

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

September 8, 2020

The Regular Meeting of the Board of Regents of the Del Mar College District convened in the Isensee Board Room, Del Mar College, Corpus Christi, Texas at 1:00 p.m. on Tuesday, September 8, in person and/or by teleconference.

Due to health and safety concerns related to the Coronavirus Pandemic Crisis, this meeting was conducted by video and/or teleconference and was conducted in accordance with guidance from the Texas Governor's Office and the Texas Attorney General's Office. Provisions were made for the public to participate in this meeting with public comments via livestream and/or telephonically.

The following were present:

**From the Board:**

Ms. Carol Scott, Ms. Libby Averyt, Mr. Ed Bennett, Ms. Susan Hutchinson, and Dr. Mary Sherwood.

Dr. Nicholas Adame and Ms. Elva Estrada joined the meeting in progress.

**From the College:**

Dr. Mark Escamilla, President and CEO; Mr. Raul Garcia, Vice President and CFO; Ms. Lenora Keas, Executive Vice President and COO; Ms. Tammy McDonald, Vice President of Administration and Human Resources; Mr. August Alfonso, Vice President and Chief Information Officer; Dr. Rito Silva, Vice President of Student Affairs; Mr. Augustin Rivera, Jr., General Counsel; Mr. John Strybos, Vice President and Chief Physical Facilities Officer; Ms. Lorette Williams, Executive Director of Strategic Communication and Government Relations; Dr. Natalie Villarreal, Director of External & Board Relations; Mary McQueen, Executive Director, Development; Delia Perez, Executive Administrative Assistant to the President & Board Liaison, and other staff and faculty.

**CALL TO ORDER QUORUM CALL/MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE/VISION STATEMENT**

Ms. Scott called the meeting to order with a quorum present. She requested a moment of silence followed by the Pledge of Allegiance and Del Mar College Vision Statement.

**GENERAL PUBLIC COMMENTS** – The public was given the opportunity to provide public comments (both general and specific to any agenda item) by calling a toll-free phone line prior to the Board meeting and registering with their name and subject of public comment.

Mr. John Valls: Introduced himself and provided public comments regarding Bohemian Colony and regarding introduction of TIRZ #5.

**RECOGNITIONS .....Dr. Jonda Halcomb**

- Dr. Lucy James, 2020 Aileen Creighton Recipient  
(Goal 3: Academic Preparedness and Student Learning)

Dr. Escamilla provided opening comments. Dr. Jonda Halcomb introduced Dr. Lucy James, Professor of American Sign Language and Interpreting in the Communications, Language and Reading Department. Dr. James is the 19<sup>th</sup> faculty member to receive the 2020 Aileen Creighton award in teaching excellence. Dr. James’ portfolio highlighted over sixteen years of teaching which includes serving on several College committees, presiding as the current Chair of the Board for Deaf & Hard of Hearing Center of Corpus Christi, and has served eleven years as a Rater for the Advanced Medical Interpreting Certification Exam.

- Melissa Rollins, 2019-2020 Exempt Circle of Pride Recipient  
(Goal 4: Learning Environments)

Dr. Halcomb introduced Melissa Rollins as the 2019-2020 Exempt Council Circle of Pride recipient. Ms. Rollins is the Retention Case Manager with the College’s Retention Services Department. Ms. Rollins provided help to complete the faculty credentials report of the SACSCOC reaffirmation process which involved the audit of over 600 faculty files. Ms. Rollins was recognized for going above and beyond the scope of her responsibilities and duties of her job.

- Dr. Robert Hatherill, named recipient of U.S. Presidential Award in Excellence in Science, Mathematics and Engineering Mentoring  
(Goal 3: Academic Preparedness and Student Learning)

Dr. Halcomb recognized Dr. Robert Hatherill as the recipient of the U.S. Presidential Award in Excellence in Science, Mathematics and Engineering Mentoring which recognizes exceptional mentoring by individuals of groups underrepresented in STEM sectors. Dr. Hatherill is only one of two recipients in the state of Texas and one of thirteen awarded in the country.

**STUDENT SUCCESS REPORT .....Dr. Rito Silva**

- Project SENDA  
(Goal 1: Completion)

Dr. Escamilla provided introductory remarks. Dr. Silva proceeded with his presentation and stated that Del Mar College was awarded a 5-year grant in the amount of \$2,855,218 in September 2019 for the Title V Program Project SENDA (Student Engaged in Direct Advising).

The objectives for Project SENDA included: Uniform advising training for faculty; Decrease time and hours to degree; Increase completion; Financial literacy; and Increase transfer rate.

Dr. Silva reviewed the accomplishments of Project SENDA the College has achieved and stated that the first-year target number of 25 for faculty advising training was surpassed with 36 faculty members and 16 staff members completing training. The “We Care” initiative contacted over 3,000 students from April 1, 2020 to July 31, 2020. Also, two embedded advisors were hired in the first year with one more to be hired in the second year and an additional advisor to be added in the third year. Project SENDA’s External Evaluator, David Trujillo, provided favorable comments for the Project and how Del Mar College was implementing its objective.

**COLLEGE PRESIDENT'S REPORT .....Dr. Mark Escamilla**

- College Update Relating to COVID-19  
(Goal 4: Learning Environments)

Dr. Escamilla provided an update relating to the College’s Covid-19 status. Dr. Escamilla stated that Del Mar College continues to operate under Phase II under the Return to Campus Plan. The College remains closed to the public with designated areas open on a limited basis for instruction and testing and most employees are working remotely. Employees and students allowed on campus must follow strict campus safety protocols. The health and safety of everyone on campus continues to be the foremost priority. For the Fall semester, a majority of classes are being delivered online with some offered in a hybrid fashion as well as some face-to-face formats for those skills-based classes and labs. Fall semester enrollment was offered online and via Viking virtual assistance which offered help with registrar, admissions, advising, financial aid, veterans affairs, and the business office and cashier. Del Mar College staff members assisted over 1,800 students. The preliminary uncertified number for the Fall 2020 semester is approximately 11,200 students. The lower number is attributed to students having to assist their own children with school, financial limits, and COVID-19 health concerns. Additional 8-week option courses are available and are being offered to Del Mar students hoping they will return and continue their education.

**STAFF REPORTS:**

- Tax Abatement Yearly Overview .....Ms. Lenora Keas  
(Goal 6: Financial Effectiveness and Affordability)

Ms. Lenora Keas introduced Mike Culbertson, Chief Operations Officer with Corpus Christi Regional Economic Development Corporation (CCREDC). Mr. Culbertson began his presentation which included information regarding who CCREDC provides compliance reviews for and information regarding compliance procedures including: •Review all of the requirements from the Agreements; •Use standard documents to test compliance such as IRS forms 941 & 940, audited financials, and TWC reports; •Review all of the company’s assertions; and Report on findings to Del Mar College President.

Mr. Culbertson reviewed the existing Tax Abatement Agreements for Del Mar College with M&G, voestalpine, and EPIC Y-Grade. Castleton was bought out by Schlumberger and this agreement never moved forward.

Mr. Culbertson discussed the Agreement numbers regarding Topaz now known as Talen Energy (2008), M&G Resins (2014), voestalpine Docks (2015), and EPIC Y-Grade (2017). Topaz was rebuilding two CP&L power plants which have been completed. Talen Energy invested \$900M up from \$630.0M. voestalpine Docks were going to invest \$56.0M but the final investment was \$67.0M and their construction has been completed. EPIC Y-Grade has completed construction and are about to start production and has invested \$200.0M. Mr. Culbertson stated that Net of Incentives is taxes without investment. Over a 10-year period, Talen Energy taxes without investments is \$61,080, M&G Resins taxes without investments is \$48,964, EPIC Y-Grade taxes without investments is \$29,045 which totals \$139,089.00. Taxes with investments over a ten-year period for Talen Energy with investments is \$11,299,357.00, M&G Resins with investments is \$14,119,347.00, voestalpine Docks with investments is \$1,235,176.00, EPIC Y-Grade with investments is \$3,687,093.00 for a total of \$30,340,975.00.

M&G Resins went bankrupt and was bought by Alpek, Indorama, and Far Eastern Investment entered into an asset purchase and was renamed to Corpus Christi Polymers. Because of Covid-19, they have not mobilized and are waiting for the next phase.

- Draft Tax Abatement Policy Discussion .....Ms. Lenora Keas  
(Goal 6: Financial Effectiveness and Affordability)

Ms. Lenora Keas stated that she and Mr. Rivera, General Counsel, have been working on a proposed Tax Abatement Policy with Mr. David Mendez and Mr. Manuel Mendez of the Bickerstaff Law Firm. Ms. Keas gave background information regarding the Tax Abatement Policy and discussed the following highlights that include but are not limited to:

- **Minimum Criteria** which includes criteria regarding qualifying area; scope, term and amount of abatement; and economic criteria;
- **Application Contents** which includes basic information; general description of improvements proposed in abatement area; education benefit; other benefits to District taxpayers; payments in lieu of tax; reimbursement of district fees and expenses; application’s compliance with minimum criteria; and agreement;
- **Agreement** which includes percent of value to be abated each year; commencement date and the termination date of Abatement; and size of investment and average number of jobs involved for the period of Abatement.
- **Sunset Provision** which states that the guidelines and criteria are effective as of the date of adoption and will remain in force for two years, and also includes a time for Reinvestment Zones and Agreements will be reviewed to determine achievement of goals.

Ms. Keas stated that under the policy, the College would receive an application, an analysis of the application would be done by the administration and then the administration would make a presentation to the Board for review and decision making.

Ms. Keas stated that at this point in time, the College does not have a policy regarding Abatement Requests and is therefore presenting the draft Tax Abatement Policy for review, the processing to be further discussed and decided at another Board meeting.

Ms. Keas responded to questions from the Board.

**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:  
Called Meeting, August 3, 2020  
Regular Board Meeting, August 11, 2020  
*(Goal 5: Workforce Development, Community Partnerships, and Advocacy)*
2. Acceptance of Investments for August 2020  
*(Goal 6: Financial Effectiveness and Affordability)*
3. Acceptance of Financials for July 2020  
*(Goal 6: Financial Effectiveness and Affordability)*

Regent Estrada made a motion to approve the Consent Agenda items. Regent Sherwood seconded the motion. There was no further discussion from the Board. A show of hands vote was taken, and the motion passed unanimously, 7-0 amongst Regents present, with Regents Adame, Averyt, Bennett, Estrada, Hutchinson, Scott, and Sherwood in favor.

**REGULAR AGENDA**

4. Discussion and possible action relating to Change Order for the South Campus project to fund the installation of the Trellis for the Main Building .....Mr. John Strybos  
*(Goal 4: Learning Environments and Goal 6: Financial Effectiveness and Affordability)*

Dr. Escamilla made introductory remarks. Mr. Strybos began by providing an update regarding the South Campus project and presented information regarding the Change Order for the South Campus project to fund the installation of the Trellis for the Main Building. The Trellis addition to the Main Building is an architectural enhancement that will improve the outdoor learning environment for the campus. The ability to effectively and efficiently make use of the outdoor spaces has become increasingly important in the current COVID-19 conditions. In 2016, to keep the South Campus Project within budget, the Trellis was removed.

The purpose of the change orders is (1) To reduce the contract amount for the Central Plant by \$62,802 from a current contract amount of \$9,250,000 to \$9,184,780. The purpose of this change order is to recognize project cost savings; and (2) To increase the contract amount of the Main, STEM, Culinary Arts and Site by \$876,936 from a current contract amount of \$106,742,488 to \$107,619,424. The purpose of this change order is to fund the change in scope of work to add the Trellis to the project. The \$876,936 Change Order increase is funded from \$62,802 cost savings from the Central Plant Project and \$814,134 of Bond Interest income. Through July 31, 2020 the 2016 bonds have earned \$2,932,833 in interest income.

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

Regent Sherwood made a motion to approve the Change Order proposed. Regent Hutchinson seconded the motion. There was no further discussion from the Board. A roll call vote was taken, and the motion passed unanimously, 7-0 amongst Regents present, with Regents Adame, Averyt, Bennett, Estrada, Hutchinson, Scott, and Sherwood in favor.

**5. Discussion and possible action related to RFQ #2019-20 for Architectural and Engineering Services to support various Del Mar College projects.....Mr. John Strybos (*Goal 4: Learning Environments and Goal 6: Financial Effectiveness and Affordability*)**

Mr. Strybos began his presentation by stating that approximately 62% of the 2014 Bond Projects have been completed. The remaining 38% of the Projects have not started design. Mr. Strybos gave an overview of projects involved in the 2014 Bond that included status, current budget, and preliminary schedule.

Mr. Strybos discussed the 2014 Bond Projects next steps which include: 1) Use Indefinite Delivery Indefinite Quantity (IDIQ) Request for Qualifications (RFQ) Number 2019-20 “For Architectural and Engineering Services to Support Various Del Mar College Projects” to identify project architects and engineers; and 2) Upon completion of the construction documents, solicit competitive sealed proposal (CSP) for the construction of the projects.

Additional 2014 Bond Projects next steps include: 1) Finalize space programming reports for renovation projects; 2) Complete definition of scope work for other projects; 3) Begin design work; 4) Advertise for asbestos abatement services; and 5) Advertise for building demolition.

Mr. Strybos reviewed the following list of recommended firms for different projects below:

<b>Prime Consultant</b>	<b>Service</b>	<b>Project</b>
Amtech Solutions	Building Envelope and Roofs	Reroofing Projects
WKMC Architects	Architecture	Reroofing Projects
Facility Programming	Space Programming, Demographic Studies	To Be Determined
Gignac Architects and LNV with NRG Engineering	Architecture and Engineering	Memorial Classroom Building Renovation; Harvin Student Center Renovation; General Purpose Building Renovation
Pfluger Architects with Gignac Landscape Architecture	Architecture and Engineering	East and West Campus Edge
Richter Architects	Architecture and Engineering	Heldenfels Renovation
Rock Engineering and Testing	GeoTech and Construction Materials Testing	To Be Determined
Stridde Callins	Mechanical and Electrical Engineering	To Be Determined
Terracon	GeoTech, Construction Materials Testing, Assessments	To Be Determined
Turner/Ramirez Architects	Architecture and Engineering	White Library Renovation, Fine Arts Renovation
Urban Engineering	Civil Engineering	To Be Determined

Regent Adame made a motion to adopt the selection of consultants as recommended by staff. Regent Estrada seconded the motion. There was no further discussion from the Board. A roll call vote was taken, and the motion passed unanimously, 7-0 amongst Regents present, with Regents Adame, Averyt, Bennett, Estrada, Hutchinson, Scott, and Sherwood in favor.

**6. Discussion and possible action: Draft language for discussion and direction to include in Internal Audit Services RFQ.....Ms. Tammy McDonald  
(Goal 6: Financial Effectiveness and Affordability)**

Ms. McDonald provided background stating the current engagement agreement for internal audit services was initiated in July 2015 and set to expire February 28, 2021 with no additional renewal options available per original terms of the 2015 RFQ. The College is in the process of developing a Request for Qualification (RFQ) to continue internal audit services.

The internal audit service provider has a reporting line to both the President/CEO and the Board of Regents. Staff is seeking input and direction from the Board for the RFQ content in the following areas: service overview, scope of work, evaluation & criteria, and term of engagement.

Ms. McDonald provided examples of draft language for the Board’s review and discussion to be included in the final RFQ. The final RFQ is anticipated to be released by mid-October.

Ms. McDonald and Dr. Escamilla responded to questions from the Board of Regents.

Regent Averyt made a motion to authorize staff to develop the final RFP based on feedback provided today and to solicit responses to that RFQ in a timely fashion. Regent Bennett seconded the motion. There was no further discussion from the Board. A roll call vote was taken, and the motion passed unanimously, 7-0 amongst Regents present, with Regents Adame, Averyt, Bennett, Estrada, Hutchinson, Scott, and Sherwood in favor.

**7. Discussion and possible action related to TIRZ #2 (Packery Channel) Board Appointment.....Ms. Carol Scott  
(Goal 5: Workforce Development; Community Partnerships, and Advocacy)**

Chair Scott discussed the Board appointment to TIRZ #2 (Packery Channel) which was left vacant after Regent Rivas’ passing. Chair Scott asked Dr. Mary Sherwood if she would serve the remainder of that term until a new District 4 Representative is elected.

Regent Estrada made a motion to appoint Dr. Mary Sherwood as the Board of Regents Representative to the TIRZ #2 Packery Channel Board. Regent Hutchinson seconded the motion. There was no further discussion from the Board. A show of hands vote was taken, and the motion passed unanimously, 7-0 amongst Regents present, with Regents Adame, Averyt, Bennett, Estrada, Hutchinson, Scott, and Sherwood in favor.

At 2:48 p.m., the Chair announced the Board was going into Closed Session pursuant to:



**8. CLOSED SESSION pursuant to:**

A. TEX. GOV'T CODE § 551.089: (Deliberation Regarding Security Devices or Security Audits), regarding security assessments, deployments, or audits relating to: information resources technology or the design, operation, or defense of a computer network; certain network security information; the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices; or, information confidential under Texas Government Code Sections 2059.055 and 552.139, with possible discussion and action in open session.

B. TEX. GOV'T CODE § 551.071: (Consultation with legal counsel), regarding pending or contemplated litigation, or a settlement offer; and, the seeking of legal advice from counsel on pending legal or contemplated matters or claims, with possible discussion and action in open session;

C. 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 Appointment to fill Vacancy in District 1, with possible discussion and action in open session.

The Board reconvened in Open Session at 3:40 p.m.

**9. Discussion and possible action regarding the District 1 Regent Vacancy, Del Mar College Board of Regents.....Ms. Carol Scott  
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)**

Regent Averyt made a motion to extend the application period to September 22, 2020 at 5 p.m. to fill the vacancy for District 1 with interviews to be conducted on September 29, 2020 beginning at 9 a.m. Regent Sherwood seconded the motion. There was no further discussion from the Board. A roll call vote was taken, and the motion passed, 6-1 amongst Regents present, with Regents Adame, Averyt, Bennett, Hutchinson, Scott, and Sherwood in favor and Regent Estrada voted against.

CALENDAR: Discussion related to calendaring dates.

ADJOURNMENT: The meeting was adjourned at 3:43 p.m.

MINUTES REVIEWED BY GC: /s/ARjr