



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 Regular Meeting of the Board of Trustees

April 28, 2011

The Board of Trustees of the Texas Southmost College District convened in open session on April 28, 2011, at 5:30 p.m., in the Gorgas Board Room at The University of Texas at Brownsville and Texas Southmost College. Board members present were Francisco G. Rendon, Chair; Dr. Roberto Robles, Vice Chair; Adela G. Garza, Secretary; Trey Mendez; Dr. Robert A. Lozano; and René Torres. Board member David Oliveira and Dr. Juliet V. García, President of The University of Texas at Brownsville and Texas Southmost College was absent. Mr. Irv Downing, Vice President for Economic Development and Community Services of The University of Texas at Brownsville and Texas Southmost College was present representing Dr. García.

Call to Order

The meeting was called to order by Chairman Rendon at 5:34 p.m.

1. Announcements

There were no announcements.

2. Resolution

**Consideration and Possible
Action on Acceptance of Resolution**

Chairman Rendon called on Dr. Robles to make the introduction. Dr. Robles stated that it was time to honor Mr. Dan Rentfro, Attorney who has served this

District with expertise and integrity. His history with the Board of Trustees and his care of the interests of Texas Southmost College District has been both long in years, and more importantly taken personally as one of the most important areas of his practice. Mr. Rendon read the resolution in honoring of Mr. Rentfro. Mr. Rentfro thanked the Board for all of his years of service. Mr. Torres thanked Mr. Rentfro and his dad for their service for the institution and community.

A motion was made by Dr. Robles to adopt the Resolution honoring Daniel Rentfro, Jr. for his Service to the Texas Southmost College District Since 1974 as presented. The motion was seconded by Dr. Lozano and carried unanimously. Exhibit "A"

3. Transition Team Status Report

Chairman Rendon introduced Dr. John Anthony, Consultant for the TSC Transition Team. Mr. Rendon reminded fellow Trustees that Dr. Anthony's consultant contract was approved at the March 24, 2011 board meeting. Dr. Anthony was recommended to assist with TSC's transition efforts through the current President of the Texas Association of Community Colleges, Dr. Reynaldo Garcia. Dr. Anthony brings a wealth of experience leading community colleges and the SACS accreditation process.

Dr. Anthony reported that the Transition Teams met in Austin on April 4, 2011. They discussed UT System projections and analysis of enrollment figures and other issues related to the separation of the two institutions. This meeting was very constructive and positive and ensured that UT System is interested in making the separation successful for both institutions. The next meeting is scheduled on May 5, 2011 in Austin. The next meeting will focus on the perception of enrollment figures and the financial situation for TSC.

Dr. Anthony reported that he and Dr. Furgason traveled to Atlanta, Georgia on April 13th to meet with the Southern Association of Colleges and Schools (SACS) staff. The outcome of this meeting was also very positive. Dr. Furgason has provided a report to the Trustees regarding the activities that occurred at SACS. Dr. Furgason and Dr. Anthony met with Dr. Ann Chard, Executive Vice President for SACS on the issues related to the transition. TSC will be accredited through the University of Texas at Brownsville until it has its own accreditation. Dr. Anthony reported that he has reviewed the criteria of the principles of accreditation manual that is sent by SACS and there are twelve core requirements that TSC must comply with before they will consider for accreditation. TSC already meets ten of the twelve core requirements. There are also fifty comprehensive standards that must be addressed. In reviewing the comprehensive standards he reported that TSC already meets thirty five out of the fifty. The others relate to student outcome, institutional effectiveness, faculty credentials, and issues that will be addressed in the future.

Dr. Anthony is very optimistic that TSC can move forward with the accreditation process and have a visit as early as Fall 2012. The accreditation will most likely occur at the summer meeting of SACS in 2013. The entire SACS Staff has expressed willingness to assist in this transition.

Dr. Anthony reported that he met with the UTB/TSC Faculty Senate on April 15, 2011. He stated that they are sensitive of the issues that may or may not relate to the transition and that the Board and consultants need to be aware of those sensitivities. One issue of concern was nursing accreditation. Dr. Furgason is following through with that accreditation research. There was also a meeting with students and student government officials. The majority of the students had concerns primarily about with the transition and making normal progress toward their degrees. Dr. Furgason assured them that will not be an issue. Students were ensured that once a program was begun, the opportunity will be provided to finish the program under the advice and requirements listed by the College program.

Dr. Anthony reported on another positive meeting that was held with the bond rating agency and the bond council of First Southwest in San Antonio. He also reported that a meeting with the UTB/TSC Staff Senate has been scheduled for April 29, 2011 to discuss issues regarding transition.

Chairman Rendon asked for Dr. Anthony to elaborate on his background with his experience with SACS. He reported that he served as Chairman of the SACS Commission on Criteria and Reports which is the major body of SACS that reviews two and four year accreditation. He said he read over two hundred self-studies and had committees vote on those in the six years he was chairman. In addition, he has chaired twenty SACS visits to other institutions across the SACS region and prior he served on the commission on North Central Texas and at the Western Association in California.

Dr. Robles expressed his confidence that Dr. Anthony is the right person for the accreditation process. Dr. Robles also expressed his concerns regarding the economic side of the issue. One of the reasons to have separated is to lower tuition of the students on the community college side and to maintain the tax rate as it is. Another concern will be the loss of jobs for faculty and staff. Dr. Anthony explained that the financial issues are a major issue but he believes that TSC is in better shape financially than 35% of the community colleges in the state of Texas. TSC is a viable institution, with a sound tax base and projected enrollment growth will be considerably larger than what TSC has experienced due to admission standards at the University level. In reviewing the audits, budgets, and income statements and compared to other institutions, this institution is better financially than others.

Dr. Robles expressed for Dr. Anthony and Dr. Furgason to present a "Plan B" in case the tuition and taxes would increase. Dr. Anthony explained that there could be alternatives which will be a board decision. Dr. Robles requested that a "Plan B" be presented.

Mrs. Garza mentioned that community colleges are needed and she believes that TSC has chosen the right people for the job. She expressed her gratitude and belief in Dr. Anthony's optimism. Mrs. Garza stressed that the Board is committed in working together and representing TSC.

Dr. Lozano thanked Dr. Anthony for taking the optimist position and agreed with Mrs. Garza. Dr. Lozano requested clarification on the SACS process. Dr. Anthony clarified that that SACS meets twice a year and accreditation is passed on twice a year.

Mr. Torres also welcomed Dr. Anthony's optimism and Dr. Robles questions and concerns of requesting a "Plan B" and is supportive of such a plan.

Mr. Torres expressed another concern regarding finances and accreditation. He expressed the possibility that both institutions achieve autonomy and believes that autonomy will benefit the community and the region. Mr. Torres expressed his belief that although there are many challenges ahead, both institutions will be successful in the future. Dr. Anthony agreed that both institutions will need to work together to succeed.

Mr. Mendez expressed that a great weight was lifted off the Boards shoulders and is glad to have the consultants leading the transition team. He feels the upmost confidence in their abilities and experience in the past and looks forward to the challenge and feels it will benefit the community.

Chairman Rendon asked Dr. Anthony to elaborate on what he did at Collin County Community College. Dr. Anthony reported that he was the founding president in August 1985 and worked with Board of Trustees. He started the College in the fall 1985 calibration with Grayson Community College. He said he had about 750 students enrolled and that point forward he developed Spring Creek Campus in Plano, Texas, another campus in Frisco, Texas and the other in McKinney, Texas. He mentioned when he left in year 2000 they were graduating 4,000 students and enrollment was about 18,000 students.

Dr. Robles inquired about the concerns of the TSC bond council. Dr. Anthony explained that the bond rating agencies require an explanation on the changes within any institution. Dr. Anthony reported that their questions were answered and satisfied. An agreement was made to keep them abreast of further changes. The TSC Bond Counsel and the First Southwest representative did not see any significant issues in the future. Dr. Anthony reported that TSC had one alert because of the lack of information initially.

4. Opening Statement by Trustees

Chairman Rendon gave an opening statement. He clarified that students will not endure a gap in services. The opportunities for students will continue under the existing accreditation until the two institutions are accredited separately. Mr. Rendon reassured the community that once a degree plan has been started, it will continue even though there are changes in the two institutions.

5. Speakers to Agenda Items and Public Discussion

There were no speakers.

6. Appearance before the Board

Chairman Rendon called on Mike Blum, Dyna-Go Properties to give a presentation. Mr. Blum gave a presentation on the sale of 9.43 contiguous acres.

7. Approval of Minutes of Previous Meetings

Consideration and Possible Action on Approval of Minutes of the Special Meeting on March 22, 2011

A motion was made by Mr. Mendez to approve the Minutes of the Special Meeting on March 22, 2011 as presented. The motion was seconded by Mrs. Garza and carried unanimously.

Consideration and Possible Action on Approval of Minutes of the Regular Meeting on March 24, 2011

A motion was made by Mr. Mendez to approve the Minutes of the Regular Meeting on March 24, 2011 as presented. The motion was seconded by Mrs. Garza and carried unanimously.

8. Executive Session

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

The Board convened in Executive Session at 6:20 p.m.

The Board reconvened in Regular Session at 7:50 p.m.

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

**Approval of EBS Spectrum
Lease Agreement for FCC Call Sign WLX945 and
Authorization of Chairman to Execute the Lease**

A motion was made by Mr. Mendez to approve the Lease Agreement and authorize Chairman Rendon to Execute the Lease as presented. The motion was seconded by Dr. Lozano and carried unanimously. *Exhibit "B"*

**Litigation Regarding 0.96 Acres of Land
Cause No. 1:08-CV-232 United States of America vs.
0.96 Acres of Land More or Less, et al.**

A motion was made by Mr. Mendez for Frank Perez; TSC Attorney to continue the discussions with the United States Attorney office to try to ascertain which properties is an issue in this matter as presented. The motion was seconded by Mrs. Garza and carried unanimously. *Exhibit "C"*

**Discussion of Lease Agreement with
IDEA Public Schools Campus at the ITEC Center**

Chairman Rendon mentioned that TSC received a letter from IDEA Public Schools that they already had purchased another property. No action was taken.

**Approval of TSC
Legal Counsel Invoices**

A motion was made by Mrs. Garza to approve invoices for TSC Legal Counsel as presented. The motion was seconded by Mr. Torres and carried unanimously. *Exhibit "D"*

**Discussion on Authorizing Staff to bid the
Sale of Property Located at 1027 E. 17th Street on E.
Jackson Street (a Rear 1/2 Lot 5, Block 7, Paredes
Track Additon, Brownsville, Texas)**

A motion was made by Mrs. Garza to table this item and authorize Frank Perez to do research on the bidding process. The motion was seconded by Mr. Mendez and carried unanimously. *Exhibit "E"*

**Discussion Regarding Dyna- Go Properties,
Inc. d/a Rivercentre Plaza land Sale of 9.4 Acres**

No action was taken.

**Approval of Job Description for the
TSC President and to Advertise the Position**

Chairman Rendon called on Dr. Anthony to discuss the process. Dr. Anthony stated that the position will be advertised nationally through the Chronicle of Higher Education and over two hundred letters across the country will be sent. There will be screening and evaluating candidates through a Selection Committee that will be appointed by the Board. A target date of September 2011 has been set to hire a President. A brochure has been developed by the TSC staff outlining the job description and the qualifications.

Dr. Anthony elaborated on the responsibilities and duties of the President. The responsibilities are as follows:

- To maintain general responsibility for all operations of the college district.
- The President is the chief executive officer of the Board and operates the District within the guidelines and policies established by the Board of Trustees.

The duties of the President include:

- Providing dynamic and effective leadership in the growth and development of the District.
- To build an administrative team so that the institution is managed effectively and efficiently.
- Securing adequate public and private resources at the local, state and federal levels.
- Developing and directing the implementation of the District's master plan for operations.
- Submitting the annual budget to the Board.
- Ensuring accurate and complete records required by state law and the state higher education Coordinating Board.
- Recommending to the Board for appointment, promotion or dismissal, all full-time personnel of the District.
- Issuing administrative procedures as necessary for effective administration of the District.
- Providing for the in-service professional improvement of all personnel.
- Directing the development of the District's capital construction program.
- Initiating projects under the various Federal Aid Programs.
- Establishing and maintaining an adequate public relations program.

- Other duties as assigned by the Board of Trustees.

A motion was made by Mrs. Garza to approve the job description for the TSC President as presented and authorize Dr. John Anthony to advertise the position. The motion was seconded by Mr. Torres and carried unanimously.

**Approval to Assign the TSC Presidential Search Task
to Dr. John Anthony, TSC Transition Team Consultant**

A motion was made by Mrs. Garza to assign the TSC Presidential Search Task to Dr. John Anthony. The motion was seconded by Mr. Torres and carried unanimously.

**Discussion of Assistant Vice President for
Finance Position as an Interim or Consultant
Position until TSC President is Hired**

Chairman Rendon stated that this position has been advertised but after discussion with the TSC Consultants, they recommended the permanent hiring of this position be put on hold until the TSC President has been hired. We are now proposing to give authority to the Transition Team to search for an Interim Finance position.

A motion was made by Mr. Mendez to give the authority to the Transition Team to look for an Assistant Vice President for Finance as an Interim or Consultant position until TSC President is hired as presented. The motion was seconded by Mr. Torres and carried unanimously.

**Discussion of TSC
District Office Personnel**

Chairman Rendon stated that the TSC District Office personnel have endured increased workloads for quite some time. The Board would like to authorize Dr. Anthony and Dr. Furgason to analyze the immediate needs for the TSC District Staff. Mr. Mendez added that this analysis would include analyzing the current job descriptions of the personnel in the District Office and see if those job descriptions have been expanded. Mr. Rendon added that this analysis might also include the addition of staff needed to sustain the TSC District Office.

A motion was made by Mr. Torres to request Dr. Anthony and Dr. Furgason to analyze the immediate needs of the TSC District office staff and make recommendations for the next Board meeting as presented. The motion was seconded by Mrs. Garza and carried unanimously.

10. Physical Facilities Committee

Report

Chairman Rendon called on Mr. Torres to give the report. He reported that the Physical Facilities Committee met on Monday, April 25, 2011 and discussed the following items:

Consideration and Possible Action on Approval of a Contract with Texas Cool Works for HVAC Unit Replacement Project

The first item discussed was an approval of a contract with Texas Cool Works for the HVAC Unit Replacement project in the amount of \$56,100. An inspection was conducted by Physical Plant personnel on existing HVAC systems in the Tandy, Garza and Rusteberg buildings. Tandy was identified as the facility in vital need of HVAC unit replacement. The Office of Facilities and Planning requested proposals for the replacement of HVAC units at Tandy and alternate proposals for the Garza Gym and Rusteberg building. Proposals were received by Texas Cool Works and Johnson Controls Inc. Texas Cool Works is the lower bidder for the base bid and is qualified to perform these services based on previous projects with UTB/TSC. Funding for the project is available as per approved fiscal year 2011 campus improvement budget.

A motion was made by Mr. Torres to award the contract with Texas Cool Works in the amount of \$56,100 and authorize the UTB/TSC Provost to execute the contract as presented. The motion was seconded by Mrs. Garza and carried unanimously. Exhibit "F"

Consideration and Possible Action on Approval of Declaration of Brick Material as Surplus Property

The next item discussed was the declaration of brick material as surplus property which the Office of Facilities and Planning is requesting in order for TSC to have the opportunity to sell brick for the Early College High School Building. The request originated from BISD's need for campus standard brick for the facility. The agreement between BISD and TSC requires that BISD comply with the campus design standards which include the use of specified brick color and size. Since the brick procurement for the bond projects was estimated early in the project phase after the projects were completed, there was a balance of brick remaining in inventory. In compliance with Board of Trustees Policy regarding Surplus property, staff is requesting the declaration of remaining inventory of brick as surplus property and considers the opportunity to sell brick through a bidding process.

A motion was made by Mr. Torres to declare the remaining inventory of brick surplus property and to authorize staff to initiate a bidding process for the sale of brick as presented. The motion was seconded by Mr. Mendez and carried unanimously. *Exhibit "G"*

The next two items were reports on the MRC building chilled water replacement project and an update on SECO grant project. The items will be presented at the next scheduled PFC meeting.

**Consideration and Possible Action
on Approval of Budget Amendment 11-004
FY2011 in the Amount of \$56,210**

The next item discussed is the approval of budget amendment 11-004 Fiscal Year 2011 in the amount of \$56,210. The budget amendment is necessary to cover the cost of Engineering Services for the Student Union Building repairs.

A motion was made by Mr. Torres to approve TSC Budget Amendment 11-004 Student Union Revenue Bond Fund in the amount of \$56,210 as presented. The motion was seconded by Mrs. Garza and carried unanimously. *Exhibit "H"*

**Consideration and Possible Action on Approval of Evaluation
and Audit Review off the Bond Construction Projects (files) that will
include but not be Limited to: Change Orders, Plans and Specifications,
Consultant's Contracts, Contractor's Contracts, Bond Money Allocation,
Project Close-Out Status, Project Allowances, and Project Warranties**

**Consideration and Possible Action on Approval to Seek Request
for Qualifications for the Construction Review that will include but
not be Limited to the Audit of: Change Orders, Plans and Specifications,
Consultant's Contracts, Contractor's Contracts, Bond Money Allocation,
Project Close-Out Status, Project Allowances, and Project Warranties**

A motion was made by Mrs. Garza to authorize TSC Staff to begin the Request for Qualifications Process to select an appropriate Consulting Management Firm to conduct the audit review of the bond construction projects as discussed. The motion was seconded by Mr. Torres and carried unanimously.

11. Proposed Meeting Dates

Thursday, May 19, 2011

Thursday, June 16, 2011

July – No meeting

Thursday, August 18, 2011

Thursday, September 15, 2011

Thursday, October 20, 2011

Adjournment

The meeting was adjourned by Chairman Rendon at 8:22 p.m.



Mr. Francisco G. Rendon
Chairman, Board of Trustees



Ms. Adela G. Garza
Secretary, Board of Trustees

NOTE: The tape of the Regular Board of Trustees meeting held on April 28, 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.