had met on February 3, 2004, and departmental chairpersons made informative presentations and that a written report would be provided at the next meeting.

**Presidential Search Committee**—Mrs. Chris Adler reported that the search process was on schedule and candidates would be named shortly.

**Policy Review Committee**—Mrs. Olga Gonzales reported that it was the consensus of the Committee to approve the mission statement for the Richardson Auditorium, and recommended that the grievance policies be provided to the Board at the April 13, 2004, regular meeting.

### **REGENTS' REPORTS AND COMMENTS**

**Association of Community College Trustees/National Legislative Summit 2004**—Dr. Haysam Dawod, Mr. Rivas, and Mr. Guy Watts provided reports on the summit and reviewed some of the topics that were discussed.

### **STAFF REPORTS/COLLEGE PRESIDENT'S COMMENTS**

There were no staff reports or comments from the College president.

### **APPROVAL OF MINUTES (#1)**

Mrs. Spann made a motion, seconded by Mr. Bill Martin, to approve the minutes as presented for the Regular Meeting, January 13, 2004; Called Meeting, January 20, 2004; and Called Meeting January 27, 2004. The motion carried by unanimous vote.

Mrs. Olga Gonzales made a motion, seconded by Mrs. Spann, to approve the minutes of the Presidential Search Committee, January 15, 2004, and February 5,

2004. It was noted that on February 5, 2004, the Board went into closed session at 5:05 p.m. The motion carried by unanimous vote.

Dr. Haysam Dawod made a motion, seconded by Mrs. Minnie Arriaga, to approve the minutes of the Ad Hoc Committee, February 3, 2004, as presented, and the motion carried by unanimous vote.

**CLOSED SESSION—SETTLEMENT OF DELINQUENT TAX DISPUTE AND LAWSUIT STYLED CAUSE #03-1740c, NUECES COUNTY V. QUALITECH STEEL IRON CARBIDE CORPORATION, ET AL., 94<sup>TH</sup> JUDICIAL DISTRICT COURT, NUECES COUNTY, TEXAS (#13)**

...The Board entered into closed session in accordance with Government Code, Sections 551.071 551.072, and 551.074 beginning at 2:20 p.m. The Board ended closed session and reconvened at 3:30 p.m. No action was taken.

(Mrs. Adler left the meeting at 3:30 p.m.)

**MISSION STATEMENT FOR RICHARDSON AUDITORIUM (#2)**

Mrs. Spann made a motion, seconded by Ms. Beverly Winters, to adopt the recommendation by the Policy Committee to approve the mission statement for the Richardson Auditorium as presented, and to establish a Board policy for the operation of the Auditorium and to address the designation of an auxiliary budget for the income derived from the operation. The motion carried by unanimous vote of those present. (Mrs. Gonzales was not present during the vote.)

**REFUND OF OVERPAYMENTS AND OTHER ADJUSTMENTS TO AD VALOREM TAXES (#3)**

Mrs. Spann briefly explained the process for court-ordered tax refunds, and made a motion, seconded by Mrs. Minnie Arriaga, to approve the court-ordered tax refund to South Padre Drive LP in the amount of \$72,895.93 for the years 1998-2002, and the motion carried by unanimous vote of those present. (Mrs. Gonzales was not present during the vote.)

**VARIOUS METHODS OF AWARDED SALARY INCREASES (#9)**

Mrs. Spann made a motion to table this item until the March meeting to ensure that backup documentation that she had requested would be available for presentation to the Board.

**REQUEST FOR QUALIFICATIONS FOR LEGAL REPRESENTATION OR IN-HOUSE LEGAL COUNSEL FOR DEL MAR COLLEGE BY THE BOARD OF REGENTS (#4)**

Mr. Alaniz presented the RFQ for legal services. He explained that if the Board elected to consider in-house counsel, the process would require that a new position be budgeted, and the College would advertise to fill the position; outside counsel could be used as needed. The Board discussed salaries, duties, and supervision of the position. Mr. Alaniz clarified that legal counsel represents the Board, but in-house counsel would report to the College president and would handle routine matters, administrative policy and procedures. Mr. Rivas reminded the Board that they had previously voted to solicit RFQs for legal counsel, and that they needed to decide the direction they wanted to take, an RFQ or in-house counsel. Mrs. Spann commented on an article from Kathy Bond, with the Legislative Budget Board, related to funding in-house counsel, a secretary, office, and \$5,000 for equipment.

Mrs. Spann made a motion to solicit RFQs for in-house counsel, and to get a study of the costs.

Mr. Alaniz reminded the Board that an RFQ was not needed for in-house counsel. He informed them that he would provide the Board with a report on the associated costs for the position.

Mrs. Arriaga seconded the motion. After a brief discussion, the motion carried by unanimous vote of those present.

**REPORT BY COORDINATING ARCHITECT ON THE BOND IMPROVEMENTS PROGRAM, INCLUDING CURRENT STATUS AND UPCOMING EVENTS (#5)**

Mr. Bill Wilson provided a status report on the bond program:

**South Campus:** proceeding on schedule; architect is working on design development.

**Industrial Education Complex:** construction should begin this summer; details are being worked on; survey work is underway; geotechnical services are on today's agenda.

**Central Plant, West Campus:** issued draft program requirements to engineers; meeting with engineers and may bring drawings to the Board in April 2003.

(Ms. Winters left the meeting at 3:56 p.m.)

**Health Science Technology:** program requirements were issued before Christmas.

**Public Safety Facility:** developing program requirements and should be issued in the next 2-3 weeks; contract is in negotiations.

**Richardson Auditorium:** draft program requirements are in progress; project architect should be selected in May; RFQ in progress.

**East Campus Master Planning:** have been meeting with Ad Hoc Committee; getting information on building use, enrollment.

Mr. Wilson reported that he had been meeting with contractors and will bring his recommendation for the process to the Board for approval. He stated that most of the projects would be by competitive sealed proposals.

(Mrs. Winters left the meeting at 3:56 p.m.)

**APPROVAL OF CONTRACT WITH ROCK ENGINEERING AND TESTING FOR GEOTECHNICAL ENGINEERING SERVICES FOR THE WEST CAMPUS INDUSTRIAL EDUCATION COMPLEX AND SOUTH CAMPUS PROJECT (#6)**

Mr. Wilson reminded the Board that they had previously approved the selection of Rock Engineering for geotechnical engineering services for the Industrial Education Complex in the amount of \$10,300, and South Campus in the amount of \$2,800. The contract was being submitted for approval.

Mr. Martin made a motion, seconded by Dr. Dawod, to approve the contract with Rock Engineering and Testing for geotechnical engineering services for the West Campus Industrial Education Complex and South Campus projects as presented. The motion carried by unanimous vote of those present.

**MODIFYING AUTHORIZED CONSTRUCTION BUDGET FOR THE INDUSTRIAL EDUCATION COMPLEX WEST CAMPUS (#8)**

Mr. Wilson recommended increasing the project budget of \$7,180,000 by \$520,000: \$210,000 for additional 140 parking spaces; \$310,000 for other site improvements, including fencing

After a brief discussion, Mrs. Gonzales made a motion, seconded by Mr. Martin,

to approve the modification to the construction budget for the Industrial Education Complex, West Campus, by \$520,000 as recommended. The motion carried by unanimous vote of those present.

**ACCEPTANCE OF FINANCIAL STATEMENT FOR DECEMBER 2003 (#10); and  
ACCEPTANCE OF INVESTMENTS FOR JANUARY 2004 (#11)**

Mrs. Spann made a motion, seconded by Mrs. Arriaga, to accept the financial statement for December 2003 and the investments for January 2004 as presented, and the motion carried by unanimous vote of those present.

**CALENDARING DATES (#16)**

Called meeting on February 24, 2004, 12 noon

Regular meeting on March 9, 2004

Buildings and Grounds Committee meeting, March 9, 2004, at 11:30 a.m.

**CLOSED SESSION—PURCHASE OR VALUATION OF REAL PROPERTY (#12);  
EMPLOYMENT, EVALUATION, DUTIES AND DISCIPLINE OF PUBLIC OFFICERS  
OR EMPLOYEES (#14); CONSULTATION WITH AND RECEIVING ADVICE FROM  
THE COLLEGE ATTORNEY RELATED TO PENDING OR CONTEMPLATED  
LITIGATION, A SETTLEMENT OFFER (#15)**

The Board entered into closed session in accordance with Government Code, Sections 551.071, 551.072, and 551.074 beginning at 4:40 p.m. (Mrs. Arriaga left the meeting at 4:55 p.m.) The Board ended closed session and reconvened at 5:10 p.m. No action was taken.

**APPROVAL OF CONTRACT WITH AMTECH ROOFING CONSULTANTS FOR  
ROOFING DESIGN CONSULTING SERVICES FOR VARIOUS PROJECTS (#7)**

Mr. Wilson reviewed Amtech's contract as a design consultant for roofing projects and the associated fees. He pointed out that a separate contract would be submitted for approval for the field inspections at a later date.

Mrs. Spann made a motion to approve the contract with Amtech Roofing Consultants for roofing design consulting services for various projects as presented.

Mr. Steve Hilmy pointed out that a change in wording needed to be made on the second page addressing the last five percent to: "at completion of review of final warranty and closeout documents."

Mrs. Spann accepted the correction and Mrs. Gonzales provided a second to the motion. The motion carried by unanimous vote of those present. (Mr. Martin was not present during the vote.)

With no further business, the meeting adjourned at 5:17 p.m.