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TEXAS SOUTHMOST COLLEGE DISTRICT

Minutes of the Regular Meeting of the Board of Trustees

December 05, 2019

The Board of Trustees of the Texas Southmost College District convened in open session on December 5, 2019 at 5:32 p.m. in the Gorgas Board Room at Texas Southmost College. Board Members present were Ms. Adela Garza, Chair; Mr. Ruben Herrera, Vice Chair; Dr. Tony Zavaleta, Secretary; Ms. Eva Alejandro; Mr. J.J. De Leon; Mrs. Delia Saenz; and Mr. Arturo Rendon. Also present was Dr. Jesús Roberto Rodríguez, President of Texas Southmost College.

1. Call to Order

The meeting was called to order by Ms. Garza, at 5:32 p.m.

2. Pledges of Allegiance

Dr. Zavaleta led the United States Pledge of Allegiance and the Texas Pledge of Allegiance.

3. Public Comment

Paola Lugo, President of the TSC Student Government Association spoke, on behalf of the student government. Ms. Lugo expressed her gratitude, on behalf of the association and the entire student body, for the opportunity to provide input on the cafeteria and renovation of the Oliveira Student Center. She elaborated on services and spaces that will add great value to students' college experiences. Ms. Lugo added that TSC is their home away from home as they juggle the role as students, family members and bread winners. They were able to share their vision for creating a place to gather, study, develop leadership skills and grab a healthy meal. Again, she offered their gratitude to the Board, President Rodriguez, and the campus leaders for welcoming students to be part of the design process of the student center.

4. Consideration and possible action on the Minutes of the Regular Meeting of the Board of Trustees held on October 24, 2019

A motion was made by Mr. Herrera to approve the Minutes of the Regular Meeting of the Board of Trustees held on October 24, 2019. The motion was seconded by Dr. Zavaleta and carried unanimously with six votes.

*Note: Ms. Eva Alejandro arrived after the vote was taken.

5. President's Report

Chair Garza called on President Rodriguez to give his report. Dr. Rodriguez reported on the following items.

- **Introduction of Executive Director of Advancement and Communications**

Dr. Rodriguez introduced Ms. Lynda Lopez as the new Executive Director of Advancement and Communication. Ms. Lopez has over 40 years of media and marketing experience including eighteen years in higher education. She is also an Emmy award winning journalist having worked with NBC in Washington, D.C., KTBC in Austin and KGBT here in the Rio Grande Valley.

- **Spring Enrollment**

To date 2,869 on campus students have registered. In comparison to the same time last year, we are ahead by almost 400 students (approximately 16% increase). TSC is on target to hit the goal of 3,520. The dual enrollment numbers are not captured yet, but another record enrollment is expected.

- **SACSCOC Visit**

In late October TSC hosted a successful SACSCOC On-Site Committee visit. While the process is still ongoing, the committee did ask for some minor clarifications of our report. The visiting team of peers from SACSCOC was very impressed with the overall operations of the Institution. The final decision for the reaffirmation of accreditation will be announced in June 2020.

- **Dia de los Muertos**

On Nov. 2, TSC hosted the Third Annual *Dia de los Muertos* event. This event is getting bigger every year with greater community participation and greater appreciation of this cultural event. There were about 750 attendees at the event which included a parade, an exhibit of altars and a ceremony commemorating ancestors on this day of the dead.

- **Alzheimer's Awareness Walk**
On Nov. 2, TSC hosted an Alzheimer's Walk with hundreds participating. This event was held outside Oliveira Student Services Center with a walk around campus to raise awareness for this disease that is affecting so many elderly.
- **Healthcare Forum**
TSC, in collaboration with Workforce Solutions Cameron and the Brownsville ISD, hosted the Health Care Industry Forum on Nov. 8th at the TSC Performing Arts Center. This is part of a series of industry-focused forums organized by Workforce Solutions in Cameron County. The goal is to raise awareness about the employees needed in healthcare careers in Cameron County to address the employees needed in this career cluster. Middle school students from BISD, Los Fresnos CISD and Point Isabel ISD were addressed.
- **BISD Superintendent Meet and Greet**
BISD held a meet and greet for Superintendent Rene Gutierrez on November 7th at the TSC Performing Arts Center. A report shared his success of his first 100 days in office. TSC has a great partnership with Brownsville ISD and it was a pleasure to welcome the group to celebrate Dr. Gutierrez.
- **Veterans Day Celebration**
On Nov. 11th TSC hosted the 7th annual Veterans Day Celebration to honor all veterans. There were over a hundred people in attendance, many of whom were veterans. Our guest speaker, army veteran and SBA director Angela Burton, surprised us by announcing a \$500 donation to our Veterans Center on behalf of the Veterans Female United Organization.
- **XVIII Binational Literary Conference**
On Nov. 15th, TSC hosted the *Literatura Chicana: Una Literatura Aguantadora* featuring Keynote Speaker: Dr Jesus Rosales from Arizona State University, an inspiring speaker who encouraged those in the audience to honor the heritage, culture and traditions that set us apart.
- **Customs and Border Protection Leadership Meeting**
On November 20th, TSC hosted the U.S. Customs & Border Protection, Office of Field Operations (Ports of Entry) from Laredo to Brownsville. The Interim Director of Field Operations for the Laredo Field Office, Ms. Rose Brophy; CBP Port Director Tater Ortiz; Deputy Port Director Bob Parker; and Brownsville POE command staff met with the local trade leaders for a round table with the local Brokers Association.
- **President's Leadership Institute Launched**
Dr. Rodriguez announced that on November 25th TSC launched the President's Leadership Institute designed to grow potential leaders at TSC. It was the first of four day-long sessions on leadership training facilitated by Dr. Don Cameron, President Emeritus of Guilford Technical Community College. Dr. Cameron is a retired President, certified executive coach, speaker, and trainer. The institute is in keeping with Strategic Plan Vision 2023's, strategic goal to Invest in Each Other.

- **National Soccer Tournament**

The TSC Soccer Team won a bid to play at nationals in Round Rock, Texas on Nov 21-23. They played "*con puro corazon*" and gave it their all but they were eliminated in the first round of the winner's bracket and in the consolation bracket as well.

TSC could not be prouder of these young men! TSC was one of the top 24 teams in the country and the only community college at the men's National tournament! TSC played against Universities like Cal Poly, Iowa State and Florida State. The TSC men's soccer club, coaches and team were recognized and congratulated for a great season.

- **Upcoming Events**

The TSC Holiday Lunch is scheduled for December 6 from 11:30 a.m. – 1:30 p.m. and Commencement is on Saturday, December 14th at 10:00 a.m.

Dr. Zavaleta requested a minute of silence in honor of TSC Honor alumnus Dr. Ciro Sumaya.

6. Consideration and possible action on a resolution appointing an agent for the TSC District Election.

Chair Garza called on Dr. Gisela Figueroa, Vice President of Finance and Administration, to present the item. She explained that every even number year there are elections in the District; this May there will be three positions coming up for elections, positions 1, 2 and 4. According to the Election Code Chapter 31.123, the Board of Trustees of the College must appoint a member of the staff to perform the duties as the secretary of the Board in matters related to the election if the Secretary does not keep office hours in the District. The staff is recommending to appoint Mr. Edgar Chrnko Salas, Director of Marketing and Community Relations, as the District Agent for the May 2020 election.

A motion was made by Mr. Herrera on a resolution appointing Mr. Edgar Chrnko as agent for the TSC District Election. The motion was seconded by Dr. Zavaleta and carried unanimously with seven votes.

7. Consideration and possible action on authorization to enter into contract negotiations with the Cameron County Elections Administrator to conduct election services

Chair Garza called on Dr. Figueroa to present the item. Dr. Figueroa stated this is a follow up item to the appointment of Mr. Salas as the elections officer and is the consideration and possible action to enter into contract negotiations with the Cameron County Elections Administrator to conduct election services.

A motion was made by Mr. Herrera on authorization to enter into contract negotiations with the Cameron County Elections Administrator to conduct election services for the May 2, 2020 elections. The motion was seconded by Mrs. Saenz and carried unanimously with seven votes.

8. Budget/Finance Committee Report

Ms. Garza called on Mr. Herrera to present the items. Mr. Herrera reported that the Budget/Finance Committee met on Monday, November 18, 2019. Mr. Herrera called on Dr. Gisela Figueroa, Vice President of Finance and Administration, to present the items discussed by the committee.

a. Monthly Financial Report for the Month Ending September 30, 2019

Dr. Gisela Figueroa, Vice President of Finance and Administration, gave an overview of the monthly financial report for the month ending on September 30, 2019.

This item was for information purposes only. No action was taken.

b. Consideration and possible action to confirm the use of the same delinquent tax attorney as the Cameron County Tax Office, Linebarger, Goggan, Blair, and Sampson LLP

Dr. Figueroa stated the Cameron County Tax office collects the current tax revenue and asked the Board to consider using the same tax delinquent collection attorney as the Cameron County Tax Office.

A motion was made by Mr. Herrera to approve and confirm the Cameron County Tax Office the use of Linebarger, Goggan, Blair, and Sampson LLP as the delinquent tax attorney for Texas Southmost College. The motion was seconded by Mr. Rendon.

At this time there was discussion on the amount of taxes that will be collected by Cameron County Tax Office and the amount paid to collect those taxes.

The motion was carried unanimously with seven votes.

c. Consideration and possible action on the purchase of an E-Commerce Payment Center Module

Mr. Herrera called on Dr. Figueroa to present the item. Dr. Figueroa explained the E-Commerce Payment Center capabilities, the benefit, the security of the system, compliance with PCI, and the compatibility with our Enterprise Resource Program. The cost for this purchase is an implementation fee of \$10,450 and annual fees of \$23,100 for the payment center. The bill payment/marketplace fee is an additional \$29,000 implementation fee plus \$59,000 of annual fees. The total implementation fees will be \$39,450 and the total annual fees will be \$82,100.

Mr. Herrera asked for an explanation on the importance or necessity to buy this payment center module. Ms. Alejandro also asked about the 4% escalator increase part of the contract.

A motion was made by Mr. Herrera to the purchase of an E-Commerce Payment Center Module from Ellucian and TouchNet Information Systems, Inc. for a five year term subscription and authorize President Rodriguez to execute the agreements for the purchase. The motion was seconded by Mr. Rendon and carried unanimously with seven votes.

d. Consideration and possible action on award of RFP 20-03 for “Pipefitting Equipment”

Mr. Herrera called on Dr. Figueroa to present the item. Dr. Figueroa presented the information to the board, which included the detailed timeline, the scope of work, and the method of procurement. It was also explained that out of the four (4) proposals received, only one was a complete proposal.

Mr. Herrera asked about incomplete proposals. It was explained that an incomplete proposal is not a disqualification from the procurement process.

A motion was made by Mr. Herrera to award RFP 20-03 for “Pipefitting Equipment” to Matheson in the amount of \$74,009 and authorize President Rodriguez to execute the Purchase Order contracts for the equipment, seconded by Ms. Alejandro. The motion was carried with 4 votes in favor and three opposed.

e. Consideration and possible action on award of RFP 20-04 for “Electrical Equipment”

Mr. Herrera called on Dr. Figueroa to present the item. Dr. Figueroa presented the information to the board, which included the detailed timeline, the scope of work, and the method of procurement. It was also explained that two incomplete proposals were received and discussion was held on the differences from the prior proposal and the reasons to approve it.

A motion was made by Mr. Rendon to award RFP 20-04 for “Electrical Equipment” to Alamo Iron Works in the amount of \$34,579 and authorize President Rodriguez to execute the Purchase Order contracts for the equipment. The motion was seconded by Mr. Herrera and carried with four votes in favor, two opposed and one abstention.

f. Consideration and possible action on award RFP 20-05 for “Classroom and Computer Lab Audio Visual Upgrades” for the Teaching and Learning Spaces Project

Mr. Herrera introduced the item. Dr. Figueroa and Mr. Villarreal presented the information to the board, which included the detailed timeline, the scope of work, and the method of procurement. Discussion was held on the awarding to a non-Texas company. Mr. Villarreal explained the responses included a wide array of types and levels of technology. The recommendation to award to one vendor is to ensure that we partner with a company that can position TSC best for the future as well as allow for network consistency and integration.

A motion was made by Mr. Herrera to award RFP 20-05 for “Classroom and Computer Lab Audio Visual Upgrades” to Howard Technology Solutions at an amount not to exceed \$1,614,075 and authorize president Rodriguez to execute the Purchase Order contract, as presented. The motion was seconded by Ms. Alejandro and carried with five votes in favor and two opposed.

9. Facilities Committee

Chair Garza called on Mr. Herrera to present his report. Mr. Herrera stated the Facilities Committee met on Monday, November 18, 2019. Present were Mrs. Saenz, President Rodriguez, Mr. Herrera and members of TSC Administration. Dr. Figueroa presented an update of the Oliveira Student Services renovation project. The items were for information only. However, given the timeline present for the Oliveira Student Service Center renovation project request for proposal, it was recommended that Facilities Committee meet on December 2, 2019 to consider possible action on awarding RFP for the project. A second meeting for the Facilities Committee was held on Monday, December 2nd and present were Mrs. Saenz, Ms. Garza, President Rodriguez, Mr. Herrera and members of the TSC Administration to discuss the following items.

a. Consideration and possible action on a RFP 20-07 for the Oliveira Student Services Center 2nd Floor Renovation Project

Mr. Herrera called on Dr. Gisela Figueroa, Vice President of Finance and Administration and Dr. Larry Rideaux, Vice President of Student Services to make the presentation. Dr. Figueroa began by giving background information on the project, how administration, student government and architect students came together to develop the project plan and renderings of the space. Dr. Figueroa presented the information to the board, which included the detailed timeline, the scope of work, and the method of procurement. It was explained that three (3) proposals were received as well as the “other” category that explained the price disparity in the proposals. The three companies were asked to define what they included in the “other” category and the responses were taken into consideration by the evaluation committee to do ranking.

Dr. Zavaleta asked Dr. Abusalim his opinion on the project. Dr. Abusalim mentioned the layout was based on the feedback received from the student government and architect students. The amenities and services included in the rendering were all derived from these two groups. Mr. Rendon asked if the cafeteria will have a fire suppression system and Dr. Figueroa responded no since the plans are not for an open flame. Mr. Rendon agreed that the concept was good.

A motion was made by Mr. Herrera to award RFP 20-07 for “Oliveira Student Services Center Second Floor Renovation” to Ziwa Corporation in the amount of \$476,600 plus \$30,000 as owner’s contingency for unforeseen events and authorize the President to execute the Purchase Order contract, as presented. The motion was seconded by Mr. J.J. De Leon.

The motion was carried with six votes in favor and one opposed.

10. Academic Committee

Chair Garza called on Dr. Zavaleta to present the items. Dr. Zavaleta stated the Academic Committee met on Tuesday November 19th. Present were Chair Garza, President Rodriguez, Dr. Zavaleta and members of the administration.

*Note: Mr. Art Rendon stepped out at this time.

a. Consideration and possible action on approval of matching grant support for the Texas Workforce Commission's Jobs and Education for Texans (JET) grant program

A motion was made by Dr. Zavaleta to approve the allocation of matching grant support in the amount of \$15,000 to purchase equipment for the Industrial Mechanics and Maintenance Technology program, contingent on the Notice of Grant Award to Texas Southmost College for \$285,000 and to authorize President Rodriguez to execute related documents. The motion was seconded by Mr. Herrera and carried unanimously with six votes.

b. Consideration and possible action on a Memorandum of Understanding with The City of Brownsville/Brownsville Metro to provide Commercial Driver's License (CDL) training under the direction of the TSC Office of Workforce Training and Continuing Education

A motion was made by Mr. Herrera to authorize President Rodriguez to execute the MOU between the City of Brownsville – Brownsville Metro and Texas Southmost College to deliver CDL training. The motion was seconded by Ms. Alejandro.

Mr. De Leon asked where the training facility would be located. Dr. Kile explained that TSC will be using Brownsville Metro buses and facilities. Mr. De Leon asked how the students would get to the Brownsville Metro which Dr. Kile replied she did not know yet but there are three vehicles available.

*Note: Mr. Art Rendon returned at this time.

The motion carried unanimously with seven votes.

c. Consideration and possible action on a Memorandum of Understanding with BrandSafway for the development and delivery of a non-credit, industry-driven Insulation training program under the direction of the TSC Office of Workforce Training and Continuing Education.

A motion was made by Dr. Zavaleta to authorize President Rodriguez to execute the MOU between BrandSafway and Texas Southmost College for the development and delivery of a non-credit, industry-driven Insulation training program under the direction of the TSC Office of Workforce Training and Continuing Education. The motion was seconded by Mr. Herrera.

Mrs. Saenz inquired on the 80 hour amount of time on this training. Dr. Kile responded this was part of a grant application and like the Industrial Scaffolding award specifically two weeks in duration. The training is 80 hours based on the curriculum developed with the BrandSafway Company.

The motion carried unanimously with seven votes.

*Note: Mr. Ruben Herrera stepped out at this time.

- d. Consideration and possible action on a Clinical Affiliation Agreement with Doctors Hospital at Renaissance for the Medical Laboratory Technology, Emergency Medical Services, and Radiologic Technology Programs**

A motion was made by Dr. Zavaleta to authorize President Rodriguez to sign the Clinical Affiliation Agreement with Doctors Hospital at Renaissance for the Medical Laboratory Technology, Emergency Medical Services, and Radiologic Technology Programs. The motion was seconded by Ms. Alejandro.

The motion carried unanimously with six votes.

- e. Consideration and possible action on a Memorandum of Understanding with Keppel AmFELS for the development and delivery of a non-credit, industry-driven Shipfitting training program under the direction of the TSC Office of Workforce Training and Continuing Education**

A motion was made by Dr. Zavaleta to authorize President Rodriguez to execute the MOU between Kepel AmFELS and Texas Southmost College for the development and delivery of a non-credit, industry-driven Shipfitting training program under the direction of the TSC Office of Workforce Training and Continuing Education. The motion was seconded by Mr. De Leon.

*Note: Mr. Ruben Herrera returned at this time.

The motion was carried unanimously with 7 votes in favor.

- f. Consideration and possible action on a Memorandum of Understanding between the Department of State Health Services, on behalf of its South Texas Laboratory, and Texas Southmost College Medical Laboratory Technology program**

A motion was made by Dr. Zavaleta to authorize President Rodriguez to sign the MOU between the Department of State Health Services and Texas Southmost College

Medical Laboratory Technology Program for clinical/internship opportunities for students. The motion was seconded by Ms. Alejandro.

The motion was carried unanimously with 7 votes in favor.

g. Consideration and possible action on a Clinical Affiliation Agreement with Palms Behavioral Health for the Associate Degree Nursing Program.

A motion was made by Dr. Zavaleta to authorize President Rodriguez to sign the Clinical Affiliation Agreement with Palms Behavioral Health to provide clinical experience opportunities for TSC Associate Degree Nursing program students. The motion was seconded by Mr. Herrera.

Mr. De Leon asked if this agreement was in conjunction with what TSC is currently offering or would the students go to the clinicals. Dr. Kile explained it is part of the curriculum and part of a course the students take. Dr. Jamie Tucker, Dean of Health Professions, elaborated by stating the mental health is a small component of the Associate Degree Nursing Program as a whole. This clinical affiliation agreement will allow the students an avenue for clinical practice that aligns with the course.

Mr. Rendon questioned if it included student's visit or interacting in a clinical setting which Dr. Tucker replied affirmative where the students will be assigned to do a 10 hour day working with the clinical preceptors in that outpatient mental health facility.

Dr. Zavaleta mentioned there might be questions on mental health on the nursing exam the students have to take. Dr. Tucker responded there will be.

The motion was carried unanimously with 7 votes in favor.

h. Consideration and possible action on a Memorandum of Understanding between the Consulate of Mexico in Brownsville and Texas Southmost College to promote the educational growth of Mexican Nationals living within the Consulate's jurisdiction.

A motion was made by Dr. Zavaleta to authorize President Rodriguez to execute the MOU between the Consulate of Mexico and Texas Southmost College. The motion was seconded by Mr. Herrera and carried with seven votes.

i. Consideration and possible action on an Articulation Agreement with The University of Texas Rio Grande Valley (UTRGV) for the articulation of TSC's Associate of Arts degree in Business

A motion was made by Dr. Zavaleta to authorize President Rodriguez to execute the Articulation Agreement with the University of Texas Rio Grande Valley for the articulation of TSC's Associate of Arts Degree in Business. The motion was seconded by Mr. Herrera.

Mr. De Leon asked if a specific GPA was required for the student to go from TSC to the University. Dr. Kile explained there are some requirements that are listed but it does

give them an opportunity if they meet certain requirements to transfer all 60 hours from their degree into a program of study at UTRGV, not losing any credit from TSC.

The motion was carried with seven votes.

11. Consideration and possible action on the Level IV Grievance hearing of Ms. Linda Hernandez. At the request of the grievant, this will be an open hearing pursuant to the Texas Open Meetings Act, section 551.074.

Chair Garza addressed the boardroom and explained the process and policies for the proceedings. She called the time at 7:26 p.m. and invited Ms. Linda Hernandez, represented by her attorney, Ms. Clara Acosta, to make her presentation to the board.

At the conclusion of Ms. Acosta's presentation, Chair Garza called on Administration represented by attorney, Mr. Ruben R. Peña, to proceed in making a presentation to the board. The time was approximately 7:37 p.m.

Following the conclusion of Mr. Peña's presentation, each party was given the opportunity for rebuttals and/or additional information.

At the conclusion of the parties' rebuttals and/or additional information, the Board Members were given an opportunity to ask questions. No questions were asked by any Board Member.

No motions were made and the hearing concluded at approximately 7:52 p.m.

12. Executive Session

- a. **Consultation with Attorney on Pending or Contemplated Litigation, Section 551.071 Texas Government Code**
- b. **Consultation with Attorney on Pending Real Estate Issues, Section 551.072 Texas Government Code**
- c. **Deliberation on Personnel Matters, Section 551.074 Texas Government Code**
 - **Consideration and possible action on the FY 2019-2020 Salary Schedule**

13. Action on Executive Session Matters

- **Consideration and possible action on FY 2019-2020 Salary Schedule**

A motion was made by Mr. Rendon to accept the salary schedule as described by the President in executive session. The motion was seconded by Ms. Alejandro and carried unanimously.

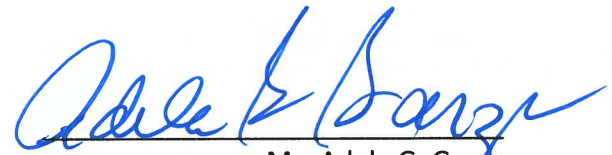
Chair Garza announced that Mr. J.J. De Leon, has been appointed to serve on the Association of Community Colleges Trustees placed in the Finance and Audit Committee. Mr. De Leon thanked Chair Garza for the opportunity to serve.

14. Announcement of Proposed Meeting Dates


Special Board Meeting – Thursday, December 12, 2019 at 12:00 p.m.

15. Adjournment

A motion to adjourn the meeting was made by Mr. Herrera. The motion was seconded by Mr. Rendon and carried unanimously. The meeting was adjourned at 8:44 p.m.



Ms. Adela G. Garza
Chair, Board of Trustees



Tony Zavaleta, Ph.D.
Secretary, Board of Trustees

The video recording of the Regular Board of Trustees meeting held on December 5, 2019, is available on the TSC.EDU website. These minutes were taken and transcribed by Claudia L. Cortina, Interim Chief of Staff and Board Liaison. Videotaping of the Board of Trustees' meetings began on April 11, 1996.