

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT**

August 10, 2021

The Regular Meeting of the Board of Regents of the Del Mar College District convened at the Isensee Board Room, Del Mar College, Corpus Christi, Texas at 11:00 a.m. on Tuesday, August 10, 2021, with the following present:

From the Board:

Ms. Carol Scott, Dr. Nicholas Adame, Ms. Libby Averyt, Mr. Ed Bennett, Mr. Rudy Garza, Ms. Susan Hutchinson, Mr. Bill Kelly, and Dr. Linda Villarreal.

Dr. Laurie Turner was not in attendance.

From the College:

Dr. Mark Escamilla, President and CEO; Mr. Raul Garcia, Vice President and CFO; Ms. Lenora Keas, Executive Vice President and COO; Dr. Jonda Halcomb, Vice President and Chief Academic Officer; Ms. Tammy McDonald, Vice President of Administration and Human Resources; Ms. Patricia Benavides-Dominguez, Interim Vice President for Student Affairs; Mr. Augustin Rivera, Jr., General Counsel; Mr. John Strybos, Vice President and Chief Physical Facilities Officer; Ms. Lorette Williams, Executive Director of Strategic Communication and Government Relations; Dr. Natalie Villarreal, Executive Director of Government & Board Relations; Ms. Mary McQueen, Executive Director of Development; Ms. Delia Perez, Executive Administrative Assistant to the President & Board Liaison, and other staff and faculty.

Due to ongoing health and safety concerns related to the Coronavirus Pandemic Crisis, this meeting was also offered by video and/or teleconference and in accordance with guidance from the Texas Governor's Office and the Texas Attorney General's Office. Provisions were made for the public to participate in this meeting with public comments via livestream and/or telephonically.

CALL TO ORDER QUORUM CALL

Ms. Scott called the meeting to order with a quorum present. She requested a moment of silence followed by the Pledge of Allegiance and Del Mar College Vision Statement.

AGENDA

GENERAL PUBLIC COMMENTS – The public was given the opportunity to provide public comments (both general and specific to any agenda item) by calling a toll-free phone line prior to the Board meeting and registering with their name and subject of public comment.

There were no public comments made for this meeting.

STAFF REPORTS:

- SACSCOC and QEP Update.....Dr. Kristina Wilson
(Goal 1: Completion)

President Escamilla introduced Dr. Wilson. Dr. Wilson provided information regarding the College’s Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) update on the decennial reaffirmation, Quality Enhancement Plan (QEP), and substantive change visit - BSN level change. Dr. Wilson reviewed the information and tasks that involved the compliance certification submitted in March 2020 which included 9,574 individual items, 588 pages of PDF narrative, and 6.5 GB of data, The Off-Site Committee feedback received in May 2020 which included only one required follow-up out of the 74 SACSCOC standards. In June 2021, the SACSCOC Board of Trustees voted to reaffirm Del Mar College in June 2021 with zero recommendations.

Chair Scott congratulated all of the faculty and administrators for their work on the SACSCOC Reaffirmation with zero recommendations. President Escamilla also provided congratulatory remarks and words of appreciation. Regent Hutchinson and Regent Garza provided words of congratulations as well.

Dr. Wilson provided an update on the College’s Quality Enhancement Plan (QEP) which included key components of reaffirmation; results in a stand-alone document; focusing on a student success issue facing the institution; and part of comprehensive planning and evaluation process (Strategic Plans). The QEP is called GPS - Goals + Planning = Success which includes Goal 1 Clarify Career Goals, Goal 2 Follow Consistent and Effective Advising Practices, Goal 3 Improve Student Engagement, Goal 4 Strengthen Transfer Pathways, and Goal 5 Utilize Innovative Technology. After speaking with faculty and students it was determined that the area needing most focus on was student academic advising. Dr. Wilson reviewed the progress milestones reached. Dr. Escamilla stated that the work is a culmination of years in the making to compliment the faculty advisors and assist the students.

Dr. Wilson reviewed the substantive change visit. In March of 2020, the College submitted a Substantive Change proposal to offer a Bachelor of Science in Nursing (BSN) degree and in September of 2020, SACSCOC awarded the College membership at Level II (baccalaureate degree awarding institution) and the College was approved to offer the Bachelor of Science in Nursing degree. The College will host a virtual visit which is scheduled for November 15-18, 2021 and will focus on the BSN program including student experience, teaching and learning, facilities and resources.

Dr. Wilson and Dr. Escamilla responded to questions from the Board of Regents.

- DMC Police Department Update.....Ms. Tammy McDonald
(Goal 4: Learning Environments)

Dr. Escamilla provided introductory remarks regarding the Del Mar College Police Department and introduced Ms. McDonald and Interim Chief of Police, Ms. Lauren White. Ms. McDonald provided a review regarding the timeline required for establishing a College Police Department.

The TCOLE representative visited the College Campus and on July 19, 2021, the College was assigned their law enforcement agency number. Also, on July 22, 2021, Ms. McDonald met with the TCOLE Regional Field Agent to review the next steps needed.

The Board recessed at 11:37 a.m. due to a fire alarm and reconvened at 11:41 a.m.

Ms. McDonald introduced Ms. Lauren White, Interim Chief, who reviewed the College’s Police Department timeline and next steps. Interim Chief White stated currently in progress for the upcoming months of September and October is to complete the process and finalize MOU’s with the City of Corpus Christi and Nueces County regarding MetroCom, overlapping jurisdiction and jail usage. Interim Chief White stated the College will apply to the Texas Department of Public Safety for assignment of crime records entry and access which could take up to three months and also working on an operational plans pertaining to the hours that will be worked by the officers. The College plans to begin officer recruitment in November and December of 2021 and hopes to have an active Police Department in January of 2022.

Interim Chief White responded to questions from the Board of Regents. Ms. McDonald thanked Dr. Escamilla and Mr. Rivera, General Counsel, for their input and support.

- FY 2022 Budget Update.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia provided a review from the July 27, 2021 Budget Workshop meeting for the Fiscal Year 2022 proposed operating budget which included a calendar, operating expense budget, operating revenue budget, and tax rate comparison.

Changes included the following: HEERF Minority Service Institution increase of \$990,000.00 which came from the U.S. Department of Education on August 3, 2021. The increases proposed include the equipment and salaries relative to the July 27, 2021 Budget Workshop presentation. The original proposed budget amount of \$110,924,159.00 did not change.

Mr. Garcia introduced Ms. Keas who reviewed the priorities and examples of the College’s Strategic Plan Initiatives and how they are embedded throughout the budget. Dr. Cathy West provided opening remarks to the Board and introduced Ms. Tammy McDonald who provided an update for the proposed increase regarding employee compensation. She stated that there were two recommendations regarding salary components including a base of \$52,000.00 for full-time faculty and presented a 4% exempt and non-exempt employee increase. Ms. McDonald introduced Ms. Jackie Landrum. Ms. Landrum provided review of the M&O

expense budget detail and stated the net change for the proposed salary changes is \$603,064.00. Ms. Landrum stated the total budget did not change. Total proposed employee compensation changes are \$3,364,929 which brings the total to \$83.6 million. The total changes to the expense budget of \$3,047,518 which brings the total for the proposed budget for Fiscal Year 2022 to \$110,924.159.00.

Ms. Landrum introduced Mr. John Johnson and Ms. Lenora Keas for a review of the Operating Budget. Ms. Keas began her presentation and stated the tuition and fees remain the same and the enrollment is budgeted at the annualized Fiscal Year 2019 levels. Ms. Keas stated last year's Spring enrollment was higher than Fall.

Dr. Escamilla commented about eight years ago there was a narrative going around in the US "the Spring is the new Fall for many commuter community college students" which is rare but has been the case more often than not over the last ten years for the College.

Ms. Keas introduced Mr. John Johnson who began his presentation and stated for tax assumptions, the M&O tax rate will remain the same, assumes a 3% market valuation growth, and \$300 million in new construction. Tuition and fees budget at the annualized 2019 Fiscal Year levels and student tuition and fees were not increased and at present the enrollment for 2021 Summer I and II are 9% higher than those reported in 2019. The State appropriations has an increase of \$879,636.00. At present, the College is proposing half a penny less than last year and the overall certified property tax value increased by 3.27%.

Mr. Johnson stated that revenues were adjusted including State Appropriations in the amount of \$879,636.00 and property taxes increased in the amount of \$2.1 million while maintaining the same M&O tax rate but reducing the overall tax rate. Mr. Johnson reviewed the College's tax rate history and the estimated debt service tax rate forecast.

Mr. Garcia continued the presentation and discussed the estimated debt service tax rate forecast and stated that the latest bond refunding savings was a total of half a million dollars. Mr. Garcia introduced Dr. West who provided revenue by source comparison information by source including state, local and tuition/fees. The three issues that vary by college are 1) size of the territory compared to taxing district; 2) demographics of student populations; and 3) strength of the economy and type of industries in the College's District and how is it meeting the local industry needs. Dr. West reviewed the different funding structures by Texas Community Colleges and Del Mar College was in line with the majority of funding from local taxes and tuition.

Mr. Garcia continued with the presentation and discussed M&O Rates Peer Group Comparison. Mr. Garcia stated that Del Mar College was compared to Blinn College and they depend on tuition and fees for 69% of the three major sources and Del Mar College is 27%. The stark difference in funding strategies appears to be driven by value proposition, strategic goals, and unique characteristics.

Mr. Garcia continued with his presentation and stated our value proposition has the highest 2022-2023 biennium state funding increase within the College's peer group valued at \$1.8

million or 5.34%. In the 2020 Texas Public Higher Education almanac, 67% of students enrolled in technical programs are employed after graduation and Del Mar College ranks third highest within its peer group. Mr. Garcia reviewed the combined tax rate peer group comparison which ranges from 0.05¢ for Blinn College to 0.39¢ for South Plains College. Del Mar College’s combined tax rate is 0.28¢.

Ms. Keas, Mr. Johnson, Mr. Garcia and Dr. Escamilla responded to questions from the Board of Regents.

At 12:52 p.m., the Chair announced that the Board was going into Closed Session pursuant to:

16. **CLOSED SESSION** pursuant to:

- A. **TEX. GOV'T CODE § 551.071:** (Consultation with Legal Counsel), regarding pending or contemplated litigation, or a settlement offer, with possible discussion and action in open session; and, the seeking of legal advice from counsel on pending legal or contemplated matters or claims, with possible discussion and action in open session; and,
- B. **TEX. GOV'T CODE § 551.074(a)(1):** (Personnel Matters), regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; including, with possible discussion and action in open session.

The Board reconvened in Open Session at 2:11 p.m. with no action taken.

STAFF RECOGNITION:

Staff recognition of Ms. Kiwana Denson was postponed.

STUDENT SUCCESS REPORT.....Dr. Jonda Halcomb

- OSHA 30 Safety Training
(Goal 3: *Academic Preparedness and Student Learning*)

Dr. Halcomb introduced Ms. Patricia Benavides-Dominguez who began her presentation discussing the student success report: OSHA Safety Training Course. Ms. Benavides-Dominguez provided background regarding the OSHA Safety Training Course and stated that Continuing Education developed the course because of industry needs. The course has had high enrollment interest and have had a 90% passing rate or better since 2018. Dr. Leonard Rivera and Dean Davis Merrell worked together in promoting this course.

COLLEGE PRESIDENT’S REPORT.....Dr. Mark Escamilla

- Return to Campus Planning
(Goal 4: *Learning Environments*)

Dr. Escamilla began his presentation stating he, the Executive Team and the Return-to-Campus Team are monitoring the local infection rates of the pandemic constantly and will adjust the College protocols accordingly. The local hospitalization rates are rising daily and hospitals are being stressed due to lack of personnel and other resources and the College is encouraging social distancing as well as facial coverings. Fall classes and their delivery methods are being adjusted to accommodate social distancing in the classroom. Dr. Escamilla noted this time last year, 60% of classes were online and currently, classes are now 50-50% online and face-to-face, which will pivot as necessary.

The College will likely remain in a Phase III environment through the Fall, facial coverings are strongly recommended and the College will also provide facial coverings. College events will be on a case by case evaluation and due to the current numbers, graduation will most likely still be virtual. This time last year, the College did not have half the knowledge or preparedness it does today and the community is encouraged to get vaccinations.

Chair Scott stated that the Board is encouraging vaccinations, people to wear facial coverings, and to socially distance. The best deterrent for the Delta variant of COVID-19 is a pro-active approach of getting the vaccination.

PENDING BUSINESS:

Status Report on Requested Information

(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Chair Scott reviewed the list of pending business.

CONSENT AGENDA

CONSENT MOTIONS:

(At this point the Board will vote on all motions not removed for individual consideration.)

ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

1. Approval of Minutes:
Workshop, June 8, 2021
Regular Board Meeting, June 8, 2021
Called Meeting, June 11, 2021
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)
2. Acceptance of Investments for June and July 2021
(Goal 6: Financial Effectiveness and Affordability)
3. Acceptance of Financials for June 2021
(Goal 6: Financial Effectiveness and Affordability)

Public comments for consent agenda items

Regent Kelly made a motion to approve the consent agenda items. Regent Hutchinson seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands, and the motion carried unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

REGULAR AGENDA

4. Discussion and possible action related to Internal Audit Follow-Up Reports, Consulting, IA FY 21 Plan Status, and FY 22 Risk Assessment.....Ms. Tammy McDonald
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Ms. McDonald provided opening remarks and stated the presentation is being presented virtually by Dan Graves and Brandon Tanous with Weaver. Mr. Tanous and Mr. Weaver presented the results of the internal audit follow-up procedures performed for the College during the period of February 15, 2021 through July 29, 2021 related to the findings from the Internal Audit Report over Student Services dated April 22, 2019. The objective of these follow-up procedures was to validate that adequate corrective action has been taken in order to remediate the remaining open issues identified in the 2019 Internal Audit Report over Student Services. To accomplish this objective, interviews were conducted of key personnel within the Student Engagement and Retention Department, reviewed supporting documentation and performed specific testing procedures to validate actions taken. Procedures were performed remotely and an exit meeting was conducted on July 29, 2021. The report summarized the findings identified, risks to the organization, recommendations for improvement and management’s responses. The risk assessment is planned to occur in August or September 2021. A 3-Year Internal Audit Plan will be presented at the conclusion of the risk assessment. The new structured and planned approach will be brought back to the Board.

Ms. McDonald, Dr. Escamilla, Mr. Graves and Mr. Tanous responded to questions from the Board of Regents.

Regent Bennett made a motion to approve the Weaver Internal Audit Board Status Report. Regent Garza seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands, and the motion carried unanimously, 8-0 amongst Regents Present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

5. Discussion and possible action regarding the College’s Quarterly Investment Report for the period ending May 31, 2021.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia introduced Ms. Linda Patterson with Patterson & Associates. Ms. Patterson presented her report which included information regarding the College's investments, performance and current economic conditions affecting the investments. Ms. Patterson included information regarding the stock market, international markets, and interest rates.

Ms. Patterson stated the yield rates were identical to last quarter and the economy has a solid recovery going as employment rates moves up. Consumers are returning to shop which pushes up inflation but shows confidence. The Gross Domestic Product is up 6.5% in the second quarter reflecting an upward trend and this strong recovery. The Federal Reserve opted to leave policy unchanged this month. Ms. Patterson reviewed the College's portfolio and stated the 2018 Series and 2020 Series Bonds are being spent down and those portions are smaller. The Book Value of the Pooled Funds has gone up to \$125.3 million with the Market Value of \$125.4 million.

Regent Garza made a motion to adopt the College's Quarterly Investment Report. Regent Hutchinson seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

- 6. Discussion and possible action related to a Resolution Adopting Investment Policy and Investment Strategy.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia stated that per the Board's Policy B4.6.25, the annual review is required to recommend any changes. Mr. Garcia introduced Ms. Linda Patterson. Ms. Patterson stated there were no changes in Legislation this year regarding the Public Funds Investment Act and the College is in compliance for the portfolio management and is not suggested any changes to the investment policy this year.

Regent Kelly made a motion to approve the Resolution adopting Investment Policy and Strategy with no changes. Regent Averyt seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

- 7. Discussion and possible action related to a Resolution adopting the authorized Broker/Dealer list.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia stated that the annual review is required by Texas Statute 10, Chapter 2256.025 and Public Investment Act and in accordance with Board Policy B4.6.25. Mr. Garcia stated that the College is required to revise or adapt a list of qualified brokers authorized to engage in investment activities on an annual basis. Ms. Patterson stated they were providing the list of brokers as required by statute. A list of Brokers was provided to the Board for review.

Regent Hutchinson made a motion to approve the Resolution adopting the proposed Broker/Dealer list presented. Regent Garza seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

- 8. Discussion and possible action regarding the College’s Quarterly Financial Report for the period ending May 31, 2021.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia reviewed the financial statement for the third quarter ending May 2021. Mr. Garcia pointed out the reduced spending in the Equipment and Computer Software categories in the amount of \$1 million as compared to the prior year attributed to the CARES Act funding. The College received \$2.1 million from the CARES Act funding. The College is on track for ending the year with a surplus of \$5 million. Mr. Garcia provided an overview of operating revenues, expenses, assets. Mr. Garcia also reviewed information regarding the College’s Current Operating Funds as of May 2021.

Regent Averyt made a motion to approve the College’s Quarterly Financial Report for the period ending May 2021. Regent Hutchinson seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

- 9. Discussion and possible action related to the adoption of the Order to Conduct a Public Hearing on the 2021-2022 College Budget.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia stated the Texas Code requires the College to conduct a Public Hearing on the proposed College budget and provide notice to the general public at least seven (7) days prior to scheduling a hearing date with the notice to be published in the Caller-Times newspaper as required. The College proposed the following Order:

ORDER OF THE BOARD OF REGENTS
OF THE

DEL MAR COLLEGE DISTRICT
BUDGET
2021-2022

BE IT ORDERED, by the Board of Regents of the Del Mar College District that for the purpose of adoption of a budget for the 2021-2022 fiscal year, the Board schedule and conduct a meeting and public hearing on Tuesday, August 24, 2021, at 11:00 a.m., via video, teleconference, and/or in person, at the Isensee Board Room, Harvin Center, Del Mar College, East Campus, Baldwin and Ayers Street, Corpus Christi, Nueces County, Texas. Due to health and safety concerns related to the COVID-19 (Coronavirus) pandemic crisis, this meeting and public hearing will be conducted in accordance with guidance from the Offices of the Governor and Attorney General, and the provisions of Sections 551.122 and 551.127 of the Texas Government Code and other open meeting requirements, that have not been suspended by the order of the Governor.

BE IT FURTHER ORDERED, that proper publication and notice of such meetings and public hearings be given as required by law.

Regent Kelly made a motion to adopt the Order of Board of Regents of the Del Mar College District regarding the Budget 2021-2022. Regent Garza seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

10. Discussion and possible action related to the adoption of the Order to Conduct Public Hearings on the 2021-2022 Tax Rates.....Mr. Raul Garcia
(Goal 6: *Financial Effectiveness and Affordability*)

Mr. Garcia stated the Texas Code requires the College to conduct a Public Hearing on the proposed 2021-2022 Tax Rate and provide notice to the general public at least seven (7)

days prior to scheduling a hearing date which notice will be published in the Caller-Times newspaper as required. The College proposed the following Order:

ORDER OF THE BOARD OF REGENTS
OF THE
DEL MAR COLLEGE DISTRICT
TAX RATE
2021-2022

BE IT ORDERED, by the Board of Regents of the Del Mar College District that the Board consider a proposal to increase total tax revenues from properties on the roll in 2020 by 1.29 percent and that the Board schedule and conduct a meeting and public hearing on such proposal to consider such tax increases on Tuesday, August 24, 2021, at 11:30 a.m., via video, teleconference, and/or, in person, at the Isensee Board Room, Harvin Center, Del Mar College, East Campus, Baldwin and Ayers, Corpus Christi, Nueces County, Texas. Due to health and safety concerns related to the COVID-19 (Coronavirus) pandemic crisis, this meeting and public hearing will be conducted in accordance with guidance from the Offices of the Governor and Attorney General, and the provisions of Sections 551.122 and 551.127 of the Texas Government Code and other open meeting requirements, that have not been suspended by the order of the Governor.

BE IT FURTHER ORDERED, that proper publication and notice of such meetings and public hearings be given as required by law.

Regent Adame made a motion that the property tax rate be increased by the adoption of a tax rate of .28340 which is effectively a 1.29% increase in the tax rate. Regent Hutchinson seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

Regent Garza made a motion to call for a public hearing on the increase the tax rate on August 24, 2021, at 11:30 a.m. Regent Hutchinson seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

11. Discussion and possible action regarding review and possible adoption of revised Board Bylaws.....Ms. Libby Averyt
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Chair Scott provided words of thanks to the Ad Hoc Bylaws Committee for their work and introduced Regent Averyt. Regent Averyt provided introductory words and began her presentation and stated the Committee reviewed the current Bylaws, peer College Bylaws, Ethics' Codes, articles, and case law. The existing College documents were included in the Board packet.

Regent Averyt stated the Board has Bylaws in addition to a separate Statement of Ethics Form, which requires signature after Ethics Training. The Committee is now proposing a new "recommitment to ethics" statement that would be signed by each Regent once a year following Ethics Training.

Also, the Ad Hoc Bylaws Committee is proposing a Personal Disclosure Statement that seeks to file information regarding Regents' income, Board membership, and involved organizations that members of the Board may serve on, in an effort to be more transparent regarding community and business connections.

Regent Averyt stated some of the redlined document contains clean-up items including changing the word "Mission" to "Vision" statement as it relates to the College. The Bylaws were rearranged to make intuitive sense and were reorganized. Regent Averyt asked Mr. Augustin Rivera, Jr., General Counsel and Regent Hutchinson for their comments and the following items were discussed:

- The proposed Preamble was reviewed and no changes were suggested by the Board.
- A clean-up item was done to change the title of President to President and Chief Executive Officer, which is the official title.

Section II. Statement of Conduct and Ethics: The Board of Regents discussed sections F,

U, and W.

Section III. Regent Email and Official Communications was discussed by the Board of Regents. The Committee did not make many changes.

Section IV. Regent Averyt stated the Social Media language did not change much and was moved to a more logical location within the Bylaws. Mr. Rivera will keep the Board apprised of a pending legal matter that may lead to this section being updated.

Section V. Conflicts of Interest and Prohibited Interests was discussed. Chair Scott and Regent Kelly provided their recommendations. Chair Scott noted changes may need to continuously occur regarding references to government codes or statutes and Regent Kelly stated to add “or subsequent revisions” to those codes or statutes.

VI. Regent Misconduct - Mr. Rivera stated this section is used by the Board regarding investigating issues.

VIII. Board Member Training - Regent Averyt that there were not many changes in this section, it captures the current practice in place.

X. Committees of the Board - Regent Averyt noted that the Committee also tried to capture the practice currently in place.

XIII. Public Comment - Regent Averyt stated that the Committee felt the procedure needed to be more detailed like it is stated in the College Policy. Regents Kelly and Hutchinson provided input.

Personal Disclosure Statement - Regent Averyt introduced this document which is proposed by the Committee for consideration and provides the public information regarding the Regents. There was considerable discussion and input provided by the Board of Regents.

Statement of Ethical Conduct - Regent Averyt stated this document will take the place of the current document and affirms that the Bylaws are reviewed, completed the Ethics update, and filed the Personal Disclosure Statement. Regent Averyt stated the reason for this document is to have a blueprint for what can and cannot be done by the Regents. Regent Scott commented about the Regents hearing and receiving information and acting appropriately. Regent Scott asked the Regents to notify Mr. Rivera if they have further thoughts or recommendations regarding the Statement of Ethical Conduct.

Regent Averyt stated that once the drafts of the documents are adopted, the Board may ask

the Committee to meet a few more times to harmonize the Bylaws with the College's policies. Mr. Rivera stated that the Personal Disclosure Statement is not meant to make everything about the Regents' lives an open book, but would show the Board's commitment to transparency.

The Board asked the Committee to continue to review certain sections and to come back to the Board with additional recommendations.

12. Discussion and possible action related to consideration of approval of recommended college-wide rebranding options.....Ms. Lorette Williams
(Goal 2: Recruitment and Persistence)

Dr. Escamilla provided introductory remarks and introduced Ms. Lorette Williams. Ms. Williams began her presentation by providing a background of the rebranding process and stated the Office of College Relations is presenting a final recommendation to the Board related to the college-wide rebranding initiative. Ms. Williams noted that the College name and College mascot name will not be changed. Ms. Williams stated Dr. Escamilla established a Rebranding Advisory Group to assist with the process. Ms. Williams reviewed the timeline, rebranding process, focus groups results, naming options, survey results, and logo options. Ms. Williams reviewed the next steps needed to implement rebranding once the Board approves including complete the DMC Style Guide, procedures and implementation of a timeline communicated to employees, update spirit symbol and official college seal, and implement tiered priority system for purchasing items with new logo/rebranding.

Chair Scott provided words of appreciation to Ms. Williams, her team and everyone involved for their rebranding work. Regents Villarreal and Hutchinson provided complimentary words to the team as well. Dr. Escamilla provided information on the methodology of the choices made for the rebranding process.

Ms. Williams responded to questions from the Board of Regents.

Regent Adame made a motion to accept rebranding process and approve the recommended college-wide rebranding options as presented. Regent Hutchinson seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

13. Discussion and possible action regarding deactivation of the Associate in Applied Science in

Electrical Transmission and Distribution Systems Technology.....Dr. Jonda Halcomb
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Jonda Halcomb stated that the College constantly analyzes their programs through the Program Review Process, Advisory Committees, and Departmental Self-Analyses. Dr. Halcomb stated the Department of Computer Science engineering and Advanced Technology analyzed their program. The deactivation proposal was presented to the Curriculum Committee in February of 2021 and was passed unanimously.

The Program had six declared majors in 2020-2021 year and zero graduates since the program started in Fall 2019. The faculty, Chair and Dean recommended the termination of the program and creation of a new Advanced Technical Certificate (ATC) ETDST to be offered under the Instrumentation Program. Deactivation of this Program does not affect the faculty teaching load within the Computer Science Department.

Dr. Halcomb reviewed the next steps needed: notification to SACSCOC and THECB; references to the AAS degree will be deleted in all DMC publications; and students will migrate to the Instrumentation Program and upon completion students may continue to the Advanced Technical Certificate (ATC). Dr. Halcomb advised that Dean Davis Merrell was present to respond to questions.

Dr. Halcomb responded to questions from the Board of Regents.

Regent Kelly made a motion to approve the recommended deactivation of the Associate in Applied Science in Electrical Transmission and Distribution Systems Technology with the understanding that the students will be migrated to a more relevant program. Regent Garza seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

- 14. Discussion and possible action related to AG/CM Inc. contract modification
.....Mr. John Strybos
(Goal 4: Learning Environments)

Dr. Escamilla provided introductory remarks regarding South Campus sufficient staffing before introducing Mr. Strybos. Mr. Strybos began his presentation reviewing construction abbreviations, construction definitions and reviewed the reasons for using a construction management firm. After reviewing the 2014 and 2016 Bond Programs, Mr. Strybos provided construction management fee background and CMAA construction management

compensation methods. Mr. Strybos provided a review of the College’s solicitation RFQ 2015-14 and how AG/CM Inc. was selected and provided information regarding all of AG/CM’s projects from the 2014 and 2016 Bonds.

Mr. Strybos provided the Board of Regents with a review of all AG/CM’s contract status and a detailed review of the South Campus Project and completion critical activities status. Mr. Strybos provided information regarding the next steps needed to continue to move forward including an increase to AG/CM’s contract by \$400,000.00 and extend the contract date through August 31, 2022.

Dr. Escamilla and Mr. Strybos responded to questions from the Board of Regents.

Regent Adame made a motion to approve Contract Amendment No. 3 to increase AG/CM Inc.’s contract by \$400,000.00 from funding source unallocated interest from 2016 Bond. Regent Averyt seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

- 15. Discussion and possible action regarding 2016 South Campus Construction Project Change Orders.....Mr. John Strybos
(Goal 4: Learning Environments and Goal 6: Financial Effectiveness and Affordability)

Mr. Strybos provided information regarding the proposed Change Order in the amount of \$622,186.00 to address changes in the scope of work resulting from 1) architect’s Supplemental Information; 2) Request for Information responses issued by architect; 3) Bulletin issued by architect; and 4) unforeseen sight conditions. Mr. Strybos is requesting approval regarding the 2016 South Campus Construction Project Change Orders. Mr. Strybos provided information regarding largest amount for the Culinary Arts Building kitchen equipment which was requested by College faculty.

Dr. Escamilla responded to questions from the Board of Regents.

Regent Garza made a motion to approve Change Order No. 4 in the amount of \$622,186.00 to be funded from bond interest income. Regent Villarreal seconded the motion. There was no further discussion from the Board. A vote was taken by show of hands, and the motion passed unanimously, 8-0 amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Villarreal in favor.

The Board discussed calendaring.

ADJOURNMENT: The meeting was adjourned at 4:40 p.m.

MINUTES REVIEWED BY GC: /s/ARjr