



TEXAS SOUTHMOST COLLEGE DISTRICT

THE UNIVERSITY OF TEXAS AT BROWNSVILLE and TEXAS SOUTHMOST COLLEGE

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Texas Southmost College District

Minutes of the Special Meeting of the Board of Trustees

March 06, 2008

The Board of Trustees of the Texas Southmost College District convened in open session March 6, 2008, at 5:30 p.m., in the Board Room of Gorgas Hall, Texas Southmost College. Board members present were Mr. Chester Gonzalez, Chair, Ms. Rosemary Breedlove, Vice Chair, Mr. Eduardo A. Campirano, Secretary, Dr. Roberto Robles, Ms. Dolly Zimmerman, and Mr. David Oliveria. Absent was Mr. José A. Herrera. Also present was Dr. Juliet V. García, President of The University of Texas at Brownsville and Texas Southmost College.

Special Meeting

Call to Order

The meeting was called to order by Chairman Gonzalez at 5:37 p.m.

1. Executive Session

as provided by Government Code,
Chapter 551.071

Legal Matters

Eligibility of Joe Lee Rubio to
Appear on the ballot as a candidate for
the Board of Trustees election
scheduled for May 10, 2008

The Board convened in Executive Session at 5:39 p.m.

The Board reconvened in Regular Session at 6:09 p.m.

2. Consideration and possible action on matters discussed in Executive Session

Consideration and possible action on eligibility of Joe Lee Rubio to appear on the ballot as a candidate for the Board of Trustees election scheduled for May 10, 2008

Dr. David Pearson, Vice President for Partnership Affairs, reported that on February 15, 2008, Mr. Joe Lee Rubio filed an application to be included on the ballot as a candidate for Place 1 on the Texas Southmost College Board of Trustees.

Dr. Pearson explained that the Election Agent for the TSC District Office contacted Mr. Rubio, requesting that he provide written evidence of a pardon or other release by noon, March 6, 2008. As of 5:00 p.m. on that day, Mr. Rubio had provided no such evidence.

Dr. Pearson noted that section 145.003(g) of the Texas Election Code requires the electing authority to promptly review applications for a place on the ballot, as well as other public record information pertinent to a candidate's eligibility. If the authority determines that the record establishes ineligibility, the authority is required to declare the candidate ineligible.

Dr. Pearson pointed out that the Board Secretary examined the 2006 letter from the Texas Attorney General in which it was stated that, based on court documents, Mr. Rubio had been convicted of a felony and is therefore ineligible to serve as a College trustee.

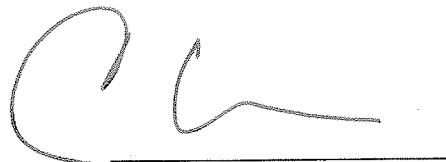
Dr. Pearson noted that the Secretary had reviewed the letter from the Election Agent to Mr. Rubio. As required by the Texas Election Code, the Secretary had provided the Board Chairman with written notice of Mr. Rubio's ineligibility, and requested that Mr. Rubio's name not be placed on the ballot for the May 10, 2008, election. The Secretary also requested that the Board pass a resolution affirming this determination.

Chairman Gonzalez read a resolution declaring Joe Lee Rubio ineligible to serve as a member of the TSC Board, and ineligible to appear on the ballot as a candidate for the Board of Trustees election scheduled for May 10, 2008.


A motion was made by Ms. Zimmerman to adopt the resolution declaring Joe Lee Rubio ineligible to serve as a member of the TSC Board, and ineligible to appear on the ballot as a candidate for the Board of Trustees election scheduled for May 10, 2008. The motion was seconded by Dr. Robles and carried unanimously. Exhibit "A"

Adjournment

The meeting was adjourned by Chairman Gonzalez at 6:16 p.m.



Mr. Chester Gonzalez
Chairman, Board of Trustees



Mr. Eduardo A. Campirano
Secretary, Board of Trustees

NOTE: The tape of the Special Board of Trustees meeting held on March 06, 2008 is on file at the District Office of the Texas Southmost College District. The master tape is on file at the UTB/TSC Media center. These minutes were taken and transcribed by Max Roca, Administrative Secretary. Videotaping of the Board of Trustees' meetings began on April 11, 1996. They are aired on Channel KISD in cooperation with the Brownsville Independent School District.