



# TEXAS SOUTHMOST COLLEGE DISTRICT

80 Fort Brown • Brownsville, Texas 78520 • (956) 882-3879 • Fax: (956) 882-8811

## Board of Trustees

*Francisco G. Rendon*  
Chair

*Roberto Robles, M.D.*  
Vice Chair

*Adela G. Garza*  
Secretary

*Trey Mendez*

*Robert A. Lozano, M.D., Ph.D.*

*David G. Oliveira*

*Rene Torr s*

## TSC President

*Lily F. Tercero, Ph.D.*

Official Notice of the

## Texas Southmost College District Regular Meeting

for  
**November 17, 2011**

Posted

November 14, 2011

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS  
On: Nov 14, 2011 at 04:31P

Joe G. Rivera  
County Clerk  
By  
Hilda Pagan, Deput  
Cameron County

## AGENDA

The Board of Trustees of the Texas Southmost College District will convene **Thursday, November 17, 2011, at 5:30 p.m.** in the Gorgas Board Room at The University of Texas at Brownsville and Texas Southmost College, 80 Fort Brown, Brownsville, Texas 78520.

### Call to Order

#### 1 Announcements

#### 2 Opening Statements by Trustees

#### 3 Speakers to Agenda Items and Public Discussion

#### 4 Approval of Minutes of Previous Meeting

Consideration and possible action on:

**Regular Meeting, October 20, 2011**

#### 5 District Elections

Discussion and possible action on:

**2012 May Trustee Elections**

#### 6 Public Hearing on Continuing Taxation of Goods in Transit

#### 7 TSC District Taxes

Consideration and possible action on:

**Resolution** Continuing the Taxation of  
Goods in Transit

**8 Executive Session**

as provided by Government Code, Chapter 551.071, 551.072 and 551.074

**Legal Matters**

**Discussion** and Review of Golf Course Contract

**Update** on Pending Litigations

**Real Estate**

**Discussion** on the Sale of Property Located at 1027 E. 17<sup>th</sup> Street on E. Jackson Street (a Rear ½ Lot 5, Block 7, Paredes Track Addition, Brownsville, Texas)

**Personnel**

**Discussion** on Appointments: Vice President of Finance and Administration and Vice President of Instruction and Student Services

**Discussion** of Candidates for Appointment to the TSC Transition Team

**9 Consideration and possible action on matters discussed in Executive Session**

**Legal Matters**

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**Personnel**

**Discussion** on Appointments: Vice President of Finance and Administration and Vice President of Instruction and Student Services

**Discussion** of Candidates for Appointment to the TSC Transition Team

**10 Surplus Property**

Consideration and possible action on:

**Acceptance** of Bid(s) to Purchase the Surplus Brick Material

**11 TSC Strategic Planning**

**Update** on Strategic Planning Process

**12 Proposed Meeting Dates**

**Board Meetings:**

**Thursday**, December 15, 2011

**Thursday**, January 19, 2011

**Thursday**, February 16, 2012

**Thursday**, March 22, 2012

**Adjournment**

## **Texas Southmost College District**

### Minutes of the Regular Meeting of the Board of Trustees

October 20, 2011

The Board of Trustees of the Texas Southmost College District convened in open session on October 20, 2011, at 5:00 p.m., in the Gorgas Board Room at Texas Southmost College. Board members present were Francisco G. Rendon, Chair; Adela G. Garza, Secretary; Trey Mendez; Dr. Robert A. Lozano and René Torres. Also present was Dr. Lily F. Tercero, President of Texas Southmost College. Board member Dr. Roberto Robles, Vice Chair was absent.

#### **Call to Order**

The meeting was called to order by Chairman Rendon at 5:10 p.m.

#### **1. Announcements**

There were no announcements.

#### **2. Transition Team Status Report**

Chairman Rendon called on Dr. Robert Furgason and Dr. John Anthony, TSC Consultants for the Transition Team. Dr. Furgason reported that there was a meeting with the staff of the University of Texas System in Austin, Texas. He reported one of the items involved space issues and the space inventory will be given at the end of October. It is very important because of the programs that will be placed together in the spaces that are available. He said there is a reasonable amount of space for the two institutions but the distribution has to be dealt with. He also said he had been struggling to access the data that is necessary to make the decisions because some of the data is for public information and other has to

be protected for privacy. He also said in the meeting they discussed UTB/TSC principles that will be shared in the next meeting. Another item he discussed was the personnel policy for faculty and is refining the policy to bring to the next Board meeting.

Mr. Mendez asked from whom he is having problem getting data.

Dr. Furgason responded that it is primarily local but that it is a timely request on getting specific. He also mentioned that Michael Putegnath has been helpful in getting that data to the consultants.

### **3. Opening Statement by Trustees**

Chairman Rendon stated that in the near future there will be workshops to talk about the new vision and mission will be. He read the existing mission for the Texas Southmost College District "Texas Southmost College is a comprehensive open admissions public community college whose mission comports with Texas Statute Subchapter A, Section 130.

Texas Southmost College offers programs leading to certificates of completion and associate degrees, developmental education to prepare students for college-level work, occupational and technical programs to prepare students for immediate employment, academic courses of study to develop the core skills, understandings, and knowledge appropriate for baccalaureate programs, and continuing education, counseling, guidance, adult literacy and personal enrichment.

Texas Southmost College advances economic and social development, enhances the quality of life, encourages respect for the environment, cultivates personal enrichment, and expands knowledge in service to its community. It convenes the cultures of its community and fosters an appreciation for the unique heritage of the Lower Rio Grande Valley. It provides academic leadership in the intellectual, social, cultural, and economic life of the region it serves.

Texas Southmost College places excellence in teaching and learning at the core of its commitments. It seeks to help students at all levels develop the skills which will sustain life-long learning while respecting the dignity of each learner and the needs of the entire community."

### **4. Speakers to Agenda Items and Public Discussion**

Chairman Rendon called on Robert Lucio. Mr. Lucio discussed the item regarding the Fort Brown Golf Course.

Chairman Rendon called on Michael Gonzalez, Executive Director of United Brownsville. Mr. Gonzalez said that on behalf of United Brownsville welcome Dr. Tercero to the community. He said he was at the State of Education event and was very impressed on Dr. Tercero comments.

## **5. Approval of Minutes of Previous Meetings**

### **Consideration and Possible Action on Approval of Minutes of the Regular Meeting on September 22, 2011**

**A motion was made by Mr. Mendez to approve the Minutes of the Regular Meeting on September 22, 2011 as presented. The motion was seconded by Mr. Torres and carried unanimously.**

## **6. Executive Session**

as provided by Government Code,  
Chapter 551.071 and 551.072.

**The Board convened in Executive Session at 5:24 p.m.**

**The Board reconvened in Regular Session at 6:30 p.m.**

## **7. Consideration and possible action on matters discussed in Executive Session**

### **Discussion and Review of Golf Course Contract**

No action was taken.

### **Litigation Regarding Mary Jane Saucedo vs. University of Texas at Brownsville, ET AL Cause No. C-2077-11-F**

No action was taken.

**Discussion Regarding the Appraisal of  
the TSC Fort Brown Condos Villas I and II**

No action was taken.

**Declaration of TSC Fort Brown  
Villas I and II as Surplus Property**

**A motion was made by Mr. Mendez to declare the TSC Fort Brown Villas I as surplus property and direct Dr. Tercero to move forward with the sale as presented. The motion was seconded by Mr. Torres and carried unanimously. *Exhibit "A"***

**Discussion and Possible  
Action on the Cueto Building**

Mr. Oliveira said that it is a great deal and is happy to sell it to the City a partner of the community. He also glad they made an offer for the property for the downtown area.

**A motion was made by Mr. Oliveira to accept the offer from the City of Brownsville to purchase the Cueto Building for the TSC Appraised Value \$500,000 the Minutes of the Regular Meeting on September 22, 2011 as presented. The motion was seconded by Mr. Torres and carried unanimously. *Exhibit "B"***

**Discussion and Possible Action on the  
Property Appraisal of 2.10 Acres dba Lots 1 and 2,  
Block 4, University Park Subdivision**

This item was tabled.

**8. Board Policy**

**Consideration and Possible Action  
on Second Reading Board Policy: IV.B.1 –  
Employment Contracts**

Chairman Rendon called on Dr. Furgason to present the item. He said the intent is to provide the ability for the Board to have the flexibility for the length of the contract for the employees.

Mr. Oliveira asked if it is common for the junior colleges to have longer contracts for the president is his concern of the policy.

Dr. Anthony responded that in the majority of community colleges across state and country are common. He said that a three year contract with a renewal every year. He said the way the contract can be structured in such ways that you are not committed to anything other than the yearly assessment. He also said the other advantage of this policy is to hire other faculty or staff members for longer term contracts and also said it doesn't mean you cannot hire them for one year but it provides a flexibility to hire people for longer periods of time if you believe there doing a good job.

Mr. Mendez asked if it was common to have three year contracts for administrative personnel or is that for faculty or staff as well.

Dr. Anthony responded that there is number of institutions across that state and country that have multi-year contracts for faculty members. He said it is not just for president that it can be for staff or faculty members but he said the policy provides the Board with a flexibility.

**A motion was made by Mr. Torres to approve the Second Reading Board Policy: IV.B.1 – Employment Contracts as presented. The motion was seconded by Mr. Mendez and carried unanimously.**

*Exhibit "C"*

## **9. Proposed Meeting Dates**

**Saturday, November 12, 2011**  
**Introduction of President to  
Community**

**Thursday, November 14, 2011**  
**Board Retreat**

**Thursday, November 17, 2011**  
**Thursday, December 15, 2011**



## **Adjournment**

The meeting was adjourned by Chairman Rendon at 6:39 p.m.

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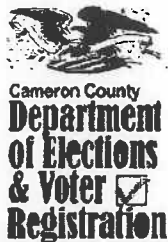
Mr. Francisco G. Rendon  
Chairman, Board of Trustees

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Ms. Adela G. Garza  
Secretary, Board of Trustees

DRAFT

**NOTE:** The tape of the Regular Board of Trustees meeting held on October 20, 2011, is on file at the District Office of the Texas Southmost College District. The master tape is on file at UTB/TSC Media Services. These minutes were taken and transcribed by Max E. Roca, Administrative Secretary. Videotaping of the Board of Trustees' meetings began on April 11, 1996. They are aired on Channel KBSD in cooperation with the Brownsville Independent School District.



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## Office of the Elections Administrator

954 East Harrison Street ★ Post Office Box 3587 ★ Brownsville, Texas 78523  
Phone: 956/544-0809 ★ Fax: 956/550-7298

*Rogelio Ortiz*  
Administrator/Registrar

August 24, 2011

Cities, School Districts, and Other Political Jurisdictions:

RE: SENATE BILL 100

As you are aware Senate Bill 100 has had a major impact on election dates in even-numbered years. This bill was enacted so that Texas may comply with the federal MOVE Act and its requirements that counties mail ballots to military and overseas voters at least 45 days before Election Day in Federal Elections. Under SB 100, the Primary Election remains on the first Tuesday in March (March 6, 2012), but the Primary Runoff Election moves to the 4<sup>th</sup> Tuesday in May (May 22, 2012), while the uniform election for local political subdivisions remains on the 2<sup>nd</sup> Saturday in May (May 12, 2012).

Because of the new date for the Primary Election Runoff, we do not see a way that we will be able to provide voting equipment or services to most in May of even-numbered years. Attached is a calendar that shows the overlap between the primary runoff and the May uniform elections in 2012. At this time we simply do not have sufficient resources (equipment, personnel, and time) to conduct both elections simultaneously.

SB 100 provides local political subdivisions various options for their elections going forward. TML or TASB may have information discussing options for cities and schools that will help you with information regarding the 2012 elections.

We will host a meeting of political subdivisions on **Friday, September 2, 2011 at 9:00 a.m.** to answer questions you may have about SB 100 and its impact on your elections. This meeting will be held at the Dancy Building, Exhibit Room, 1100 E. Monroe St, Brownsville, Texas.

In the meantime please feel free to contact me with any questions you might have.

Roger Ortiz, EA  
Cameron County  
954 E. Harrison St.  
P. O. Box 3587  
Brownsville, Texas 78522  
(956) 544-0809 office  
(956) 550-7298 fax  
[rortiz@co.cameron.tx.us](mailto:rortiz@co.cameron.tx.us)

# TEXAS SECRETARY of STATE

## HOPE ANDRADE

Note - Navigational menus along with other non-content related elements have been removed for your convenience. Thank you for visiting us online.

### Election Advisory No. 2011-09

**To:** All County, City, School District, and Other Political Subdivision Election Officials  
**From:** Ann McGeehan, Director of Elections  
**Date:** June 24, 2011  
**RE:** Legislative Implementation of the federal Military and Overseas Voter Empowerment Act and the Impact on the Texas Election Calendar

To comply with the federal Military and Overseas Voter Empowerment Act (MOVE), the Texas Legislature enacted Senate Bill 100 (SB 100) in the 82nd Regular Session. This Advisory is intended to provide a basic summary and notice of the impact on the 2012 election calendar. SB 100 does not apply to the November 8, 2011 election. Our office will soon provide more detailed information concerning all the new requirements.

As required by MOVE, SB 100 enhances the voting process for military and overseas voters who may encounter obstacles and time delays with the standard vote by mail process. SB 100 requires ballots to be mailed or emailed to military and overseas voters no later than the 45th day before the election. This requirement applies to:

1. All elections in which a federal office appears on the ballot;
2. Elections to fill a vacancy in the state legislature, unless the election is an emergency or expedited; and
3. An election held jointly with an election described in (1) or (2).

In addition, SB 100 provides that a Federal Postcard Application is effective for a single calendar year instead of the previous effective period of two federal general elections.

The mandate to mail ballots 45 days before an election has a significant impact on the entire election calendar. For example, although primary elections will continue to be the first Tuesday in March, runoff primary elections are moved from the second Tuesday in April to the fourth Tuesday in May.

SB 100 also affects the May uniform election date which now falls between the March primary and the May primary runoff. Early voting for the primary runoff begins two days after the May uniform election date. SB 100 limits the May uniform election date in even-numbered years to only non-county elections. The May uniform election date in odd-numbered years is unaffected.

The deadlines to order elections and the deadlines to file an application for place on the ballot are also adjusted. Below is a summary of the new 2012 election dates and deadlines:

Deadline to file an application for place on the primary ballot	December 12, 2011
Deadline to conduct primary ballot drawing	December 20, 2011
Deadline to mail ballots to <u>MOVE</u> voters for primary	January 21, 2012
Primary Early Voting Period	February 21-March 2, 2012
Deadline to file an application for place on the May ballot	March 5, 2012
<b>PRIMARY ELECTION DAY</b>	March 6, 2012
Deadline to mail ballots to <u>MOVE</u> voters for runoff	April 7, 2012
May uniform election day early voting period	April 30 – May 8, 2012
<b>MAY UNIFORM ELECTION DAY</b> (Limited)	May 12, 2012
Primary Runoff Early Voting Period	May 14 – 18, 2012
<b>PRIMARY</b> Runoff Election Day	May 22, 2012

Cities, schools or other political subdivisions that hold a general election in May of even-numbered years are urged to contact their county election officials soon to determine if county election officials will be able to contract to either conduct the election or lease voting equipment in May of even-numbered years. County election officials are not required to contract to conduct elections in May of even-numbered years. Similarly, counties are not required to lease voting equipment if doing so jeopardizes the equipment's availability for county elections.

SB 100 does not require a political subdivision to change its general election date but it does allow a political subdivision to change to the November uniform election date or to May of an odd-numbered year. Consistent with legislative intent, the Office of the Secretary of State will likely adopt an administrative rule clarifying that a political subdivision may move its general election date from May of an even-numbered year to May of an odd-numbered year.

In addition, SB 100 contains the following provisions to facilitate a change in election date and/or a change to the term of office:

- A home rule city may pass a resolution to change the general election date or to provide for the election of all members of the governing body at the same election. The resolution supersedes any charter provision to the contrary.
- A school board may adopt a resolution no later than December 31, 2011 that changes the length of trustees' terms. The resolution must provide for staggered terms of either three or four years, and the transition must begin with the first regular election occurring after January 1, 2012.
- A general law municipality whose governing body serves one or three year terms or staggered terms may adopt a resolution no later than December 31, 2012, changing the length of term to two years or providing for the election of all members of the governing body at the same election.

- Any political subdivision that elects the members of its governing body to a term that consists of odd-numbered years may adopt a resolution no later than December 31, 2012, changing the length of the term to an even number of years.

While more detailed information is forthcoming, we wanted to alert you to the election calendar changes so that you can begin to assess the impact on your election calendar. If you have any questions or need additional information, please contact the Elections Division at 1-800-252-VOTE (8683).

# CAMERON APPRAISAL DISTRICT

Frutoso M. Gomez, Jr., Chief Appraiser  
P.O. Box 1010, 2021 Amistad Dr.  
San Benito, TX 78586-1010  
www.cameroncad.org  
(956) 399-9322  
(956) 541-3365  
(956) 428-8020  
Fax (956) 399-6969



September 20, 2011

**MEMBERS OF THE BOARD**  
Jose Noe Diaz, Sr., Chairman  
Janice A. Cassidy, Vice-Chairperson  
Jesse Villarreal, Secretary  
Carlos H. Cascos  
Enrique Escobedo, Jr.  
Roberto Garcia  
Joey Treviño  
Vicente Mendez  
Robert Pinkerton, Jr.  
Tom Yzaguirre, Jr.



Chairman  
Texas Southmost College District  
80 Fort Brown  
Brownsville, TX 78520

RE: Senate Bill 1 regarding goods in transit exemption

During the recent called session of the Texas Legislature, Senate Bill 1 was passed and signed by the Governor. The bill requires, among other things, that affirmative steps be taken by each taxing unit in the State so that a class of property known as "goods-in-transit" will remain subject to property taxation, even if the property is already being taxed. According to the bill, in which I have attached the portion germane to this letter, each taxing unit must conduct a hearing and take official action after October 1, 2011 and before January 1, 2012 to continue to provide for taxation of such property. Failure to have a hearing and take action to tax means that the property will become exempt after January 1, and the bill contains no language providing for taxation if the January 1, 2012 deadline is missed.

According to Property Tax Code section 11.253, goods-in-transit are tangible personal property stored in a public warehouse for the person who acquired or imported the property, and which are transported to another location inside or outside Texas not later than 175 days after the property was acquired or imported.

Your taxing entity may have taken official action to provide for taxation when the original goods-in-transit bill was enacted in 2007. However, Senate Bill 1 requires another hearing and official action to continue taxation by the deadline described in the bill, and if the action is not taken by the deadline, the opportunity to tax may be lost.

I recommend that you consult your entity's counsel about this matter as soon as possible to determine options and procedural steps.

Thank you for your consideration.

Sincerely,

Frutoso M. Gomez, Jr.  
Chief Appraiser

Attachment

ARTICLE 48. AD VALOREM TAXATION OF CERTAIN STORED PROPERTY

SECTION 48.01. Subsection (a), Section 11.253, Tax Code, is amended by amending Subdivision (2) and adding Subdivisions (5) and (6) to read as follows:

(2) "Goods-in-transit" means tangible personal property that:

(A) is acquired in or imported into this state to be forwarded to another location in this state or outside this state;

(B) is stored under a contract of bailment by a public warehouse operator [detained] at one or more public warehouse facilities [a location] in this state that are not in any way owned or controlled by [in which] the owner of the personal property [does not have a direct or indirect ownership interest] for the account of [assembling, storing, manufacturing, processing, or fabricating purposes by] the person who acquired or imported the property;

(C) is transported to another location in this state or outside this state not later than 175 days after the date the person acquired the property in or imported the property into this state; and

(D) does not include oil, natural gas, petroleum products, aircraft, dealer's motor vehicle inventory, dealer's vessel and outboard motor inventory, dealer's heavy equipment inventory, or retail manufactured housing inventory.

(5) "Bailee" and "warehouse" have the meanings assigned by Section 7.102, Business & Commerce Code.

(6) "Public warehouse operator" means a person that:

(A) is both a bailee and a warehouse; and

(B) stores under a contract of bailment, at one or more public warehouse facilities, tangible personal property that is owned by other persons solely for the account of those persons and not for the operator's account.

SECTION 48.02. Section 11.253, Tax Code, is amended by amending Subsections (e) and (h) and adding Subsections (j-1) and (j-2) to read as follows:

(e) In determining the market value of goods-in-transit that in the preceding year were ~~[assembled,] stored[, manufactured, processed, or fabricated]~~ in this state, the chief appraiser shall exclude the cost of equipment, machinery, or materials that entered into and became component parts of the goods-in-transit but were not themselves goods-in-transit or that were not transported to another location in this state or outside this state before the expiration of 175 days after the date they were brought into this state by the property owner or acquired by the property owner in this state. For component parts held in bulk, the chief appraiser may use the average length of time a component part was held by the owner of the component parts during the preceding year at a location in this state that was not owned by or under the control of the owner of the component parts in determining whether the component parts were transported to another location in this state or outside this state before the expiration of 175 days.

(h) The chief appraiser by written notice delivered to a property owner who claims an exemption under this section may require the property owner to provide copies of property records so the chief appraiser can determine the amount and value of goods-in-transit and that the location in this state where the goods-in-transit were detained for storage [assembling, storing, manufacturing, processing, or fabricating purposes] was not owned by or under the control of the owner of the goods-in-transit. If



the property owner fails to deliver the information requested in the notice before the 31st day after the date the notice is delivered to the property owner, the property owner forfeits the right to claim or receive the exemption for that year.

(i-1) Notwithstanding Subsection (j) or official action that was taken under that subsection before October 1, 2011, to tax goods-in-transit exempt under Subsection (b) and not exempt under other law, a taxing unit may not tax such goods-in-transit in a tax year that begins on or after January 1, 2012, unless the governing body of the taxing unit takes action on or after October 1, 2011, in the manner required for official action by the governing body, to provide for the taxation of the goods-in-transit. The official action to tax the goods-in-transit must be taken before January 1 of the first tax year in which the governing body proposes to tax goods-in-transit. Before acting to tax the exempt property, the governing body of the taxing unit must conduct a public hearing as required by Section 1-n(d), Article VIII, Texas Constitution. If the governing body of a taxing unit provides for the taxation of the goods-in-transit as provided by this subsection, the exemption prescribed by Subsection (b) does not apply to that unit. The goods-in-transit remain subject to taxation by the taxing unit until the governing body of the taxing unit, in the manner required for official action, rescinds or repeals its previous action to tax goods-in-transit or otherwise determines that the exemption prescribed by Subsection (b) will apply to that taxing unit.

(j-2) Notwithstanding Subsection (i-1), if under Subsection (j) the governing body of a taxing unit, before October 1, 2011, took action to provide for the taxation of goods-in-transit and pledged the taxes imposed on the goods-in-transit for the payment of a debt of the taxing unit, the tax officials of the taxing unit may continue to impose the taxes against the goods-in-transit until the debt is discharged, if cessation of the imposition would impair the obligation of the contract by which the debt was created.

SECTION 48.03. Subdivision (2), Subsection (a), Section 11.253, Tax Code, as amended by this article, applies only to an ad valorem tax year that begins on or after January 1, 2012.

SECTION 48.04. (a) Except as provided by Subsection (b) of this section, this article takes effect January 1, 2012.

(b) Section 48.02 of this article takes effect October 1, 2011.



THE STATE OF TEXAS §

COUNTY OF CAMERON §

**TEXAS SOUTHMOST COLLEGE DISTRICT**

**Resolution Continuing Taxation of Goods in Transit**

*Whereas*, pursuant to the Texas Constitution and Texas Tax Code § 11.253, local taxing units are granted the option to continue taxing goods in transit; and

*Whereas*, the Board of Trustees of the Texas Southmost College District held a hearing pursuant to Section 1-n(d), Article VIII, Texas Constitution, on the issue of whether goods in transit that are not exempt by statute other than Texas Tax Code § 11.253 should continue to be taxed; and

*Whereas*, the Board of Trustees finds and determines that; it is in the public's interest to continue the ad valorem taxation of goods in transit; and

*Whereas*, the Board further finds and determines, that the meeting at which this resolution is adopted was open to the public; and that public notice of the time, place, and purpose of such meeting was given, all as required by Chapter 551, Texas Government Code, as amended,

*Now, Therefore, it is Accordingly Found, Declared, Ordered, and Resolved by the Board of Trustees of the Texas Southmost College District* that goods in transit as defined by Tex. Tax Code § 11.253 shall remain subject to ad valorem taxation by the Texas Southmost College District, pursuant to the annual ad valorem tax assessment, if not otherwise exempt.

*Passed, Ordered, and Adopted* by the Board of Trustees of the Texas Southmost College District on this the 17<sup>th</sup> day of November 2011.

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Francisco G. Rendon  
Chairman, Board of Trustees

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Adela G. Garza  
Secretary, Board of Trustees



# TEXAS SOUTHMOST COLLEGE DISTRICT

## BOARD AGENDA REQUEST FORM

<b>Department/Division:</b> TSC District Office	<b>Board Meeting Date:</b> November 17, 2011
<b>Agenda Item:</b> Consideration and possible action on approval of a contract with Brick Selections Valley, Ltd. for the purchase of surplus brick material.	
<b>Rationale/Background:</b> <p>At the Board meeting held on March 24, 2011, staff requested that the Board consider declaration of remaining brick inventory as surplus property. On May 2011, a bid competitive process was conducted for the sale of surplus cored and solid bricks. One bid was received for the purchase of 12,000 solid bricks from J&amp;C Ram Masonry Construction Inc.</p> <p>On October 31, 2011, a second bid solicitation notice was issued for the sale of the remaining surplus brick material. Newspaper advertisements were published on October 31<sup>st</sup> and November 7<sup>th</sup> in The Brownsville Herald and The Valley Morning Star. The pre-bid conference was held on November 9<sup>th</sup>. The bid deadline was November 14<sup>th</sup> at 2:00 p.m. and the bid opening was held on the same date at 2:30 p.m. The result was the submission of one proposal from Brick Selections Valley, Ltd. Brick Selections' proposal included three separate offers to purchase the brick in different shipments. The first offer (shipment) is to be made within 30 days after acceptance of proposal and is to purchase 60,255 cored bricks at a unit price of \$0.25 per brick and 2,340 solid bricks at a unit price of \$0.40 per brick. The second offer (shipment) is to be made within 120 days and is to purchase the same quantity of cored and solid bricks but at a unit price of \$0.20 and \$0.35 per brick respectively. As the third offer, the bidder included the option to purchase the additional amount of 60,255 cored and 2,340 solid bricks at the accepted purchase price of \$0.20 and \$0.35 per brick respectively to be picked up no later than June 30, 2012.</p> <p>TSC employees have discussed the offer with the sole bidder and have established that a floor price of \$0.25 and \$0.50 per cored and solid brick respectively. In return the purchaser asked permission to extend the second shipment to 150 days, which does not materially change the bid offer.</p>	
<b>Recommended Action:</b> Motion to authorize the president to execute a contract and accept first offer for the sale of the both options 1 & 2 for purchase of 120,510 cored bricks at \$0.25 per brick and 4,680 solid bricks at \$0.50 per brick. Also, include an option to purchase an additional lot of 60,255 cored bricks and 2,340 solid bricks and the same respective price of \$0.25 and \$0.50 per brick, with a delivery date no later than June 30, 2012.	
<b>Fiscal Implications:</b> Revenue	<b>Budgeted Item:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain:
<b>Attachments (List):</b> 1. Bid tabulation	

<b>FOR OFFICE USE ONLY:</b>			
<b>Board Action:</b>	Approved:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____	
<b>Certified by:</b> _____	<b>Title:</b> _____	<b>Date:</b> _____	

# Sale of Brick Material

## TSC B12-02

**Bid Deadline:** Monday, November 14, 2011, 2:00 P.M.

**Bid Opening:** Monday, November 14, 2011, 2:30 P.M.

Gorgas Conference Room

October 31 and November 7, 2011

**Date Advertised:** The Brownsville Herald/Valley Morning Star

Bidder Name	Financial Form	Addendum #1	Cored Bricks	Unit Price	Solid Bricks	Unit Price
Brick Selections Valley, Ltd.	Yes	Yes	Shipment 1      60,255	\$.25	2,340	\$.40
			Shipment 2      60,255	\$.20	2,340	\$.35
			Optional Shipment    60,255	\$.20	2,340	\$.35