

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT
March 9, 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 1:10 p.m. on Tuesday, March 9, 2004, with the following present:

From the Board:

Mrs. Chris Adler, Mrs. Minnie Arriaga, Mrs. Olga Gonzales, Mr. Bill Martin, Mrs. Dorothy Spann, and Mr. Guy Watts.

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, coordinating architect firm of WKMC Architects; and other interested citizens.

CALL TO ORDER/QUORUM CALL/MOMENT OF SILENCE

Mrs. Olga Gonzales, vice president of the Board, presided in Mr. Gabe Rivas's absence, and called the meeting to order. With a quorum present, she requested a moment of silence.

RECOGNITION

Ms. Claudia Jackson recognized several faculty and staff: Mr. James Rutherford, technician in Physical Facilities Department, who received the Boy Scouts of America Silver Beaver Award for outstanding service to youth; Mr. Henry Garcia, assistant dean of Financial Aid and Retention Services, served on a panel before the Joint Interim Committee on Higher Education, addressing the need for financial resources in higher education; Mrs. Amy Tilton-Jones, instructor of Speech and sponsor of the Gamma Sigma Chapter of Phi Theta Kappa, for her leadership in the Del Mar chapter achieving the 2003 Pinnacle Chapter level of performance in the international scholarship award program; Dr. Elias Villarreal, elected president for the Texas Association for Chicanos in Higher Education; Ms. Maria Salinas, assistant instructor of ESOL, received a graduate fellowship from Texas Association of Chicanos in Higher Education.

PUBLIC COMMENTS—3 minutes

Mr. Jack Gordy, 4118 Bray, addressed the issue of College memberships into various organizations. Mr. Gordy pointed out several that he questioned, and expressed his appreciation to the College's acting president for his immediate response to his concerns.

COMMITTEE REPORTS

Buildings and Grounds Committee—Mrs. Gonzales reported that the Committee had met earlier that morning and heard a report from Mr. Bill Wilson, and approved recommendations to solicit RFQs for the Richardson Auditorium and work orders for Carter-Burgess. Recommendations would be made during the action items on today's agenda.

Presidential Search Committee—Mrs. Chris Adler reported that the Committee had chosen four finalists, and site visits were in progress.

REGENTS' REPORTS AND COMMENTS

There were no reports or comments.

STAFF REPORTS/COLLEGE PRESIDENT'S COMMENTS

Mr. Jose Alaniz informed the Board that he had provided each of them a report from the City of Corpus Christi on the Reinvestment Zones.

APPROVAL OF MINUTES (#1)

Mrs. Minnie Arriaga asked that the minutes of the Regular Meeting, February 17, 2004, under agenda item #4 in reference to the RFQ for legal representation, reflect that she had requested the statute, authority, or regulations that demanded that legal counsel report to the College president and not to the Board, as stated by Mr. Alaniz.

Mrs. Arriaga then made a motion, seconded by Mrs. Dorothy Spann, to approve the minutes for the Regular Meeting, February 17, 2004, with the correction; Called Meeting, February 24, 2004, and Called Meeting, March 1, 2004, as presented. The motion carried by unanimous vote of those present.

REVIEW OF INVESTMENT POLICY (#2)

Mr. Alaniz presented the Investment Policy and Strategy, Resolution for the adoption of the Investment Policy, proposed broker/dealer list, and the broker/dealer certification. He explained that, in accordance with the Public Funds Investment Act, the Board must review and approve the policy on an annual basis. Mr. Alaniz reported that minor changes were made in Section II.1, Designation of Investment Officers, whereby he and Ms. Minnie Hernandez would be designated as the investment officers of the College and would be required to attend training sessions annually; and a statement added under Section IV.1 for Broker/Dealers. Mr. Alaniz suggested that Ms. Linda Patterson, the College's financial advisor, provide investment training to the Board on-site, but that a commitment by the Board to attend would be necessary.

Mr. Bill Martin made a motion to approve the Investment Policy & Strategy with the changes presented. Mrs. Chris Adler seconded, and the motion carried by unanimous vote of those present.

Mr. Martin made a motion, seconded by Mrs. Adler, to accept the Resolution for the adoption of the Investment Policy, and the motion carried by unanimous vote of those present.

Mr. Martin made a motion, seconded by Mrs. Adler, to approve the authorized broker/dealer list as presented, and the motion carried by unanimous vote of those present.

REQUEST FOR QUALIFICATIONS FOR LEGAL REPRESENTATION OR IN-HOUSE LEGAL COUNSEL FOR DEL MAR COLLEGE BY THE BOARD OF REGENTS (#3)

Mr. Alaniz informed the Board that he was confused as to whether the Board wanted to advertise for in-house legal counsel, or that the College solicit RFQs for outside representation. He explained that in-house would entail a new budgeted position within the employee groups, would be advertised as all other positions, and could be budgeted for next fiscal year. Mr. Alaniz told the Board that they had the option to use both

processes—hiring in-house counsel and the Board could still engage in outside legal representation at any time. He emphasized that the Board could direct that in-house legal counsel report to the Board or administration. Mrs. Spann told the group that she thought the decision to use in-house legal counsel had already been made by the Board at the previous meeting, and that counsel would report to the Board. Mrs. Arriaga stressed the need for in-house counsel who “could do everything” and that the Board would seek outside counsel as needed. Mr. Martin informed the Board that legal counsel was needed to address the needs of the College, and to attend Board meetings and represent the Board. A lengthy discussion ensued. In response to the Board’s questions on salary, Mr. Alaniz stated that it could range from \$50,000/year for a beginning attorney, to \$150,000/year for an experienced attorney. He pointed out that he is looking at areas to provide office space, and told the Board that they needed to decide on whether they wanted to interview and hire the attorney themselves, or if the process would be as with all other employees; what they want legal counsel to do, i.e., 75% personnel, 15% business, and 10% representing the Board at meetings. Mrs. Arriaga stated that the Board would need to use two different attorneys on occasion, and that the in-house counsel would concentrate on College business. She pointed out that the Board would review the qualifications for in-house counsel and outside legal firms. Discussion continued on the differences between in-house and outside legal counsel.

Mrs. Adler made a motion to advertise for in-house legal counsel and to solicit RFQs for outside legal counsel. Mr. Martin seconded the motion.

A brief discussion ensued. Mrs. Arriaga requested that Mr. John Johnson, internal auditor, tell the Board how he reports to the Board and administration at the same time. Mrs. Spann pointed out that the Board would be doing the screening and selection for legal counsel. The RFQ and advertisement are to be published the coming weekend, and responses sent to the Board before the April 13th Board meeting.

The motion carried by unanimous vote of those present.

METHODS FOR PURCHASING MEMBERSHIPS (#4)

Mrs. Spann expressed her appreciation to administration for their action in reviewing membership concerns posed by Mr. Gordy. Mr. Alaniz then reviewed the list presented by Mr. Gordy and reported that he had received a refund from the Corpus Christi Chamber of Commerce. Discussion ensued on other options for membership into the various Chambers. No action was taken.

ACCEPTANCE OF FINANCIAL STATEMENT FOR JANUARY 2004 (#5)

Mr. Martin made a motion, seconded by Mrs. Arriaga, to accept the financial statement for January 2004 as presented, and the motion carried by unanimous vote of those present. (Mr. Watts was not present.)

ACCEPTANCE OF INVESTMENTS FOR FEBRUARY 2004 (#6)

Mrs. Adler made a motion, seconded by Mrs. Arriaga, to accept the investments for February 2004 as presented, and the motion carried by unanimous vote of those present. (Mr. Watts was not present.)

CALENDARING DATES (#11)

Auditorium meeting on April 2, 2004, 9:00 a.m.

Presidential Search Committee meeting on March 22, 2004, 5:00 p.m.

Called meeting on March 23, 2004, 12 noon

Buildings and Grounds Committee meeting on March 30, 2004, 12 noon

With no further business, the meeting adjourned at 2:49 p.m.