

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

October 5, 2021

The Regular Meeting of the Board of Regents of the Del Mar College District convened at the Center for Economic Development, 3209 S. Staples, Room 106, Corpus Christi, Texas, at 1:00 p.m. on Tuesday, October 5, 2021, with the following present:

From the Board:

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

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 Communication and Marketing; 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.

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

RECOGNITIONS:

- Dr. Laurie Turner, selected as Texas History Teacher of the Year by the Coastal Bend Daughters of the American Revolution.....Ms. Carol Scott
(Goal 3: Academic Preparedness and Student Learning)

Regent Scott congratulated Dr. Turner for selection as Texas history Teacher of the Year by the Coastal Bend Daughters of the American Revolution. Dr. Turner thanked the Board.

- John Hornsby, Director of Law Enforcement Academy/Instructor of Law Enforcement, recognized for writing the synopses used to clarify and explain several changes brought about by the 87th Legislative Session as presented by the Texas Commission on Law Enforcement (TCOLE) during their legislative update.....Dr. Jonda Halcomb
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Halcomb provided background information regarding Director Hornsby’s work and service with the Texas Commission on Law Enforcement Legislative Update Curriculum Committee. Mr. Hornsby thanked his committee members for the support he received.

- Lisa Leal-Garcia, Coordinator of Student Engagement and Retention, received 2020-2021 Circle of Pride Award.....Ms. Patricia Benavides-Dominguez
(Goal 4: Learning Environments)

Ms. Benavides-Dominguez recognized Ms. Lisa Leal-Garcia, Coordinator of Student Engagement and Retention and provided background information regarding the accomplishments Ms. Leal-Garcia has accomplished to earn the Circle of Pride Award. Ms. Leal-Garcia provided words of thanks and gratitude.

- Leticia Wilson, Director of Advising Initiatives, appointed to the NACADA (National Academic Advising Association) Administrators’ Institute Advisory Board
.....Ms. Patricia Benavides-Dominguez
(Goal 4: Learning Environments)

Ms. Benavides-Dominguez recognized Ms. Leticia Wilson, Director of Advising Initiatives for being appointed to the National Academic Advising Association Administrator's Institute Advisory Board (NACADA). Ms. Wilson provided words of thanks and gratitude.

GENERAL PUBLIC COMMENTS – The public was given the opportunity to provide public comments (both general and specific to any agenda item).

There were no public comments made for this meeting.

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

- Student Leadership and Campus Life Department, nominated for the 2022 National Crime Victims’ Service Award
(Goal 4: Learning Environments)

Ms. Patricia Benavides-Dominguez highlighted the Student Government Association at Del Mar College (SGA) and stated the SGA has been nominated for the National Crime Victims’ Service Award which honors extraordinary individuals and programs that provide services to victims of crime. Ms. Benavides-Dominguez recognized Sofia Jimenez, President; Caitlin Gosson, Vice President; Samantha Luna, Secretary; Lonnie Gomez, Magistrate; Aliza Long, Treasurer; Adam Bernal, Parliamentarian; Melody Kloss, Communications and Historian; Will Greenlee, District Attorney with the Justice Center; and Angela Luna, Victims' Rights Coordinator. Beverly Cage, Director of Student Leadership and Campus Life, SGA President Sophia Jimenez, Will Greenlee, and Angela Luna, Victims’ Rights Coordinator provided words of thanks and appreciation.

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

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

Dr. Escamilla stated the College is maintaining social distancing guidelines, strongly recommending the wearing of facial coverings and getting vaccinated to help prevent the spread of COVID-19. Dr. Escamilla stated from August 30th to October 3rd, 2021, the reported total positive cases dropped by about 88% campus wide, and the College will remain in Phase III of the Return-to-Campus Plan.

- 2020-2021 Statistical Profile
(Goal 1: Completion)

Dr. Escamilla advised the 2020/2021 Statistical Profile which provides information regarding the institution and students will be posted on the College’s website. Dr. Escamilla noted that it may be modified and asked the Board to call him with any questions.

- Chief Executive Officer Reporting Requirements under Texas Education Code § 51.253 (c)
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Escamilla provided information required of him as the CEO of Del Mar College regarding Texas Education Code Section 51.253 (c) concerning sexual harassment, sexual assault, dating violence or stalking as defined in the Texas Education Code section and any disciplinary action taken. Dr. Escamilla stated the College has fully complied with the State requirement. The Board did not have any questions.

Dr. Escamilla discussed the CED meeting room being a work in progress. He provided information regarding the electronics and layout of future changes.

REGENTS REPORTS:

Discussion related to the appointment of a representative to the Nueces County Appraisal District Board.....Ms. Carol Scott
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Chair Scott announced that the term of the Del Mar College representative on the Board of the Nueces County Appraisal Board is set to expire on December 31, 2021. Chair Scott explained that Mr. Armando Chapa is currently serving in the position and is interested in continuing to serve, but anyone interested should contact the Office of the President or General Counsel for more information.

- Texas Commission on Community College Finance
.....Ms. Carol Scott and Dr. Mark Escamilla
(Goal 6: Financial Effectiveness and Affordability)

Chair Scott advised that she and Dr. Escamilla will be serving on the Texas Commission on Community College Finance. The Commission was established as part of the legislature this past session and is by statute. Chair Scott is representing Community College Association of Texas Trustees as the Organizational Representative and Dr. Escamilla was appointed by Governor Abbott. The Commission will be looking at viable and sustainable funding for community colleges and have a report to the 88th Texas State Legislature by January of 2023, with recommendations.

- 2021 Board of Trustee Institute/CCATT Annual Conference
(Goal 1: Completion)

Chair Scott provided information regarding the Community College Association of Texas Trustees Annual Conference/Board of Trustees Institute which is usually two separate functions but were held at the same time because of COVID-19. Chair Scott stated the outcome of the conference was an action plan around student success and student success metrics. Chair Scott provided remarks regarding a session she attended that was very compelling that discussed diversity, inclusion and equity and talked about the visible traits of our students as well as the invisible traits of our students whether they are a first-generation college student, a veteran, or a working parent. Regents Kelly, Villarreal, Garza, Adame, and Turner provided comments about their Conference experiences.

STAFF REPORTS:

- Tax Abatements Update.....Ms. Lenora Keas
(Goal 6: Financial Effectiveness and Affordability)

Ms. Lenora Keas introduced Mike Culbertson, Vice President and Chief Operating Officer at the Corpus Christi Regional Economic Development Corporation. Mr. Culbertson began his presentation expressing the importance of the programs available through the Procurement Technical Assistance Center in the Small Business Development Center Network and the Workforce Development Center to students, businesses, and community. Mr. Culbertson provided a review of how the Corpus Christi Regional Economic Development Corporation (EDC) provides compliance reviews for numerous entities and reviewed the requirements. Mr. Culbertson reviewed existing Tax Abatement Agreements with M&G Resins, voestalpine, EPIC Y-Grade, Topaz. Mr. Culbertson reviewed the ten-year period net of incentives with Topaz, M&G Resins, and EPIC Y-Grade total Del Mar College taxes with investments in the amount of \$29.1 million. Mr. Culbertson stated that Corpus Christi Polymers LLC, a joint venture between Alpek, Indorama, and Far Eastern Investment, has entered into an asset purchase agreement with M&G USA Corp.

Mr. Culbertson responded to questions from the Board of Regents.

- Legislative Update.....Dr. Natalie Villarreal
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Villarreal provided an update regarding the Texas Legislature and the impact on the College. Dr. Villarreal stated the 87th Texas State Legislature held one regular session and three special sessions and briefly described the categories. The third special session was regarding Redistricting which local representative Todd Hunter is the Chair. Dr. Villarreal stated that of the \$16 billion of federal appropriations, \$9 billion is left for state agencies and organizations. The Texas Association of Community Colleges and Community College Association of Texas Trustees have decided to request \$325 million to strengthen our community colleges and to meet workforce needs. \$250 million will be for Texas colleges to buy technology, equipment, and online instruction and \$75 million is being requested to increase the true initiative of Texas reskilling and upskilling through education.

The Legislature is being asked to appropriate the funds by taking the college enrollment rate amongst high school students plus the proportion of unemployment insurance claimants in the

region. Dr. Villarreal stated they will continue advocating at the legislative level for these funds.

- Higher Education Emergency Relief Funds (HEERF) Update
.....Ms. Lenora Keas and Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Dr. Escamilla provided opening remarks and introduced Mr. Garcia. Mr. Garcia began by providing a review of the government’s economic response and the HEERF spending plan. Mr. Garcia continued his presentation regarding the HEERF II and III funds released at the start of 2021. The College’s grant total is \$31.5 million. The two major spending plans include student emergency awards in the amount of \$11.5 million and institutional use and minority service institution grant awards. The purpose of these two grants is to defray expenses associated with the pandemic including lost revenues, technology costs associated with transitioning to distance education training for faculty and staff, and student retention and re-engagement initiatives. To help address these matters, the College created two teams that possess technical expertise in their respective fields of operation that were tasked to develop a spending plan. Mr. Garcia provided the names of the Direct Student Emergency Assistance Advisory Group and the Institutional Use Advisory Team. Mr. Garcia introduced Ms. Lenora Keas who provided detailed information regarding the College Advisory Group and stated approximately \$11.5 million will be distributed to students in a variety of needs-based strategies. Ms. Keas introduced Ms. Patricia Benavides Dominguez who reviewed the U.S. Department of Education requirements regarding HEERF awards and stated the funds are awarded on a tiered approach. Ms. Benavides-Dominguez stated the type of help requested was mostly for medical, technology, housing, food, and child-care. Ms. Benavides-Dominguez stated a total of \$6.4 million has been awarded directly to students in emergency funds and provided a breakdown of the funds. The College plans to award \$5.1 million dollars of HEERF funds during the spring 2022 semester.

Ms. Keas continued and discussed the College Advisory Group coordinated plan for institutional funding and minority serving institutional grant that totals over \$20 million. Ms. Keas reviewed the US Department of Education requirements, the overall budget plan, and the various initiatives for approved uses under the purview of the US Department of Education and the Higher Education Emergency Relief Funds. Ms. Keas stated all expenditures must be tied to deferring costs associated with the College's response and preparation in dealing with COVID-19 and provided some examples. Additional funds can be allocated for emergency use to students and to incentivize vaccinations. These funds must be extended or purchased by May of 2022. Ms. Keas provided detailed information regarding the Institutional Use Budget Plan which includes professional development, student success, vaccination, technology, health and safety facility enhancements and lost revenue. The totals for the budget plan include \$18.5 million to be used for base funding and \$1.4 million to be used for indirect cost funding.

Ms. Benavides-Dominguez continued the presentation and stated although the Strategic Enrollment Management (SEM) Plan is in development, the following outreach plans will help drive future enrollment by focusing on re-engagement, retaining, and supporting students throughout their education journey. Ms. Benavides-Dominguez discussed the different campaigns in the works for students such as “One More Class campaign, Retake a class on us!, ”

“Try a Mini-mester Session on us!” and “Take a free class on us.” for graduating high school seniors.

Dr. Escamilla commented that Ms. Benavides-Dominguez had many other initiatives and there are many more opportunities.

Ms. Benavides-Dominguez introduced Ms. Tammy McDonald who began her presentation discussing the voluntary vaccination incentive program which was implemented on September 23, 2021. The plan is a one-time incentive payment of \$200 for eligible current full-time and part-time employees who are fully vaccinated and a \$200 gift card for enrolled credit or continuing education students who are fully vaccinated. The program will end December 10, 2021 or until funds are depleted. Dr. Escamilla provided comments regarding the participation percentage of employees and the dollar amount of the incentive.

Ms. McDonald introduced Dr. Larry Lee who began his presentation regarding Information Technology which included topics securing learning environments, remote learning technology, virtual desktops, and virtual student support services.

Dr. Lee stated that securing the College’s learning environment through the purchase of a next generation firewall supported by IA driven security applications and network services. This purchase is a major upgrade moving from transactional to transformational that provides improved end point device detection and spots unusual user or entity behavior activities. To support remote learning, the College internet bandwidth is being expanded from 1 gigabyte to 10 gigabytes and the College is also purchasing additional laptops to expand the student loaner program for students and faculty. A virtual desktop application will be used to remove a student’s home computing device limitations. Teachers can instruct, screen-share and manipulate all application objects on the student’s device in real time. The application can be used by students for group projects or independent studies from home. Virtual student help on any device for Del Mar students will be moved from 8 to 5 p.m. to 24/7 support availability. With the use of Black Belt Help, purchased with CARES I funds for IT technical support, student support services and financial aid will be able to deliver relevant information on enrollment and the financial aid process at any hour to reduce wait times and improve student satisfaction engagements.

Mr. John Strybos began his presentation discussing health and safety of facilities regarding indoor air quality, social distancing furniture, decontamination and touchless restroom fixtures and water fountains. Under HEERF, capital improvements are not allowed and there are strict guidelines on the use of the funds. Mr. Strybos provided detailed information to help mitigate not only the COVID-19 virus but mold and other air contaminants with a plasma air ionizer, social distancing furniture, outdoor spaces, touchless restroom fixtures and water fountains.

Mr. Raul Garcia stated that the HEERF II and III grants provides for funding of lost revenues. Mr. Garcia discussed the parameters for lost revenue that an institution may only estimate associated with COVID-19 which include tuition, fees, and institutional charges and disruption of food services or childcare services. The Grant deadline is May 2022 and the use of collected lost revenues can go towards inflationary costs contingency, balance the 2022 budget, or continued funding of initiatives even after the grant period.

Ms. Benavides-Dominguez, Ms. Keas, Ms. McDonald, Mr. Garcia, and Dr. Lee responded to questions from the Board of Regents.

- Enrollment Update.....Ms. Patricia Benavides-Dominguez and Ms. Lenora Keas
(Goal 2: Recruitment and Persistence)

Ms. Lenora Keas began the enrollment update presentation by providing an overview of enrollment which included information from the State of Texas Biennium; base year for contact hours, formula funding, credit headcount and contact hours, dual credit, and annual credit and continuing education contact hours. Ms. Keas stated the Texas Legislature funds community colleges on a base year during periods beginning the summer semester of the even numbered years prior to a legislative session. The base year begins in the Summer I semester and continues through the end of the following semester. The funding is calculated on certified contact hours earned during a semester. Contact hours are based on the total number of hours of instruction for each student and for each course that is taken. The census date for counting contact hours varies depending upon the variety of enrollment periods during a semester. The Budget Revenue for 2021-2022 is \$110 million. The College will receive for the Biennium or each year for the next two years a total of over \$17 million in state reimbursement. The College stands out among other colleges across the state with over \$1.7 million coming in contact hours earned from continuing education. Ms. Keas gave credit to Dr. Leonard Rivera, Dean of Continuing Education and Off-campus Programs and Dean Dan Korus, Dean of Workforce Development and Corporate Services and their staffs. During COVID-19, their team was able to continue and expand continuing education in a variety of areas, such as CDL, commercial truck driving, and many allied health programs. Since 2014, community college formula funding has consisted of three major components. Contact hour funding reflects enrollment and allocates funds based on each institution's proportion of the statewide total of weighted contact hours. Student Success Points funding allocates funds among institutions based on their performance on certain defined student success metrics. Core operations funding provides an equal amount to each community college district to help cover basic operating costs. This shows the trend for the base year contact hours for credit and continuing education courses since 2014. The percent change for credit hour contact hours for this next biennium is compared to 2020. Credit hours are down 7% and continuing education is up 29% resulting in an overall decrease for the college of 4.1%.

Ms. Patricia Benavides-Dominguez continued the presentation regarding Student Success Points. Texas Community College receives points after a student reaches certain milestones, such as completing developmental work, completing 15/30 hours, and earning a credential. During 2019/2020, the success points total for Del Mar was 16,753, which is flat compared to 2018/2019, and down 5% from 2017/2018. The focus on increasing second eight weeks added 2,880 flex students to the College's count. The headcount for fall 2021, the certification process is ongoing. Thus far the College's current count is 10,681, and it is down 2.3% from fall 2020 but enrollment for the fall is continuing for eight-week sessions.

Dr. Escamilla commented regarding the learning loss that students are experiencing due to COVID-19 impact from tragedies to learning challenges.

Ms. Benavides-Dominguez continued and reviewed the Summer I credit headcount for 2021. 4,532 students were certified, which was up 7% from summer 2020. The flex enrollment assisted in the overall certified data which was also strategic with planning and instruction. Summer II credit headcount certified 3,737 students, which was down 9% from summer 2020. Ms. Benavides-Dominguez discussed credit contact hours. Credit contact hours show a steady increase for the last five years for both fall and spring. The impact of COVID-19 is evident in fall 2020 but for the fall 2021, contact hours are trending up and the one-year change is up at 4.5%.

Dr. Escamilla provided comments as to the Delta variant effect on the student enrollment for the summer.

Ms. Benavides-Dominguez continued with dual credit headcount information. Overall, there has been a five-year increase of 12% and the College has 36 high schools participating in the dual credit program. The dip in dual credit is expected to come back up in Spring 2022. The total annual contact hours for Continuing Education are preliminary as quarter four is not certified. Del Mar College ranks in the middle of its peers with a 2.6 % decrease in fall headcounts for Large Colleges.

Chair Scott commented regarding the concern for the return of students and the flexibility of providing them with the support needed.

Dr. Escamilla provided comments regarding the enrollment for fall and spring and how over the past few years, the spring semester has become a larger enrollment number.

Ms. Benavides-Dominguez and Ms. Keas responded to questions from the Board of Regents.

- TRIO – Educational Opportunity Center.....Ms. Patricia Benavides-Dominguez
(Goal 2: Recruitment and Persistence)

Ms. Patricia Benavides-Dominguez provided background information regarding the TRIO - Educational Opportunity Center grant which is a federally funded program through the US Department of Education dedicated to helping individuals begin or resume their journey toward their educational goals, vocational, technical college, or university. EOC program will provide guidance, counseling, career guidance, tutoring, mentoring, financial aid advising, college admissions assistance, testing workshops, coordinate with other higher ed institutions for transfer opportunities. The Grant is funded to serve 850 students per year and is a five-year grant that is annually funded at \$232,050.00 for a total award of a little over \$1.1 million. Ms. Benavides-Dominguez reviewed the participant requirements such as age, residency, academic need, low-income, first generation, disability, or veteran.

Dr. Escamilla provided comments regarding the development of applying for the TRIO-EOC Grant and the effort put forth and perseverance by Ms. Benavides-Dominguez and her team that made the Grant possible.

- 2021 Annual Security and Safety Report (Clery Act).....Ms. Tammy McDonald
(Goal 4: Learning Environments)

Ms. Tammy McDonald introduced Interim Chief of Police Lauren White who provided information regarding the requirements of the 2021 Annual Security and Safety Report, or Clery Act Report. Chief White thanked the team for their assistance and stated the information included in the report is from 2020. Chief White reviewed the Clery Act federal mandate, the Department of Education Title IX, Violence Against Women Act, and the College's own policies. Chief White stated that the statistics provided include crimes that occur on campus as well as the surrounding reporting area but does not necessarily reflect crimes committed by or on the students. The Board was provided the opportunity to ask questions, but had none.

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, September 14, 2021
Regular Board Meeting, September 14, 2021
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

2. Acceptance of Investments for September 2021
(Goal 6: Financial Effectiveness and Affordability)

Regent Hutchinson made a motion to approve the consent agenda items. Regent Villarreal 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, 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

REGULAR AGENDA

3. Discussion and possible action related to FY 20/21 Annual Internal Audit Report to the Board.....Ms. Tammy McDonald
(Goal 4: Learning Environments)

Ms. Tammy McDonald introduced Mr. Dan Graves and Mr. Brandon Tanous with Weaver. Mr. Graves began the presentation regarding a review of the Fiscal Year 20/21 Annual Internal Audit Report and the Status of Fiscal Year 21/22 Internal Audit Plan. Mr. Graves reviewed the format and compliance requirements and stated the Annual Internal Audit Report is due to state agencies and posted on Del Mar College’s website as required by November 1, 2021. Mr. Graves reviewed the Risk Assessment points. The last College-wide risk assessment was performed in 2015, the risk assessment has been updated annually, each year’s internal audit plan has been based on the updated risk assessment. In FY 2022, a risk assessment refresh will be performed that will update: significant activities of the College, risk definitions, and risk response plan. The updated risk assessment will also include input from new College personnel. The risk assessment is scheduled for October 21, 2021, and a 3-Year Internal Audit Plan will be presented at the conclusion of the risk assessment.

Mr. Graves responded to questions from the Board of Regents.

Regent Garza made a motion to accept the Fiscal Year 2021 Annual Internal Audit Report. Regent Bennett 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, 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

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

Mr. Garcia introduced David McElwain from Patterson & Associates. Mr. McElwain reviewed the Quarterly Investment Report for period ending August 31, 2021. He stated we are starting to see economic activity pick back up and employment improving. One of the biggest concerns is inflation rising. He provided detailed information relating to the global economy.

Mr. McElwain reviewed the makeup of the entire portfolio which includes local government investment pools represented by cash \$56 million and securities \$135 million. The asset allocation includes 22% in Commercial Paper, 30% in Municipal Bonds, 19% with US Government Agencies, and 29% cash and cash equivalents.

Regent Adame made a motion to approve the College’s Quarterly Investment Report for the period May 31, 2021 to August 31, 2021. 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, 9-0, with Regents Scott,

Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

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

Mr. Raul Garcia stated that the total revenues are stable relative to the current pandemic and economic uncertainty. The college is closing the year with a downward revenue pressure valued at was \$3.6 million that is offset by reduced spending valued at \$7.7 million. The college is positioned to close the fiscal year with a surplus valued at \$8.9 million pending the annual fiscal year in audit.

Mr. Garcia reviewed the Balance Sheet – Current Operating Funds.

Mr. Garcia stated the College is well positioned to support the mission of its operations and whether the current business interruptions caused by the pandemic where the cash and investment position of 68.1 million as of August 2021. This cash and investment position is sufficient to pay its obligations as of August valued at \$22.8 million.

Mr. Garcia responded to questions from the Board of Regents.

Regent Kelly made a motion to approve the College’s Quarterly Financial Report for the period ending August 31, 2021. Regent Turner 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, 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

- 6. Discussion and possible action relating to approval of 2016 Oso Creek Campus Construction Project Change Orders.....Mr. John Strybos
(Goal 4: Learning Environments)

Mr. John Strybos provided background information regarding the 2016 Bond funding the design and construction of the Oso Creek Campus. Mr. Strybos reviewed the proposed Change Order #5 to address changes in the scope of work that have resulted from: (1) Architect’s Supplemental Information, (2) Request for Information (RFI) responses issued by the Architect, (3) Bulletin issued by the Architect, and (4) unforeseen sight conditions. The revised change amount is \$454,399.30 for the Main, STEM, & Culinary buildings which will come from bond proceeds and bond interest income.

Mr. Strybos responded to questions from the Board of Regents.

Regent Adame made a motion to adopt Change Order No. 5. Regent Averyt 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, 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

- 7. Discussion and possible action on award of Request for Competitive Sealed Proposal, RCSP #2021-19, Police Station Renovation.....Mr. John Strybos
(Goal 4: Learning Environments)

Mr. John Strybos began his presentation by providing background information regarding the Request for a Competitive Sealed Proposal #2021-19 for the police station renovation project located at 3002 Ayers. Mr. Strybos stated the purchase of the building is complete and ready to be renovated for the Del Mar College Police Department. Mr. Strybos requested the award go to Victory Building Team for \$2.4 million as they were the top ranked bidder who will be funded with 2014 bond interest income.

Mr. Strybos responded to questions from the Board of Regents.

Regent Hutchinson made a motion to adopt the award for the Police Station Renovation to Victory Building Team. Regent Adame 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, 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

- 8. Discussion and possible action relating to Interlocal Purchasing Cooperative Membership
.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Raul Garcia stated the Purchasing Department is recommending a membership with the UT System Supply Chain Alliance (UTSSCA) by The University of Texas System. UTSSCA is a coalition of fifteen University of Texas institutions and other affiliate institutions that act as a group purchasing organization to leverage spending and maximize cost savings for its members. There is no cost for becoming a member. The membership will expand the College's vendor list options, reduce the time and effort to procure goods and service, and result in cost savings by leveraging the purchasing power of UTSSCA.

Mr. Garcia responded to questions from the Board of Regents.

Regent Kelly made a motion to authorize staff to enter inter-local purchasing cooperative membership with UTTSSCA. 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, 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

9. Discussion and possible action regarding nominations to the San Patricio County Appraisal District Board of Directors.....Mr. Augustin Rivera, Jr.
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Mr. Augustin Rivera, Jr., College General Counsel, explained that as a taxing entity in San Patricio County, Del Mar College is entitled to participate in the election of the Directors to the five (5) member San Patricio County Appraisal District Board of Directors and to nominate candidates. Mr. Rivera reviewed the voting timeline, nomination requirements, and current Board membership. Mr. Rivera informed the Board that the Chief Appraiser, Robert Censi advised the College of a miscalculation in the number of votes available to the College. The College has 7 votes not 17, and the vote will take place in December.

After some discussion, no action was taken.

At 3:54 p.m., the Chair announced that the Board was going into Closed Session pursuant to:

10. 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, a.) Board Self-Evaluation, and, b.) Status of CIO position, with possible discussion and action in open session.

The Board reconvened in Open Session at 4:29 p.m. with no action taken.

CALENDAR: Discussion held regarding upcoming calendar dates.

ADJOURNMENT: The meeting was adjourned at 4:30 p.m.

MINUTES REVIEWED BY GC: /s/ARjr