

May 27, 2022

BOARD OF REGENTS' CALLED MEETING

The **Called Meeting** of the Board of Regents of the Del Mar College District will convene at **9:30 a.m., Thursday, June 2, 2022,** at the Center for Economic Development, 3209 S. Staples, Room 106, Corpus Christi, Texas.

AGENDA

CALL TO ORDER
QUORUM CALL
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE

DMC VISION STATEMENT: Del Mar College will be the premier choice for life-changing educational opportunities, provided by responsive, innovative faculty and staff who empower students to improve local and global communities.

Del Mar College is streaming live audio and video from the official Board of Regents meetings on the College's website in real-time, with the exception of portions of the meeting considered as "closed session" by statute.

GENERAL PUBLIC COMMENTS (Non-Agenda Items) – 3-minute time limit

- Specific public comments will be allowed on agenda items prior to action by the Board.
- General Public Comments may be moved on the agenda at the discretion of the Board Chair and as an accommodation to those in attendance.
- Pursuant to the Texas Open Meetings Act, the College is limited in responding to public comments or inquiries as follows:
 - 1. Provide a statement of specific factual information in response to an inquiry.
 - 2. Recite existing policy in response to an inquiry.
 - 3. Propose placing the subject of the inquiry on the agenda for a subsequent meeting.

(Tex. Govt. Code Section 551.042)

ITEMS OF BUSINESS:

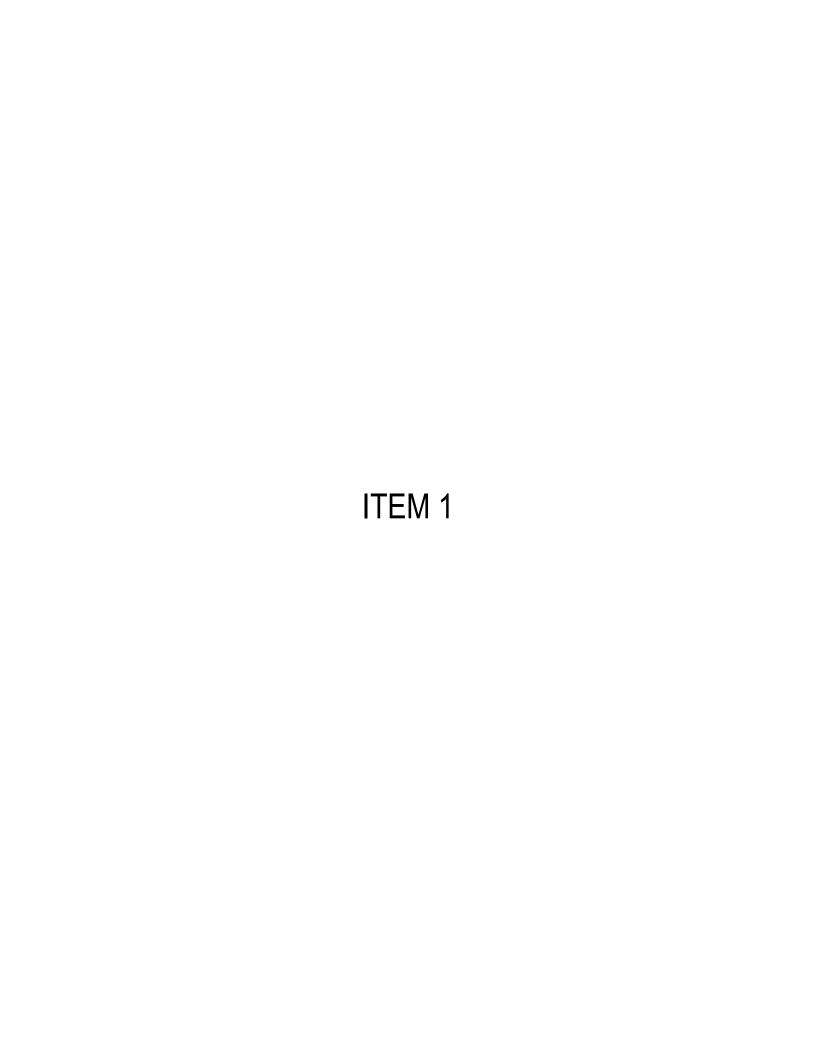
Public comments for this agenda item

- 2. CLOSED SESSION pursuant to:
 - A. <u>TEX. GOV'T CODE § 551.071</u>: (Consultation with legal counsel), regarding pending or contemplated litigation, or a settlement offer, and the seeking of legal advice from counsel, regarding Agenda Item No. 1 with possible discussion and action in open session.

CALENDAR: Discussion and possible action related to calendaring dates.

ADJOURNMENT

PUBLIC NOTICE is given that the Board may elect to go into executive session at any time during the meeting in order to discuss matters listed on the agenda, when authorized by the provisions of the Open Meetings Act, Chapter 551, of Texas Government Code.





OFFICE OF GENERAL COUNSEL

DATE:

May 26, 2022

TO:

Del Mar College Board of Regents

Dr. Mark Escamilla President and CEO

FROM:

Augustin Rivera, Jr.

General Counsel

Lenora Keas

Executive Vice President and Chief Operating Officer

RE:

Second Update on the Petition Submitted by "Robstown for Del Mar College" Pursuant to Texas Education Code § 130.065, Calling for an Election on Enlarging and Extending the Boundaries of the Del Mar College District to Include the Territory Comprising Robstown

Independent School District

SUMMARY:

On April 26, 2022, the College received a Petition signed by voters residing in the territory encompassed by the Robstown Independent School District, requesting that the Board call an election for the purpose of determining whether or not the territory should be annexed into the Del Mar College district.

On May 10, 2022, following the validation of signatures from a sufficient number of registered voters in the territory, the Board of Regents accepted the Petition, initiated the process under Tex. Educ. Code § 130.065, and directed staff to prepare a proposed Service Plan for approval and publication.

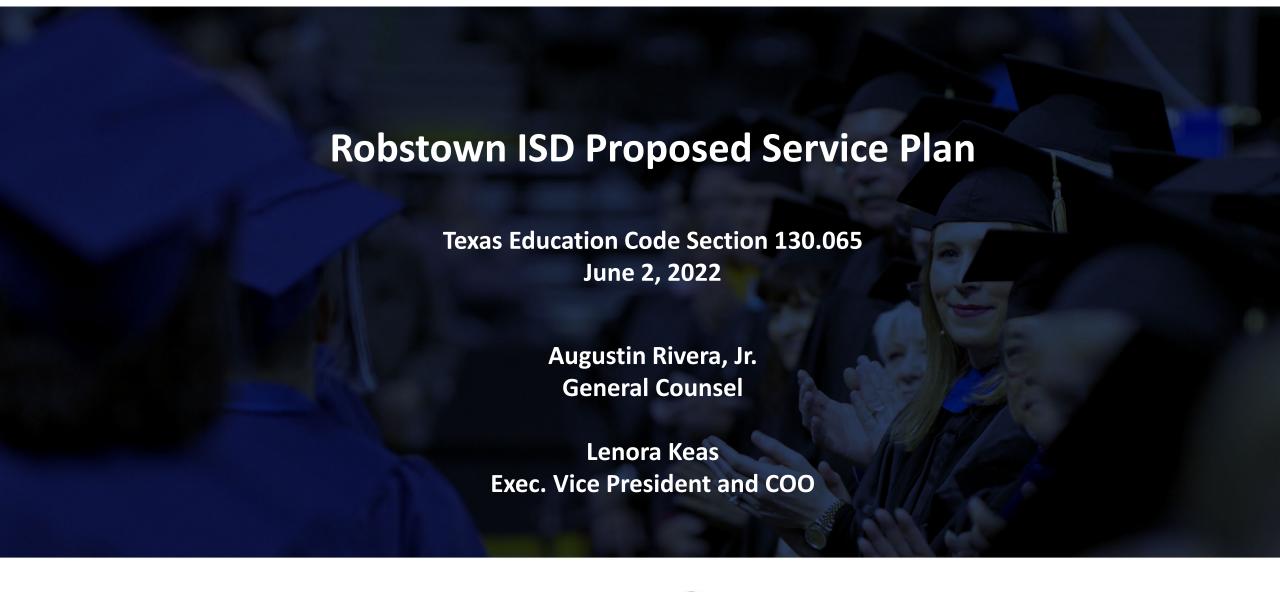
Staff has prepared a proposed Service Plan for the Board's consideration and is prepared to move forward with a public hearing as required by law.

STAFF RECOMMENDATION:

In accordance with § 130.065, Staff recommends that the Board approve the proposed Service Plan and direct that it be published. Staff further recommends that the Board schedule and hold a Public Hearing on the annexation question in a location within the Robstown Independent School District, on a date as prescribed by law.

LIST OF SUPPORTING DOCUMENTS:

- 1. Proposed Service Plan
- 2. Proposed Order

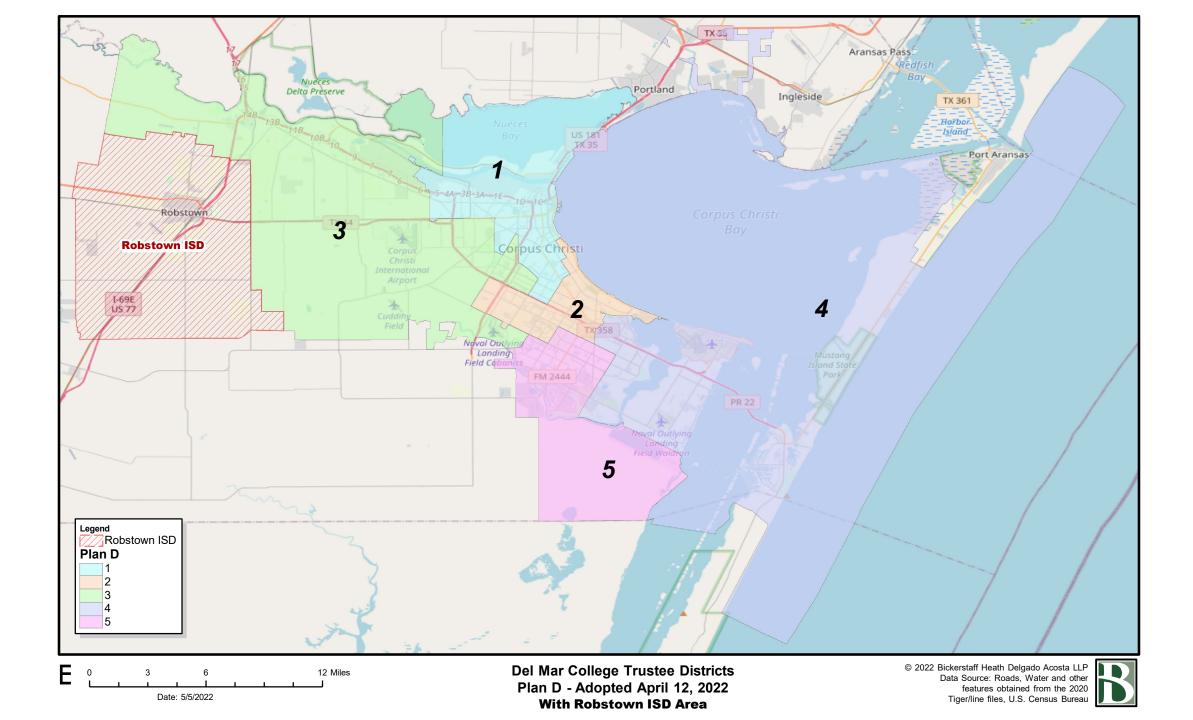




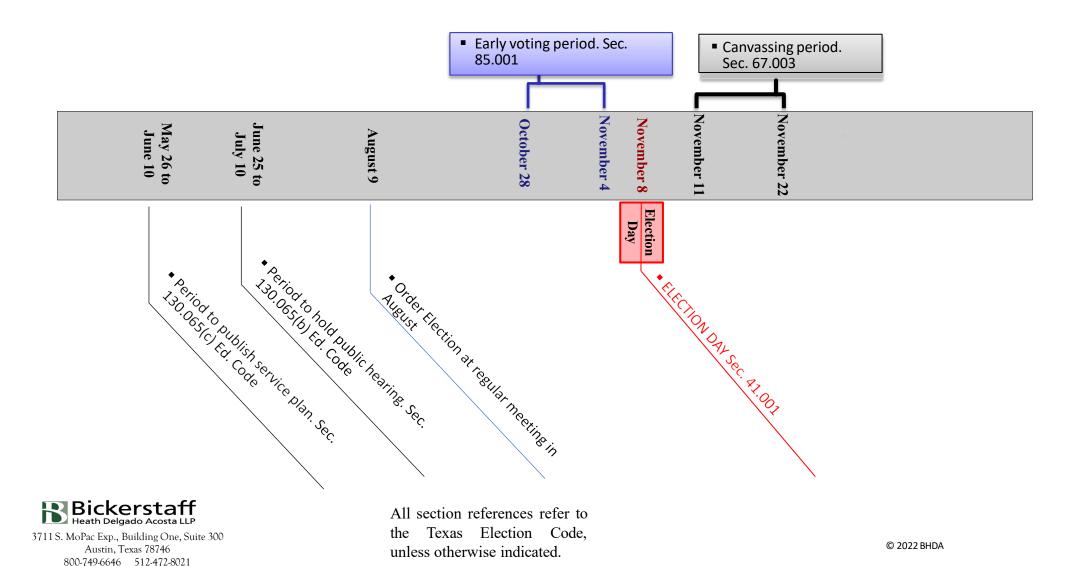
Background

- On April 26, 2022, DMC received petitions requesting an election on the question of the annexation of the territory encompassing Robstown ISD.
- Signatures were verified by DMC on May 9, 2022.
- On May 10, 2022, DMC BOR accepted petitions and directed staff to prepare proposed Service Plan and arrange for Public Hearing per Tex. Educ. Code Sec. 130.605.

- Staff is prepared to present a proposed Service Plan for BOR consideration.
- Today: DMC BOR may complete and approve Service Plan and direct publication of the plan.
- Next Step: Schedule and hold a Public Hearing.



Timeline for Special Annexation Election Process November 8, 2022



Elements of Proposed Service Plan (Tex. Educ. Code Sec. 130.065)

- (c) Not later than the 30th day before the date of a public hearing held under Subsection (b), the board shall *complete and publish a service plan* for the territory proposed for annexation. The service plan is *informational only* and must include:
 - (1) the maximum property tax rate that the board may adopt;
 - (2) the most recent property tax rate adopted by the board and any tax rate increase proposed or anticipated to occur after the annexation;
 - (3) the tuition rate that would apply after annexation for a student who resides in the district;
 - (4) the tuition and fees that would apply for a student that resides outside the district;

- (5) Plans for providing educational services in the territory, including proposed or contemplated campus and facility expansion in the territory;
- (6) Plans for cooperation with local workforce agencies; and
- (7) Any other elements consistent with this subchapter prescribed by rule of the Texas Higher Education Coordinating Board.

The Proposed Service Plan for Robstown ISD

- 1. The maximum tax rate allowed under the Texas Education Code is \$1.00 per \$100 assessed property valuation. Of this maximum tax rate, no more than \$0.50 can be dedicated to paying for debt service on facilities bonds.
- The Maintenance and Operation tax rate for 2021 is \$0.205296 per \$100 assessed property valuation.
- 3. The debt service rate for 2021 is \$0.078044 for a combined tax rate of per \$100 assessed property valuation of \$0.283340.

Tuition and Fees

- The in-district tuition and fees for the 2022-2023 academic year is \$107 per credit hour. In addition, the College charges a flat fee per term of \$85.00 for a total of \$192.00.
- The out of district tuition is \$157.00 per credit hour. In addition, the College charges a flat fee per term of \$85.00 for a total \$242.00.

Key Points of the Service Plan

- Expansion of local delivery of services and programs,
- Eligibility to vote in DMC Board of Regents elections;
- Access to DMC campuses, centers and amenities,
- Student support services including advising, admissions, academic counseling, career counseling, financial aid, and student life activities,
- Customized training, Skills for Small Businesses, Texas Workforce Commission Skills Development Fund, and employee training in support of business initiatives,
- Access to degrees and/or certificates in transfer and career pathways, and
- Access to programs such as English-as-a Second Language, Literacy and Adult Basic Education.



Overall Perspective

Projected Impact on Taxes Robstown Independent School District

- Gross Taxable Value \$637,165,082
 Net Taxable Value \$616,588,924
- Tax revenues at present total rate of .283340 = \$1,694,803
- To receive the same tax revenues as 2022 the overall tax rate of .283340 reduces to .277350
- Average taxable home value in RISD is \$59,038
- Tax impact at the present overall tax rate is an increase of \$167 annually or \$14.00 per month

Tuition and Fees

Semester Hours	District Resident	Out of District	Out of State/Foreign	Difference (District & Out of District)
3	\$406	\$556	\$667	\$150
6	\$727	\$1,027	\$1,249	\$300
9	\$1,048	\$1,498	\$1,831	\$450
12	\$1,369	\$1,969	\$2,413	\$600
15	\$1,690	\$2,440	\$2,995	\$750

Services to Robstown ISD

Unduplicated Enrollments	FY 2017-2018	FY 2018-2019	FY 2019-2020	FY 2020-2021	FY 2021-2022
Continuing Education	129	76	184	190	162
Early College / Dual Credit	76	71	259	234	182
Total	204	147	443	424	344

GRAND TOTAL = 1,562



Student Enrollment for Robstown ISD Five-Year Averages

 Five year average headcount for student enrollment is 360 from Zip Code 78380 and Robstown ISD.

Next Step - Public Hearing

(b) Before the governing board of the junior college district may order an annexation election, the board must hold a public hearing within the territory proposed for annexation. The hearing must be held not earlier than the 45th day and not later than the 30th day before the date the board issues the order for the election.

The public hearing is scheduled for Wednesday, June 29th at 6:00 pm at the Ortiz Elementary School, Cafetorium, 208 East Avenue H, Robstown, Texas.

Community members may access the hearing by going online to the video link at https://www.delmar.edu/webcast/

Today's Action Items:

 Approve and direct staff to publish a proposed Service Plan for Robstown ISD.

 Schedule a Public Hearing to take place within the territory proposed for annexation (RISD).

Questions?

Del Mar College District Service Plan for the Robstown Independent School District Tex. Education Code Sec. 130.065(c)

Del Mar College District (DMC) offers associate degrees and occupational certificates in hundreds of programs of study and serves as the regional leader in workforce training, university transfer, continuing education, and adult learning programs. The service area of the Del Mar College District includes the territory within: (1) the Independent School Districts of Corpus Christi, West Oso, Calallen, Tuloso-Midway, and Flour Bluff, and any area located outside of those school districts that is within the municipality of Corpus Christi; (2) official service areas include Nueces, San Patricio, Aransas, and Kenedy counties; and (3) the Riviera Independent School District. Complete information on DMC's programs, services and opportunities are available at www.delmar.edu.

Expansion of the Del Mar College District to include the territory within the Robstown Independent School District (RISD) would result in the following property tax rate, services, and programs for RISD residents.

- DMC's current maintenance and operation tax rate for tax year 2021 is \$0.205296 per \$100 assessed property valuation and its current tax rate for paying debt service on bonds for facilities is \$0.078044 per \$100 assessed property valuation.
 DMC's combined tax rate currently is \$0.283340 per \$100 assessed property valuation.
 - Based on the average RISD home value of about \$59,038 the average DMC tax bill for a homeowner would be about \$14 per month.
 - DMC has adopted a Homestead Exemption of \$5,000.
 - DMC has also adopted a Senior or Disabled Exemption of \$50,000 plus the \$5,000 regular Homestead Exemption, for a total Homestead Exemption for Seniors or Disabled persons of \$55,000.
 - DMC has also adopted that each disabled veteran is entitled to the mandatory exemption provided in Section 11.22 of the Code.
- According to the Texas Education Code, the Board of Regents of a community college district in Texas may impose a property tax of up to \$1.00 per \$100 assessed property valuation. Of this maximum tax rate, no more than \$0.50 can be dedicated to paying for debt service on facilities bonds.
 - However, pursuant to the Texas Tax Code, the College's District Board of Regents must vote every year on a resolution to levy a property tax for maintenance and operations. The College District's Board of Regents annual adoption of the resolution sets the maximum maintenance and operations tax rate, which cannot increase taxes collected by more than 8% from the prior year without voter approval.

- The voter-approval tax rate is the maximum rate that may be adopted by the College District's Board of Regents. A community college district seeking a maintenance and operations tax rate exceeding the voterapproval tax rate must conduct an election for voter approval.
- In-district tuition and fees for all RISD residents.
 - In-district DMC tuition and fees for the 2022 academic year is \$107 per credit hour. In addition, the college charges a flat fee per term of \$85.
 - Out-of-district DMC tuition and fees for the 2022 academic year is \$157 per credit hour. In addition, the college charges a flat fee per term of \$85.
 - Out-of-state DMC tuition and fees for the 2022 academic year is \$336 per credit hour. In addition, the college charges a flat fee per term of \$85.
 - DMC students from those portions of RISD that are not currently in the college district would pay \$556.00 in tuition and fees for a 3-credit hour course in the 2022 academic year, while in-district students will pay \$406.00 in tuition and fees for the same 3-credit hour course.
- Expansion of local delivery of services and programs.
- Eligibility to vote in DMC Board of Regents elections.
- Access to the DMC campuses, centers, and amenities.
- Student support services including advising, admissions and records, academic counseling, career counseling, financial aid, and student life activities.
- Customized training, Skills for Small Business and Texas Workforce Commission Skills Development Fund to assist businesses and organizations in their technical and non-technical employee training and enhance the talent and development of employees in support of business initiatives.
- Engage the Workforce Solutions of the Coastal Bend to provide increased access for students.
- Access to degrees and/or certificates in transfer and career pathways.
- Access to programs such as English-as-a Second Language (ESL), Literacy and Adult Basic Education to prepare individuals for entering college credit programs.
- Upskilling and reskilling programs of high value and in demand workforce education and training that can be completed in one year or less.

Public Hearing Notice:

RISD residents may learn more about and provide input to the proposed DMC Service Plan at a public hearing hosted by the DMC Board of Regents on Wednesday, June 29, 2022. The hearing will be conducted at Ortiz Elementary School, Cafetorium, 208 East Avenue H, Robstown, Texas, and is scheduled to begin at 6:00 p.m. Community members may also access the called public hearing by going to the online video link at https://www.delmar.edu/webcast/ five minutes before the hearing starts.

Questions about the DMC and RISD Service Plan may be directed to DMC's College Relations Department at (361) 698-1351.

ORDER OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT

Texas Education Code Section 130.065 (Approval of Proposed Service Plan and Scheduling of Public Hearing)

BE IT ORDERED, by the Board of Regents of the Del Mar College District that, in connection with the Petition submitted on April 26, 2022, requesting that the Board call an election for the purpose of determining whether or not the territory within the Robstown Independent School District should be annexed into the Del Mar College District, the Board hereby: 1. approves the Proposed Service Plan attached to this Order and further orders that it be published as required by law; and, 2. further orders that a Public Hearing on the requested action be conducted by the Board on Wednesday, June 29, 2022, at 6:00 p.m., at Ortiz Elementary School, Cafetorium, 208 East Avenue H, Robstown, Texas, and that proper publication and notice of the Public Hearing be given as required by law. The foregoing Order was duly offered by , seconded , and after discussion and an opportunity for public by comment, was adopted by the Board of Regents of the Del Mar College District at the meeting duly called and held in Corpus Christi, Texas, on June 2, 2022, at which members were present, by the following vote: For the proposal: Against the proposal: Present and not voting: Absent: ____ Carol A. Scott, Chair

Board of Regents
Del Mar College District

ATTEST:	
Libby Averyt, Secretary	

(Seal)