



Board of Trustees

Adela G. Garza
Chair

Trey Mendez, J.D.
Vice Chair

Ruben Herrera, J.D.
Secretary

Reynaldo Garcia, DDS

Ramon Champion Hinojosa

Art Rendon

Tony Zavaleta, Ph.D.

TSC Interim President

Mike Shannon

Texas Southmost College District

Minutes of the Regular Meeting of the Board of Trustees

January 26, 2017

The Board of Trustees of the Texas Southmost College District convened in open session on January 26, 2017, at 5:30 p.m., in the Gorgas Board Room at Texas Southmost College. Board members present were Adela G. Garza, Chair; Trey Mendez, Vice Chair; Ruben Herrera, Secretary; Dr. Reynaldo Garcia, Dr. Tony Zavaleta, Ramon Champion Hinojosa and Art Rendon. Also present was Mr. Mike Shannon, Interim President of Texas Southmost College.

1. Call to Order

The meeting was called to order by Chair Mrs. Garza at 5:30 p.m.

2. Pledges of Allegiance

Chair Mrs. Garza led the United States Pledge of Allegiance and the Texas Pledge of Allegiance.

3. Speakers to the Agenda and Public Discussion

Chair Mrs. Garza called on Eugene Fernandez from the Brownsville Historical Association (BHA). Mr. Fernandez wanted to thank everyone involved in orchestrating the move of the Hunter Room Collection to the BHA. He especially thanked the TSC Board of Trustees for their support during the process.

4. President's Report

Mr. Shannon reported on the newly formed Staff Senate at TSC that will communicate staff issues and concerns to the TSC Administration. Mr. Shannon thanked the Faculty Senate for assisting in the creation of the Staff Senate and thanked all the Staff that assisted in the process as well. The Faculty Senate has been very helpful and together we have achieved several major accomplishments. Mr. Shannon looks forward to working with both Senate's as TSC moves forward.

Mr. Shannon shared the news that Mr. Alex Salinas, Interim Vice President of Student Services, Mr. Donald Crouse, Dean of Humanities, and Mr. Joe Arambul, Early College High School Liaison, met with the Harlingen CISD (HCISD) Administrators regarding TSC offering Dual Enrollment classes to their District. HCISD is considering offering DE classes in Fall 2017.

Mr. Shannon announced that the TSC College Preparatory Student Learning Lab has been certified by the College Reading and Learning Association (CRLA) International Tutor Training Program Certification (ITTPC). CRLA tutor certification process sets an internationally accepted standard of skills and training for tutors. The tutor training program can now certify tutors who have met the approved ITTPC tutor training program requirements. He then thanked Mrs. Magda Goga and Mr. Reyes Maraboto, Lab Supervisors, for their hard work by designing TSC tutoring program and submitting an application for certification. Chair Mrs. Garza recognized Mrs. Goga and Mr. Maraboto for their hard work.

Mr. Shannon reported that TSC hosted an information session for the Texas A&M Chevron Engineering Academy. He stated that staff from TSC & Texas A&M University (TAMU) shared information regarding the Engineering Academy Admissions process and Financial Aid opportunities to over 100 students, parents, teachers and counselors from Brownsville, Port Isabel, San Benito, Los Fresnos, and Harlingen. The Texas A&M Chevron Academy will provide TSC students an opportunity to co-enroll at TSC & TAMU. Students will take General Education courses with TSC Instructors and Engineering courses with a TAMU Instructor. The Engineering courses will be

offered on our campus and after 2 years students will be earning an Associates in Science. Students with a 2.5 grade point average (gpa) or higher will automatically be admitted into one of the 14 Engineering Programs at TAMU. TSC will begin the Academy in the Fall.

Mr. Shannon gave an update, on the golf course property. The International boundary and water commission (IBWC) notified TSC recently that they are transferring the golf course property to the National Park Service. To date no activities have taken place at the golf course that TSC is aware of and the College has not received any additional information beyond this notification.

Mr. Shannon then reported on Spring enrollment for TSC. He was really excited to report that the campus has enrolled 3,251 students. A 4.61% increase from Spring 2016. TSC dual and early college enrollment increased to 1,838 students which was a 16.76 % increase over last Spring. This brings the total enrollment to 5,459, a 9.53 % increase over Spring 2016. This makes it the highest enrollment semester that we've experienced at TSC since we've opened our college. Mr. Shannon stated that this is an important milestone and thanked the campus wide effort of all departments who played a role in the enrollment increase.

Mr. Shannon then mentioned the Board will be having a Board Retreat Saturday, January 28, 2017, at 10:30am at the Pearl South Padre Island on South Padre Island, Texas.

He reminded the Board that he will be out on vacation from February 1 – February 14, 2017. In his absence Mrs. Melinda Rodriguez, Vice President of Institutional Advancement and Workforce Training, would be the administrator in charge of the College.

5. Consideration and Approval of the Regular Meeting of November 17, 2016.

**Consideration and Approval of
the Regular Meeting of November 17, 2016**

A motion was made by Mr. Mendez to Approve the Minutes of the Regular Meeting of November 17, 2016. The motion was seconded by Mr. Hinojosa and carried unanimously.

6. Consideration and Possible Action Pertaining to TWIA and Excess Windstorm & Hail Insurance Coverage

Consideration and Possible Action Pertaining to TWIA and Excess Windstorm & Hail Insurance Coverage

A motion was made by Mr. Rendon to move forward on the recommendation with Administration on the proposal of Shepard Walton King. The motion was seconded by Mr. Mendez and carried unanimously.

7. Executive Session

The Board convened in Executive Session at 5:42 p.m.

The Board reconvened in Regular Session at 7:03 p.m.

8. Action on Executive Session Matters

Consultation with Attorney on Pending or Contemplated Litigation, Section 551.071, Texas Government Code.

A motion was made by Mr. Rendon to move to replace the current policy of TWIA and excess windstorm and hail insurance coverage that is in place with a policy or policies that will be issued by the company is selected, in response, the request for competitive sealed proposals to Shepard Walton King. The effective replacement date for the new policy will be February 1, 2017, and TSC staff and administration are instructed to take action as needed to facilitate the replacement. The motion was seconded by Mr. Mendez and carried unanimously.

**Consultation with Attorney on
Pending Real Estate Issues and Deliberation
On Real Property Regarding
The TSC Fort Brown Condos Villas I and II, Section
551.072, Texas Government Code.**

Dr. Zavaleta addressed the Board with his concern of the sale of the Condos. He stated that he felt very unsure about closing the sale of the Condos with having not obtained a certified appraisal of the properties. He understands that there is not a certified appraisal for the Condos at this time and until there is one he cannot support this action.

A motion was made by Mr. Mendez to move forward on the sale of the Condominiums owned by TSC at Fort Brown Villas I and II for the amount of \$1,225,000 to a purchaser named Vinod Kasan, contingent upon the successful bidder depositing \$1,000 to the Escrow Agent and the rest of the terms subject to the bid, the closing cost to be paid by the buyer with the exception of preparation of the deed, owner's policy of title insurance and one-half of the Escrow fee and that closing occur within 30 days. The motion was seconded by Mr. Hinojosa. Dr. Zavaleta and Mr. Rendon voted nay. Motion passed.

Mr. Mendez amended the motion to state that in the event that this individual Vinod Kasan cannot close in 30 days, that staff be authorized to move forward on the sale to Mr. Rafael Chacon.

**Deliberation on Personnel Matters, Section
551.074, Texas Government Code. The deliberation
may include a discussion of the evaluation
and employment contract of the Interim
President and the Process Involving a
National Search for a New College President.**

No action was taken.

9. Consideration and Approval on Adopting a Resolution Granting Certain Tax Exemptions to Certain Historic Sites Under the 2017 Heritage Plan

Consideration and Approval on Adopting a Resolution Granting Certain Tax Exemptions to Certain Historic Sites Under the 2017 Heritage Plan

Chair Mrs. Garza called on Mr. Shannon to present the item. Mr. Shannon stated that the City of Brownsville is requesting that the Board of Trustees adopt a resolution granting tax exemptions to certain historic sites under the 2017 Heritage Plan. This request keeps TSC's interest and commitment to the restoration and preservation of Historic properties. If this item is approved the financial implications to the district would be a total of \$16,313.30 of tax foregone for the 84 properties. These amounts will be taken into consideration in the development of the fiscal year 2018 budget. Mr. Shannon recognized and thanked Mr. Peter Goodman the Preservation Specialist and Mr. Juan Vela Board Preservation Officer, from the City of Brownsville.

A motion was made by Mr. Rendon to Adopt the Resolution Granting Certain Tax Exemptions to Certain Historic Sites Under the 2017 Heritage Plan as presented. The motion was seconded by Mr. Herrera. Dr. Zavaleta and Mr. Mendez abstained. Motion passed.

10. Consideration and Approval of the Comprehensive Annual Financial Report and Audit for Texas Southmost College District for FY Ending August 31, 2016

Consideration and Approval of the Comprehensive Annual Financial Report and Audit for Texas Southmost College District for FY Ending August 31, 2016

Chair Mrs. Garza called on Mr. Carlos Pecero, Controller, to present the item. Mr. Pecero introduced Mr. Estanislao "Stan" Martinez from Patillo, Brown and Hill to present the Annual Financial Report ending Aug. 31, 2016. Mr. Martinez touched base on the Independent Auditors Report, stating that it received a clean audit. He also

explained that the TSC District also received the Government Finance Officers Association Certificate, a prestigious award given to TSC for its financial reporting. Mr. Martinez read the totals of the operating revenues versus the operating expenses, calculating the daily operations. The daily operations for TSC are \$135,783, which gives TSC 382 days of operating balance.

A motion was made by Mr. Herrera to approve the financial report and audit for Texas Southmost College District for FY Ending August 31, 2016. The motion was seconded by Dr. Zavaleta and carried unanimously.

11. Budget/Finance Subcommittee Report

Chair Mrs. Garza called on Mr. Shannon to present the item. Mr. Shannon introduced the item by explaining that items 11a -11g had been reviewed by the Budget and Finance Subcommittee chaired by Dr. Zavaleta. Dr. Zavaleta explained how this is intended to facilitate the Board meetings and give staff more time to present. He stated that the Budget and Finance Subcommittee met to consider all the items to be approved. He said once approved the items were placed on the agenda for the Board consent vote. The Budget and Finance Subcommittee is proposing the recommendations by TSC staff to approve the purchase of X-Ray equipment for the Radiologic Technology Program, the purchase of desktop computers for the Business Information Technology program, the purchase of cardio fitness equipment for the Recreation Center, the proposal of Telecommunication services, the proposal of air cool chiller replacements, and the proposal for emergency chiller motor replacements and the selection of an Architect/Engineering firm to provide professional services for campus wide roof renovations.

Dr. Garcia questioned Dr. Zavaleta about the amount of funds that would be used for the Architect/Engineering service. Mr. Shannon explained that the Board had approved a fixed scale back in 2005 for a standard rate to pay an Architect that is 8-1/2 or 9-1/2 depending on the amount of money spent.

A motion was made by Dr. Zavaleta to approve the items accepted by the Budget/Finance Subcommittee as recommended and presented by TSC Staff. The motion was seconded by Mr. Rendon and carried unanimously.

12. Academic Subcommittee Report

Consideration and Approval of the Memorandums of Understanding

Chair Mrs. Garza called on Mr. Shannon to present this item. Mr. Shannon stated that the Academic Subcommittee met to review items 12a and 12b. He said it is chaired by Mr. Herrera and consists of four memorandums of understanding (MOU) with different entities. Mr. Herrera stated that Dr. Zavaleta and he reviewed the proposed MOU's to be appropriate and recommended the MOU's be approved.

A motion was made by Mr. Herrera to approve the Memorandums of Understanding of Workforce Solutions, Skills Development Fund: CK Technologies, Paramedic Training Program: City of Brownsville and Hunter Collection as presented. The motion was seconded by Mr. Mendez and carried unanimously.

Discussion and Possible Action of the Proposed Legislation for the Bachelors of Applied Technology Degree at TSC

Mr. Herrera discussed the second item (12b). He stated that the proposal to have Legislation introduce a proposal regarding a Bachelors of Applied Science and Technology degree for TSC. This is merely a proposal for Legislature. Dr. Zavaleta addressed the issue by stating that approximately four sessions of the Legislature ago, the Coordinating Board requested authorization for three community colleges in the State of Texas that would be allowed to confer bachelor's degree. He stated that one of those being South Texas College. He stated that UTB/TSC applied for a Bachelor of Applied Technology and was granted but in the separation of the two institutions that degree stayed with UTB. He said by establishing a

Bachelor of Applied Technology at the College, not only does TSC raise prestige on having but it will also provide a service to the students.

Mr. Mendez has a reservation about voting on this item. He is concerned with Texas Association of Community Colleges (TACC) and if it will allow TSC to move forward with trying to approve a new degree. Mr. Mendez inquired if anyone has notified TACC about TSC wanting to offer a Bachelor of Applied Technology degree. Dr. Zavaleta stated that TACC should not be approving the new degree. The only agency that TSC needs approval from would be the Coordinating Board.

Mrs. Garza called on Dr. Angelica Fuentes, Dean of College Preparatory Studies and STEM, to share her opinion with the Board. Dr. Fuentes stated that TSC would need to get approval for this degree from Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) as well. Dr. Zavaleta mentioned that the degree would have to go through all the authorizing agencies; the Legislature, the Coordinating Board and SACSCOC. Mr. Mendez stated that a Bachelor degree is not a community college degree.

A motion was made by Mr. Herrera to approve the Proposal to the Legislature for a Bachelors of Applied Technology Degree for TSC. The motion was seconded by Mr. Rendon. Mr. Mendez was against. Motion passed.

13. Discussion and Possible Action on Reaffirmation to Continue offering Criminal Justice Institute

Discussion and Possible Action on Reaffirmation to Continue offering Criminal Justice Institute

Chair Mrs. Garza called on Melinda Rodriguez, Vice President of Institutional Advancement and Workforce Training, to present this item. Mrs. Rodriguez shared the historical overview and program objectives of the Criminal Justice Program. Mrs. Rodriguez stated that the program needed to be affirmed by the Board of Trustees.

Mrs. Rodriguez shared the market demand remains consistently on target for the program. She highlighted the enrollment and graduation rates. She stated that enrollment is 50 students per year, with a graduation rate of 90%. The TCOLE pass rate on the 1st attempt was 100% in 2013 and 98% in 2014. The annual budget for this program, for projected income is \$125,000 per year and the typical projected expenses in 2014 was \$143,000 per year. This program does qualify for State funding by biennium. She said that staff recommends to approve the continuance of the Criminal Justice Institute.

A motion was made by Mr. Herrera to approve the Reaffirmation to Continue offering the Criminal Justice Institute. The motion was seconded by Dr. Zavaleta and carried unanimously.

14. Consideration and Approval of Payment to Pearson Learning Solutions for Services provided during Fall 2016

Consideration and Approval of Payment to Pearson Learning Solutions for Services provided during Fall 2016

Chair Mrs. Garza called on Mrs. Antonia Saldivar, Director of Education Technology and Curricular Innovation, to present the item. Mrs. Saldivar explained to the Board that Pearson provided services for E-books and their learning management systems for Fall 2016. Pearson is seeking payment on a four year contract. The Board had previously authorized an agreement with Pearson for only three years. Although the three years have expired Pearson has continued to provide services to our students to include the fourth year of the contract. The four year contract had been signed by the former TSC President. Pearson is seeking payment of monies owed for services rendered in the amount of (Invoice #4707173) \$1,090,035.00 and the other in the amount of (Invoice #4709394) \$15,760.00 totaling \$1,205,795.00.

Mrs. Garza addressed Mr. Frank Perez, Counsel, to ask what options the Board have since a contract had been signed without going to the Board. Mr. Perez suggested that the contract be ratified for the four year term. Mr. Herrera stated that the balance had to get paid or the students would go without electronic books. Mr. Mendez also stated

that he didn't see the need to ratify a contract when services had been continued, he believes that the invoices should get paid regardless. Mr. Shannon explained that this item was broken down into three stages. The first one being the approval of the outstanding balance to Pearson, the second would be the Exit Agreement and the third would be the selection of a new vendor. Mr. Perez agreed to pay Pearson, sign the Exit Agreement and move forward.

A motion was made by Dr. García to approve the payment to Pearson Learning Solutions for Services during Fall 2016. The motion was seconded by Mr. Herrera and carried unanimously.

15. Consideration and Approval of Exit Agreement with Pearson Learning Solutions

Consideration and Approval of Exit Agreement with Pearson Learning Solutions

Mrs. Garza entertained a motion to approve the addendum to Pearson Learning Studio Solutions Master Agreement between Texas Southmost College and Pearson Education, Inc and approved payment of transition services for Spring and Summer of 2017.

A motion was made by Mr. Herrera to approve the addendum to Pearson Learning Studio Solutions Master Agreement between Texas Southmost College and Pearson Education, Inc. and approved payment of transition services for Spring and Summer of 2017. The motion was seconded by Mr. Mendez and carried unanimously.

16. Consideration and Approval of the Proposal for a New Learning Management System

Consideration and Approval of the Proposal for a New Learning Management System

Mrs. Garza called on Mrs. Saldivar to present this item. She discussed the background and history of the RFP beginning in 2012 with the

purchase of Pearson Learning Studio through 2016 the committee reviewed all technical aspects and criteria required for these services. Mrs. Saldivar shared the RFP Process Timeline with the Board for the Learning Management System (LMS), from newspaper advertisements to consideration for contract award. She discussed and compared the four RFP Respondents: Canvas by Instructure, Inc., Desire to Learn Ltd., EduWave by Integrated Technology Group America LLC., NEO by Cypher Learning.

She stated that the evaluation matrix ratings given by the Committee determined their recommendation to be Canvas by Instructure, Inc. Canvas will provide: Mobile App Access, Outcome/Analytics, Web Conferencing, Content Repository, E-Portfolio, Storage, Bandwidth, Branding, Helpdesk 24/7, LMS Admin Training, and End User Training. Mrs. Saldivar mentioned that with this LMS, there would be a change in fees that would benefit the Students.

A motion was made by Mr. Rendon to approve to select Canvas by Instructure as the provider for Learning Management System Services for Texas Southmost College and authorize the Interim President to execute the contract. The motion was seconded by Mr. Herrera and carried unanimously.

17. Consideration and Approval of the Contract for Nursing Consultants

Consideration and Approval of the Contract for Nursing Consultants

Chair Mrs. Garza called on Mr. Shannon to present the item. Mr. Shannon then asked the Board to consider a contract with nursing consultants that will work with the college to help rebuild the Associate Degree in Nursing (ADN) Program. TSC met with the Texas Board of Nursing and explained the plan that TSC will have to rebuild the nursing program. He stated that staff recommends the approval of a contract for \$180,000.00 to pay the nursing consultants. There will be five consultants, plus the expenses that are involved to rebuild the ADN Program. Mr. Shannon stated that the consultants will be working until the end of August 2017. He stated that it would

be presented to the Nursing Board and there would be a time frame for them to complete the approval process. Mr. Shannon mentioned that as this process moves forward he will keep the Board up to date on the progress of the program.

A motion was made by Mr. Herrera to approve the contract with the Nursing Consultants and authorize the Interim President to execute the contract. The motion was seconded by Dr. Zavaleta and carried unanimously.

18. Discussion and Possible Action on a Proposed Historical Marker Honoring the Service of African American Soldiers

Discussion and Possible Action on a Proposed Historical Marker Honoring the Service of African American Soldiers

Chair Mrs. Garza called on Dr. Zavaleta to present the item. Dr. Zavaleta gave a short lecture educating the Board on the African American's who served in the Union Forces on the Ft. Brown campus back in 1861. Hundreds of the African American Soldiers who did serve did not die in battle, they died of Malaria and Yellow Fever. Dr. Zavaleta would like authorization to approach Texas Historical Commission, The City of Brownsville and the Brownsville Historical Museum to establish a historical marker honoring the service of those African American Soldiers on campus at Fort Brown. His recommendation is for the Board to approve, to approach the Historical Commission to establish a historical marker on campus commemorating the service of the African American Soldiers.

A motion was made by Mr. Mendez to approve the proposed historical marker honoring the service of African American Soldiers. The motion was seconded by Mr. Herrera and carried unanimously.

19. Report on Annual Investment for Texas Southmost College District for FY Ending August 31, 2016

Chair Mrs. Garza called on Mr. Pecero to present the item. Mr. Pecero gave the report stating that it is not an action item, but is required by the Public Funds Investment Act. The report will be displayed on the website as required by the Public Funds Investment Act.

20. Monthly Budget Report

Chair Mrs. Garza called on Mr. Pecero to present the item. Mr. Pecero presented the report as informational and no action is required. He reported that it included budget to actual numbers, for the months ended through November 30.

21. Proposed Meeting Dates

**Special Board Meeting – Retreat
Saturday, January 28, 2017**

**Regular Board Meeting
Thursday, March 23, 2017**

Adjournment

The meeting was adjourned by Chair Mrs. Garza at 8:29 p.m.