

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT**

December 14, 2021

The Regular Meeting of the Board of Regents of the Del Mar College District convened at the Center for Economic Development, 3209 S. Staples, Room 106, Corpus Christi, Texas, at 1:00 p.m. on Tuesday, December 14, 2021, with the following present:

From the Board:

Ms. Carol Scott, Dr. Nicholas Adame, Ms. Libby Averyt, Mr. Ed Bennett, Mr. Rudy Garza, Jr., Ms. Susan Hutchinson, Mr. Bill Kelly, and Dr. Laurie Turner.

From the College:

Dr. Mark Escamilla, President and CEO; Mr. Raul Garcia, Vice President and CFO; Ms. Lenora Keas, Executive Vice President and COO; Dr. Jonda Halcomb, Vice President and Chief Academic Officer; Ms. Tammy McDonald, Vice President of Administration and Human Resources; Ms. Patricia Benavides-Dominguez, Interim Vice President for Student Affairs; Mr. Augustin Rivera, Jr., General Counsel; Mr. John Strybos, Vice President and Chief Physical Facilities Officer; Ms. Lorette Williams, Executive Director of Communication and Marketing; Dr. Natalie Villarreal, Executive Director of Government & Board Relations; Ms. Mary McQueen, Executive Director of Development; Ms. Delia Perez, Executive Administrative Assistant to the President & Board Liaison, and other staff and faculty.

CALL TO ORDER QUORUM CALL

Ms. Scott called the meeting to order with a quorum present.

AGENDA

RECOGNITIONS:

- Dr. Kristina Ramirez Wilson, Associate Vice President for Planning and Institutional Effectiveness, was elected to serve on the Board Directors of Texas Women in Higher Education (TWHE).....Dr. Jonda Halcomb
(Goal 4: Learning Environments)

Dr. Jonda Halcomb announced that Dr. Kristina Ramirez Wilson, Associate Vice President for Planning & Institutional Effectiveness, was elected to serve on the Board of Directors of Texas Women in Higher Education (TWHE). Her term of appointment is two years from June of 2021 through June of 2023. TWHE is a Texas nonprofit corporation dedicated to developing, advancing, and supporting women employed at colleges and universities across the state. TWHE is the American Council on Education (ACE) Women's Network state organization for Texas. The ACE Women's Network is a national system of networks within each state that works to advance and support women in higher education. Dr. Wilson has also been selected to serve on the Board

of Directors of The Purple Door. Dr. Wilson expressed words of appreciation and gratitude.

GENERAL PUBLIC COMMENTS – The public was given the opportunity to provide public comments (both general and specific to any agenda item).

There were no public comments made for this meeting.

STUDENT SUCCESS REPORT.....Ms. Patricia Benavides-Dominguez

- TRIO Veterans Upward Bound Grant
(Goal 2: *Recruitment and Persistence*)

Ms. Patricia Benavides-Dominguez discussed the TRIO Veterans Upward Bound Program (VUB). The Veterans Upward Bound Program is designed to prepare, motivate, and assist military veterans in developing academic and other skills necessary to accept and succeed in post-secondary education. The DMC Veterans Services is separate from Veterans Upward Bound, and only processes paperwork related to educational benefits. All Veterans Upward Bound projects must provide instruction in mathematics through precalculus, laboratory science, foreign language, composition, and literature.

From 2017 to 2021, the Veterans Upward Bound Program has served 409 students. Every year, the project has demonstrated substantial progress for VUB. Ms. Benavides-Dominguez reviewed the program objectives and the criteria needed for the project. The grant is up for renewal in the Spring and she stated they will be writing a renewal of this project. The goal set for the objective was at 70% and the College met and exceeded that goal yearly.

Ms. Benavides-Dominguez provided information to the Board regarding eligibility requirements and the characteristics of Veterans since 9/11. Veterans are racially and ethnically more diverse: 17% women, 15% are black, 12% are Hispanic.

COLLEGE PRESIDENT’S REPORT.....Dr. Mark Escamilla

- Return to Campus Planning
(Goal 4: *Learning Environments*)

Dr. Mark Escamilla reported on the outlook for return to campus for the Spring 2022 semester stating they are cautiously optimistic. The College will continue to monitor all conditions, and maintain CDC guidelines, and modify operations as needed. On-campus events are expected to follow pre-COVID protocols for approvals and planning. Instructional operations, planning for pre-COVID types of instruction also will be a situational approach. The College is moving toward bringing as many people physically back to campus as possible.

Student Services are providing in-person services with some limited virtual services. And Viking Food Pantry is open for in-person shopping as well. The College will continue to encourage vaccination of all employees and students. It is recommended that anyone

experiencing symptoms or feeling sick, continue to use the COVID-19 assessment and reporting forms. These protocols that will remain in place. The College will continue enhanced cleaning and disinfecting, and the use of decontamination protocols.

Dr. Escamilla provided an update on the COVID-19 vaccine incentive program. The employee program ended December 3rd with 760 employees participating which is approximately 63% of those eligible. For the students, 3,992 eligible students were approved for the program. This level of interest shows commitment and investment will improve the conditions for everyone at the college and community.

Dr. Escamilla provided information for the Fall 2021 Virtual Commencement Ceremony which is scheduled for 7:00 p.m. this Friday and will be broadcast on the College's social media channels. Ms. Katia Uriarte will be the keynote speaker and they look forward to celebrating with families on those wonderful accomplishments.

Mr. Augustin Rivera, Jr., General Counsel for Del Mar College, officially confirmed that all of the Del Mar College Regents are in compliance with the education and training requirements under the Texas Higher Education Coordinating Board.

REGENTS REPORTS:

- The Texas Higher Education Coordinating Board Leadership Conference, December 2-3, 2021
(*Goal 5: Workforce Development, Community Partnerships, and Advocacy*)

Chair Carol Scott stated she attended the Texas Higher Education Coordinating Board's Leadership conference. Dr. Escamilla and Mr. Rivera attended and participated on different panel presentations. Chair Scott attended a presentation from Google University and the credentials they are offering online which include many digital and computer science applications. She stated Google is partnering with a number of community colleges across the nation and four-year institutions to take those graduates of the Google University certificates and move them into community college and four-year degrees. They also have a number of students who have associate degrees or baccalaureate degrees who are going back and adding an industry-specific certification on top of their already achieved degree. Chair Scott stated this is a model to look at for the CCATT conference in June to have panel discussions from Texas community colleges who are participating and learn about the policy and resource implications. Chair Scott Shared a couple of statistics from Microsoft and Google.

Chair Scott provided information about a panel that Representative Gary VanDeaver discussed about how regional institutions and community colleges are going to be key players for addressing access issues amongst rural Texas. Even though his region is Paris Junior College, a rural-serving institution located in an urban area, they're considered a large college and parts of the service area is rural. She stated we need to keep in mind the economic drivers in Texas, food, fuel and fiber, rural Texas is what keeps the economies going.

STAFF REPORTS:

- SACSCOC Substantive Change Virtual Visit Level Change and BSN DegreeDr. Jonda Halcomb and Dr. Kristina Wilson
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Jonda Halcomb thanked the Board for their support in approving to go forward with the baccalaureate degree changing the College from a Level I to a Level II institution. The affordability of the bachelor's degrees at community colleges, the ease of access, and the flexibility, and learning options helps our community, our first-generation college students, minorities, and the socioeconomically disadvantaged. Dr. Halcomb provided words of appreciation to Dr. Kristina Wilson and her team who worked diligently with the nursing faculty and Dean of the Division to submit documents needed. Dr. Halcomb introduced Dr. Kristina Wilson.

Dr. Wilson provided an update regarding the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), a regional body for accreditation for degree-granting higher education institutions in the Southern United States. Del Mar College is accredited by SACSCOC. This accreditation allows coursework transfer, degree transfer and allows students to receive federal financial aid.

Dr. Wilson reported that in March of 2020, the College submitted a substantive change prospectus for the BSN degree. The substantive change perspective consisted of responses to 21 SACSCOC standards. For each of these standards, the College needed to prove that it met the criteria, not only for the BSN degree, but also to award bachelor's level degrees. Dr. Wilson provided some of the areas of standards required. The College submitted extensive narratives and evidence items to prove compliance with these standards.

Dr. Wilson noted that the College submitted the substantive change prospectus at the exact same time that they submitted their compliance certification. In September of 2020, the College was notified they were awarded membership at Level II and were approved to offer the Bachelor of Science in Nursing degree. The College hosted a virtual campus visit of the Substantive Change Committee, which was comprised of educational leaders and practitioners from throughout the SACSCOC region, excluding Texas. The visit consisted of two days of virtual meetings with DMC executives, faculty, staff, and students. The meetings focused on the BSN program, the student experience, teaching and learning, facilities, and resources. The College received the best news that the Committee had no recommendations and did not find any areas of non-compliance.

Dr. Wilson thanked the Board of Regents, Executive Team, IT Department, College Relations, and many other departments for their support during the process. Dr. Wilson introduced Dr. Lucy James and Dr. Sydney Saumby to the Board who provided talent and support during the accreditation process. Dr. Jennifer McWha, Department Chair of the Nursing Program provided an update on the status of the RN to BSN program and thanked the Board of Regents for their support.

Dr. Wilson stated that there will be a final review and approval of the Virtual On-Site Committee Report by SACSCOC Board of Trustees in June of 2022 as well as an on-site visit with SACSCOC Vice President, Dr. Michael Hoefer.

- 2022-2023 Budget Calendar and Student Affordability.....Mr. Raul Garcia
(Goal 6: *Financial Effectiveness and Affordability*)

Mr. Garcia stated that they are in the initial stages of the budget planning process. Ms. Landrum, Ms. Benavides-Dominguez, and Dr. Jonda Halcomb reviewed and discussed in detail the 2023 Budget Plan Calendar. The Budget Plan Calendar includes five phases: 1) planning, 2) information gathering, 3) review and recommendation, 4) budget approval, and 5) property tax approval.

Mr. Garcia stated that the Texas Higher Education Coordinating Board classifies Del Mar College and eight other colleges as large institutions based on contact hour production and headcount. The percentage of students enrolled in technical programs is 28%. The College assists students with up-skilling and re-skilling to regain entry into the workforce. In addition, these programs are also geared towards students who are not interested in a four-year degree, but interested in immediate, gainful employment for example, our truck driving program. The College is well-positioned to address the student supply chain bottleneck dilemma of labor shortages for truck drivers. Based on the Texas Labor Market Information report, the annual income for a truck driver is about \$50,000.00 per year and is predicted to be one of the fastest growing jobs through 2028. The College has the largest part-time student enrollment at 78% which seems to suggest there's an elevated funding need to support student services leading to student success.

Mr. Garcia next discussed household economic indicators regarding the financial need of our student population. Del Mar College has the second largest service district with a population of 477,000, and the medium household income of \$55,000. The College's service district has the third largest population in poverty at a rate of 16.7%. Based on this elevated poverty rate, college affordability is definitely a priority for the College.

Mr. Garcia discussed financial aid. The definition of the average net price by the Federal National Center for Education Statistics is determined by subtracting the average amount of federal, state, local government, and institutional grant or scholarship aid from total cost of attendance. Total cost of attendance is the sum of polished tuition, and required fees, books, supplies, and the weighted average for room and board and other expenses.

Del Mar College's average net price of \$5,831 for the 2020 year as reported by the Federal National Center for Education is second lowest net price which speaks highly to affordability relative to our peer group. 76% of the College's students receive some form of financial aid based on our service district's high poverty level rate of 16.7%. The annual average financial aid award for our students is \$5,394, which is the mid-point relative to the College's peer group.

Chair Scott inquired about Laredo’s student debt and President Escamilla responded that Laredo Community College does not offer student loans and they have also had a transition in leadership. President Escamilla also provided commentary regarding the student debt and cost of living challenges.

Mr. Garcia continued discussing the College’s fee structure which include tuition and mandatory fees. Mandatory fees include the general use fee, building use fee, matriculation fee, instructional support fee, and student services fee. He provided examples of what services are included in these fees.

Mr. Garcia provided the Board of Regents with a 12-year history of the tuition and fee history for the College. From Fall 2010 to Fall 2021 there was a 3.8% tuition and fee annual average change and a 2.0% annual average Texas inflation rate. The inflation rate is on an upward trajectory with the recent reported consumer price index peaking at 6.8 in the month of November.

Mr. Garcia stated the key takeaway is Del Mar College delivers moderate, affordable academic programs based on 15 semester credit hours for the fall 2020. The tuition and fee ranges from \$1,355 to \$3,075. Del Mar cost of attendance is at the midpoint of the peer group at \$1,660.

Mr. Garcia and Dr. Escamilla responded to questions from the Board of Regents.

- GFOA’s Certificate of Achievement for Excellence in Financial Reporting for the Annual Comprehensive Financial Report (ACFR) and the Award for Outstanding Achievement in Popular Annual Financial Reporting (PAFR) for Annual Financial Reporting for fiscal year ended August 31, 2020.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia congratulated Dr. Cathy West, Mr. John Johnson, Ms. Jackie Landrum, Ms. Christina Gonzalez, and all team members. The team earned two highly respectable awards from the Government Finance Officers Association (GFOA). The GFOA advances excellence in public finance and assists organizations such as the College in developing and identifying financial policies and best practices through education, training, and networking. Del Mar College has been awarded the GFOA Certificate of Achievement for Excellence in Finance Reporting and the Award for Outstanding Achievement in Popular Annual Financial Reporting for Fiscal Year 2020.

- Annual Foundation Update.....Ms. Mary McQueen
(Goal 6: Financial Effectiveness and Affordability)

Ms. Mary McQueen began her presentation introducing Mr. Julio Reyes, formerly with AEP Texas, as the new President of the Board of Trustees for the Del Mar College Foundation. Ms. McQueen noted that AEP provided a \$200,000.00 gift to the Del Mar College Foundation for STEM education.

Ms. McQueen provided Foundation background information and explained the responsibilities for development and service management. The Del Mar College Foundation's five-year fundraising average is \$3.136 million for Fiscal Years 2017-2021. For Fiscal Year 2021 alone, the Foundation raised \$3.076 million. For 2020-2021, 1,500 students were served with almost \$1.5 million in scholarships awarded.

Ms. McQueen reviewed the asset growth of the Foundation from 2010-2021 and credit their hard-working staff for their success. Ms. McQueen discussed a refocusing of donor fundraising which includes one-to-one contact. The Foundation has also created a number of infographics that share the College's story to provide to donors to help understand the type of individuals they are impacting with their investment. Because of the pandemic, the annual in-person reception was not held; students and donors were given the opportunity to record virtually through a portal. There was a 38% increase in donor participation going virtual and a 90% increase in student participation.

Ms. McQueen described the impact on students who receive scholarships have a 19.2% completion rate and have a 24.1% higher completion rate over students with no financial support. Ms. McQueen provided information of fundraising which includes online giving and event fundraisers. From March 2020 through November 2021, the Foundation raised \$429,000.00 in emergency aid during the COVID-19 pandemic and has awarded \$340,000.00.

Chair Scott and Regent Averyt offered words of appreciation to Ms. McQueen and Mr. Reyes.

- Professional Contract Review.....Ms. Tammy McDonald
(Goal 6: Financial Effectiveness and Affordability)

Ms. McDonald provided information regarding the latest professional service contracts. Ms. McDonald explained the color-coded system she developed. Ms. McDonald reviewed the contracts that have expired, the contracts that will be expiring, and the contracts that have had changes. Ms. McDonald also reviewed contracts that have had date revisions and extensions.

- 2014 and 2016 Bond Updates.....Mr. John Strybos
(Goal 4: Learning Environments)

Mr. Strybos discussed the 2016 Oso Creek Campus bond. As of November 30, 2021, the bond proceeds are \$139,000,000.00 with interest income in the amount of \$3,570,696.00 through October 31, 2021. Mr. Strybos reviewed the current commitment and contingency numbers and stated the current construction cost is \$118,810,231.00. Mr. Strybos stated the total cost of construction is \$120,872,301.00 plus the pedestrian trail cost of \$622,804.00 and the soft costs in the amount of \$14,556,410.00. Mr. Strybos stated they are getting final furniture quotes and they are in good shape to get everything finished. Mr. Strybos reviewed the interest income use through the change orders, amendments, and E-

Builder training.

Mr. Strybos stated they are looking for a soft opening for the STEM building in the Summer and for the Culinary Program building in the Fall. There are some big change orders for the water feature, additional architecture bulletins, and audio visual still pending. These items are all necessary to make the classrooms operational. As of November 30th, the project is 86% complete and Mr. Strybos presented a drone flyover video showing the current progress of the Oso Creek Campus. Mr. Strybos noted a new change order item will be presented later on in the meeting.

Dr. Escamilla provided a comment regarding the City of Corpus Christi Police Training Academy.

Mr. Strybos continued with his presentation regarding the 2014 Bond Project. Mr. Strybos provided background information regarding the 2014 Bond Project. The proceeds for the 2014 Bond are \$154,000,000.00 with \$4,495,851.00 in interest earned through October 31, 2021. Mr. Strybos reviewed the completed 2014 Bond projects which have come in \$1.8 million under budget.

Mr. Strybos reviewed the 2014 Bond construction inflation and how it has impacted construction projects. Critical building systems such as elevators, heating, ventilation, and air conditioning (HVAC), mechanical, electrical, and plumbing (MEP) have operational life. The original project scope of work did not include full replacement of critical building systems. During 2013 to 2021, many of these critical building systems have reached or exceeded their operational life and need to be replaced. Mr. Strybos reviewed current 2014 Bond projects pending which included status on Heritage Hall demolition, Workforce/Pilot Plant, Windward Campus fire hydrants, Campus Edge for Heritage and Windward Campuses, DMC Police Station, CED Board Room, Facilities planning and assessment, and general-purpose renovation.

Mr. Strybos responded to questions from the Board of Regents.

PENDING BUSINESS:

Status Report on Requested Information
(Goal 5: *Workforce Development, Community Partnerships, and Advocacy*)

Chair Scott reviewed the list of pending business.

CONSENT AGENDA

CONSENT MOTIONS:

(At this point the Board will vote on all motions not removed for individual consideration.)

ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

1. Approval of Minutes:

Regular Board Meeting, November 9, 2021
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

2. Acceptance of Investments for November 2021
(Goal 6: Financial Effectiveness and Affordability)
3. Acceptance of Financials for October 2021
(Goal 6: Financial Effectiveness and Affordability)

Regent Adame made a motion to approve the consent agenda items. Regent Garza seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

REGULAR AGENDA

Chair Scott moved Item No. 8 to begin the Regular Agenda.

8. Discussion and possible action on appointment of DMC representative to Nueces County Appraisal District Board of Directors.....Mr. Augustin Rivera, Jr.
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Chair Scott introduced Mr. Augustin Rivera, Jr., General Counsel. Mr. Rivera provided background information regarding the appointment for a Del Mar College Representative to the Nueces County Appraisal District Board of Directors. After announcing the vacancy, Mr. Armando Chapa was the sole letter of interest received. Mr. Rivera introduced Mr. Chapa to the Board of Regents. Chair Scott provided words of appreciation to Mr. Chapa and he expressed his appreciation for the Board's appointment.

Regent Adame made a motion to appoint Mr. Armando Chapa for Nueces County Appraisal District Representative. Regents Hutchinson and Kelly seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

4. Discussion and possible action related to review of Internal Audit Risk Assessment Report and recommended 3-Year Internal Audit Plan.....Ms. Tammy McDonald
(Goal 4: Learning Environments)

Ms. Tammy McDonald began her presentation with an overview of a presentation made to the Ad Hoc Audit Committee that included a risk assessment report. Ms. McDonald introduced Daniel Graves, partner with Weaver who reviewed the Fiscal Year 2022 internal audit risk assessment report and recommendation of a three-year internal audit plan.

Mr. Graves provided the Board of Regents details involved in the process of preparing a risk assessment report and an internal audit plan. Mr. Graves reviewed the process and purpose of evaluating the College’s operations and developing an internal audit plan. Mr. Graves stated the way they perform a risk assessment is based on inherent risk versus residual risk and explained the different risk ratings and the factors used.

Mr. Graves stated there were 42 different risk areas against five risk categories. From the risk areas and past internal audit history, Mr. Graves reviewed and explained a proposed three-year audit plan.

Regent Bennett made a motion to accept the plan as presented. Regent Turner seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

5. Discussion and possible action related to the 2021 Annual Audit Report, presented as the Annual Comprehensive Financial Report (ACFR) for Fiscal Year Ending August 31, 2020..... Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia thanked Ms. Cook, Mr. Johnson, Dr. West, and the entire Business Office for another successful audit. Mr. Garcia introduced Ms. Brigid Cook with Collier, Johnson & Woods to discuss the College’s Annual Comprehensive Financial Report (ACFR). In accordance with State legal requirements prescribed by Texas Education Code Section 44.008, Del Mar College’s ACFR for the fiscal years ended August 31, 2021 and 2020 has been audited by Collier, Johnson & Woods, P.C. The purpose of the ACFR is to provide financial information about the College’s financial condition and performance. Ms. Cook reviewed the Statement of Net Position which includes total assets and deferred outflows which decreased

\$1.6 million, operating revenues which increased by \$561,000,00, operating expenses increased by \$1.6 million, and non-operating revenues increased by \$7.2 million.

Ms. Cook stated they did not identify any deficiencies in internal control over financial reporting that could be considered material weaknesses. The results of their test disclosed no instances of noncompliance or other matters required to be reported under Government Auditing Standards. Ms. Cook answered questions from the Board.

Regent Kelly made a motion to approve the College’s Annual Comprehensive Financial Report for fiscal year ending August 2021. Regent Turner seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

6. Discussion and possible action related to the adoption of the Debt Management Policy
.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia provided introductory comments regarding the proposed Debt Management Policy to be included in the Del Mar College Manual of Policies and Procedures. Mr. Garcia introduced Dr. Cathy West and she provided an overview of the purpose for the Debt Management Policy. Dr. West stated the College adheres to Government Finance Officers Association or GFOA’s best practices. Dr. West reviewed the Debt Management Policy key components which include scope and purpose; uses of debt; types of debt permitted; debt limitations; debt structure and repayment; and debt insurance practices. Dr. West stated they will be submitting the budget report to the GFOA’s for the Distinguished Budget Award for fiscal year 2022.

Dr. West introduced Mr. Dave Gordon with Estrada Hinojosa. Mr. Gordon reviewed the various types of debt the College can legally incur in the State of Texas. Mr. Gordon also reviewed the Debt Issuance Process which includes parameter orders, conditions for new money debt issuance, and debt structure and repayment provisions. Mr. Gordon discussed the Refunding Bond information and stated he continues to monitor the College’s Debt Portfolio and market conditions to take opportunities to refinance for savings. Mr. Gordon stated the new policy addresses the Method of Sale which includes a negotiated sale, competitive sale, and private placement. Mr. Gordon concluded his presentation reviewing the reporting requirements and rating agencies.

Mr. Gordon responded to questions from the Board of Regents.

Regent Garza made a motion to adopt the Debt Management Policy to be included in the Del Mar College Policy Manual. Regent Adame seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

7. Discussion and possible action on proposed annexation order under Texas Education Code Section 130.066.....Mr. Augustin Rivera, Jr.

(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Mr. Rivera provided a summary regarding Texas Education Code Section 130.066, “Automatic Annexation of Certain Territory.” He explained that a community college district that annexes all of the territory comprising a municipality, may, by order, annex “for junior college purposes any territory later annexed by or added to the municipality” Del Mar College has previously annexed any territory by the City of Corpus Christi. The City of Corpus Christi, by ordinance, annexed approximately 18.59 acres of land into the territorial units of the City. In order to remain consistent with the City of Corpus Christi boundaries, Mr. Rivera recommended the College approve annexation of the territory annexed by the City of Corpus Christi in 2021.

Mr. Rivera responded to questions from the Board of Regents.

Regent Hutchinson made a motion to adopt the proposed annexation as presented. Regent Averyt seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

9. Discussion and possible action relating to San Patricio County Appraisal District Board of Directors 2022-2023 Election.....Mr. Augustin Rivera, Jr.

(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Mr. Rivera provided information regarding the election of the San Patricio County Appraisal District Board of Directors. He stated that there are five nominees and the College has a total of seven votes to cast based on the 2020 tax levy. Mr. Rivera reviewed some of the different

taxing entities and their allowed votes.

Regent Garza made a motion to cast the College’s seven votes in favor of Dr. Anne Matula. Regent Turner seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

10. Discussion and possible action relating to approval of 2016 Oso Creek Campus Construction Project Change Order 6Mr. John Strybos
(Goal 4: Learning Environments and Goal 6: Financial Effectiveness and Affordability)

Mr. Strybos provided background information regarding the 2016 Bond and stated the proposed Change Order No. 6 is for \$2,062,070.00 which is part of the contingency that has been set aside. Mr. Strybos reviewed the purpose of the Change Order which is to address changes in the scope of work that resulted in 1) Architect’s Supplemental Information, 2) Request for Information (RFI) responses issued by the Architect, 3) Bulletin issued by the Architect, and 4) unforeseen sign conditions. Mr. Strybos stated the project is 70% complete with all structure for all buildings complete, interior partitions installed and exterior building envelope being installed and tested.

Regent Adame made a motion to approve Change Order No. 6 for the Oso Creek Campus construction project. Regent Averyt seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried 7-1, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, and Kelly in favor. Regent Turner abstained.

11. Discussion and possible action relating to Award of Request for Competitive Sealed Proposal, RCSP #2022-01, White Library Renovation.....Mr. John Strybos
(Goal 4: Learning Environments and Goal 6: Financial Effectiveness and Affordability)

Mr. Strybos provided background information regarding solicitation for a Competitive Sealed Proposal (CSP) relating to the renovation of the White Library to expand the library functions and capabilities. Mr. Strybos stated the CSP was qualification based and provided detailed phase program information for the project that involves 97,000 gross square feet of space. Mr. Strybos recommended Beecroft with their bid of \$21,151,000 and the ranked number one score and funded from the 2014 bond projects.

Mr. Strybos responded to questions from the Board of Regents.

Regent Averyt made a motion to award the contract to Beecroft in the amount of \$21,151,000.00 using 2014 bond project funds. Regent Turner seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

12. Discussion and possible action relating to Short Term Space Lease to Westat Inc. for a Mobile Examination Clinic.....Mr. John Strybos
(Goal 4: Learning Environments)

Mr. Strybos began his presentation stating that Physical Facilities Department has met with the National Health and Nutrition Examination Survey (NHANES) Advance Arrangements personnel to evaluate the feasibility of NHANES using the College location for the temporary Mobile Examination Clinic. NHANES surveys and evaluates the health and nutritional status of adults and children in the United States. NHANES is run by the National Center for Health Statistics (NCHS), part of the Center for Disease Control and Prevention (CDC). NHANES will operate four portable units on the Windward Campus between January 16, 2022 through April 15, 2022. Westat Inc. will pay for all utility connections and fees and will pay the College a lease fee.

Mr. Strybos responded to questions from the Board of Regents.

Regent Kelly made a motion to authorize administration to negotiate and execute the lease in terms with Westat Inc. as presented. Regent Adame seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

13. Discussion and possible action on the approval of Job Order Contracting as the Construction Delivery Method that provides the best value for Del Mar College for the HEERF funded projects.....Mr. John Strybos
(Goal 4: Learning Environments and Goal 6: Financial Effectiveness and Affordability)

Mr. Strybos began his presentation stating as part of Higher Education Emergency Relief Funding (HEERF) funding, the Physical Facilities Department has identified several projects

on which they are recommending using contractors in accordance with Texas Education Code Section 2269. Under Section 2269, the Board has to authorize the procurement method.

Regent Kelly made a motion to approve the job order contracting construction delivery method for the HEERF funded projects. Regent Garza seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried 7-0, amongst Regents present, with Regents Scott, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor. Regent Adame was not present during vote.

14. Discussion and possible action on the approval of Job Order Contract to McCloskey Mechanical for \$1,101,099.00 for Indoor Air Quality (IAQ) EnhancementsMr. John Strybos
(Goal 4: Learning Environments and Goal 6: Financial Effectiveness and Affordability)

Mr. Strybos provided background on this action item regarding the approval of Job Order Contract to McCloskey Mechanical for \$1,101,099.00 for Indoor Air Quality (IAQ) enhancements. McCloskey had a contract with the interlocal purchasing system but this contract was publicly advertised for contractors and vendors to bid on the different goods and services. This Job Order includes the labor, material, and equipment to provide and install the air purification systems.

Mr. Strybos and Dr. Escamilla responded to questions from the Board of Regents.

Regent Hutchinson made a motion to approve the job order contract to McCloskey Mechanical for \$1,101,099.00 as presented. Regent Garza seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

15. Discussion and possible action on the approval of Job Order Contract to Shoreline Plumbing Co. for an amount not to exceed \$1,239,840.00 for installation of Touchless Water Fountains.....Mr. John Strybos
(Goal 4: Learning Environments and Goal 6: Financial Effectiveness and Affordability)

Mr. Strybos stated this agenda item is for the approval of this contract with Shoreline Plumbing Company for \$1,239,840.00 for touchless water fountains including bottle filling stations. This expense would come out of HEERF funds and the existing water fountains would be removed.

Regent Adame made a motion to approve the job order

contract to Shoreline Plumbing Co. for installation of touchless water fountains and other restroom fixtures as presented. Regent Kelly seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

- 16. Discussion and possible action regarding adopting the 2021-2022 Board Action PlanMs. Carol Scott
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

This agenda item was tabled until the February Board of Regents meeting.

At 4:13 p.m., the Chair announced that the Board was going into Closed Session pursuant to:

17. **CLOSED SESSION** pursuant to:

- A. **TEX. GOV'T CODE § 551.071**: (Consultation with Legal Counsel), regarding pending or contemplated litigation, or a settlement offer, with possible discussion and action in open session; and the seeking of legal advice from counsel on pending legal or contemplated matters or claims, including, legal redistricting obligations and legal audit questions, with possible discussion and action in open session; and,
- B. **TEX. GOV'T CODE § 551.074(a)(1)**: (Personnel Matters), regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; including, Annual Board Self-Evaluation, with possible discussion and action in open session.

The Board reconvened in Open Session at 4:40 p.m. with no action taken.

CALENDAR: Discussion held regarding upcoming calendar dates.

ADJOURNMENT: The meeting was adjourned at 4:41 p.m.

MINUTES REVIEWED BY GC: /s/ARjr