

MINUTES OF THE CALLED MEETING (NOON)  
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT

August 25, 2020

The Called Meeting (Noon) of the Board of Regents of the Del Mar College District convened in the Isensee Board Room, Del Mar College, Corpus Christi, Texas at 12:00 p.m. on Tuesday, August 25, 2020, by video and/or teleconference.

Due to health and safety concerns related to the Coronavirus Pandemic Crisis, this meeting was conducted by video and teleconference in accordance with guidance from the Texas Governor's Office and the Texas Attorney General's Office.

Members of the public were provided access to this video/telephonic meeting by going to the livestream of the meeting available online at [www.delmar.edu/webcast/](http://www.delmar.edu/webcast/) or listening to the audio of this meeting by calling in a toll-free number previously provided.

The following were present:

From the Board:

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

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.

There were no public comments.

**I. Discussion and possible action related to the Order of the Board of Regents of the Del Mar College District: 2020-2021 Maintenance and Operations Budget and the 2020-2021 Debt Service Budget .....Mr. Raul Garcia (Goal 6: Financial Effectiveness and Affordability)**

Mr. Garcia provided a summary of the 2020-2021 Maintenance and Operations Budget and Debt Service Budget. Mr. Garcia stated that the College administration has worked with various budget stakeholders including budget managers, faculty, staff, and the various College Councils to align financial resources with strategic initiatives and deliver a balanced budget for fiscal year 2021. A public Budget Workshop was held for the Board of Regents on August 3, 2020 to receive comments from the Board and the public on the College's proposed budget. The proposed 2020-2021 Maintenance and Operations Budget is \$107.8 million. The proposed 2020-2021 Debt Service Budget is \$23.4 million dollars which represents the principal interest obligations for 2020-2021 on the College's existing general obligation bond debt.

Mr. Augustin Rivera, Jr., General Counsel read the proposed Order of the Board of Regents of the Del Mar College District Budgets 2020-2021:

**ORDER OF THE BOARD OF REGENTS  
OF THE  
DEL MAR COLLEGE DISTRICT  
BUDGETS  
2020-2021**

BE IT ORDERED by the Board of Regents of the Del Mar College District ("District") that,

WHEREAS, budgets for the Del Mar College District have been prepared and submitted to the Board of Regents of the District in the manner required by law; and

WHEREAS, a meeting has been called and held as a public hearing for the purpose of considering the adoption of a maintenance and operation budget and debt service budget, after public notice of such meeting as required by law; and

WHEREAS, all taxpayers and other persons of the District desiring to do so have been given the opportunity to be present and to participate in such hearing;

THEREFORE, that certain budgets presented to the Board at this meeting and filed among the official documents of this District, be and it is hereby adopted as the budgets for the Del Mar College District for the fiscal year beginning September 1, 2020, and ending August 31, 2021.

Regent Averyt made a motion to adopt the 2020-2021 Maintenance and Operations Budget and the 2020-2021 Debt Service Budget.

Regent Estrada seconded the motion. There was no further discussion from the Board. There were no public comments. A roll call vote was taken and the motion passed unanimously 7 - 0, with Regents Adame, Averyt, Bennett, Estrada, Hutchinson, Sherwood, and Scott voting in favor.

**2. Discussion and possible action related to the Order of the Board of Regents of the Del Mar College District: Tax Rates for 2020-2021.....Mr. Raul Garcia (Goal 6: Financial Effectiveness and Affordability)**

Mr. Garcia presented information regarding the adoption of the 2020-2021 tax rate. The College conducted a Budget Workshop on August 3, 2020 to review the proposed 2020-2021 Budget for Maintenance and Operations and the proposed 2020-2021 Budget for Debt Service, including the respective tax rates necessary to generate the ad valorem revenues to support each budget. The \$107,876,641 proposed Maintenance and Operations Budget has a proposed M&O Tax Rate of \$.205296 per \$100 of taxable value. The \$23,476,669 proposed Debt Service Budget has a proposed Debt Service Tax Rate of \$.083304 per \$100 of taxable value.

The proposed Combined Tax Rate for 2020-2021 is \$.288600 per \$100 taxable value, which is an increase of \$ .007935 from the previous year. This combined tax rate represents a 6.32% increase in total tax revenues (percentage by which the proposed tax rate exceeds the lower of the voter-approval tax rate or the no-new-revenue tax rate calculated under Chapter 26, Texas Tax Code) from properties on the tax roll in the preceding tax year due to the increase in appraisal values within the College District.

The appropriate Public Notices of Tax Revenues Increases have been published and the College held a Public Hearing on the Proposed Tax Rates on Monday, August 25, 2020 to receive public comments.

Mr. Augustin Rivera, Jr., General Counsel read the proposed Order of the Board of Regents of the Del Mar College District Tax Rate 2020:

**ORDER OF THE BOARD OF REGENTS  
OF THE  
DEL MAR COLLEGE  
TAX RATE  
2020**

BE IT ORDERED by the Board of Regents ("Board") of the Del Mar College District ("District") that,

WHEREAS, the Board has duly and properly considered a proposal to increase total tax revenues from properties on the tax roll in 2020 by 6.32 percent; and

WHEREAS, the Board has duly and properly called and held the public hearing required by the Texas Property Tax Code ("Code") after giving the public notice required by the Code and by law; and

WHEREAS, all taxpayers and other persons desiring to do so have been given the opportunity to be present and to participate in such hearing; and

WHEREAS, the Board has duly and properly given and published notice of these meetings as required by law;

NOW THEREFORE, the Board hereby approves and adopts the proposal to increase total tax revenues from properties on the tax roll in the preceding year by 6.32 percent, thereby increasing the total tax rate to be levied for 2020 to Twenty-Eight and 8600/10,000 (\$0.288600) on each One Hundred Dollars (\$100.00) property valuation in the District. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 0.11% AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY -\$5.96.

Regent Sherwood made a motion to adopt the order of the tax rate and motioned that the property tax rate be increased by the adoption of tax rate 0.288600 which is effectively a 6.32% increase in the tax rate. Regent Hutchison seconded the motion. There was no further discussion from the Board. There were no public comments. A roll call vote was taken and the motion passed unanimously 7 - 0, with Regents Adame, Averyt, Bennett, Estrada, Hutchinson, Sherwood, and Scott voting in favor.

**3. Discussion and possible action related to the Order of the Board of Regents of the Del Mar College District: 2020-2021 Tax Levy of \$0.288600 per \$100 of taxable value for the Del Mar College District.....Mr. Raul Garcia (Goal 6: Financial Effectiveness and Affordability)**

Mr. Garcia provided information regarding the funding of bond obligations with the most current issuance of the 2020A and 2020B Bonds. The College is asking for a change in the debt service tax rate in order to fund our debt service moving into the next fiscal year.

Mr. Augustin Rivera, Jr., General Counsel read the Order for Tax Levy for 2020 of the Del Mar College District:

**TAX LEVY FOR 2020**

**OF THE  
DEL MAR COLLEGE DISTRICT**

BE IT ORDERED by the Board of Regents of the Del Mar College District that the following taxes are hereby levied for the year 2020 on all property, real, personal and mixed, located within the boundaries of the Del Mar College District and subject to taxation by it for the year 2020 under the laws of this State, and of the United States; a total ad valorem tax of Twenty Eight and 8600/10,000 Cents (\$0.288600) on each One Hundred Dollars (\$100.00) property valuation in the District, for the purposes and in the specific amounts which follow:

I.

An ad valorem tax of Twenty and 5296/10,000 Cents (\$0.205296) on each One Hundred Dollars (\$100.00) property valuation for the local maintenance fund of the Del Mar College District.

II.

An ad valorem tax of Eight and 3304/10,000 Cents (\$0.083304) on each One Hundred Dollars (\$100.00) property valuation for the interest and sinking fund of the Del Mar College District Bonds, Del Mar College District Limited Tax Refunding Bonds, Series 2011 (\$36,330,000.00); Del Mar College District Limited Tax Refunding Bonds, Series 2013 (\$9,010,000); Del Mar College District Limited Tax Refunding Bonds, Series 2014 (\$8,995,000); Del Mar College District Limited Tax Refunding Bonds, Series 2015 (\$23,580,000); Del Mar College District Limited Tax Bonds, Series 2016 (\$67,645,000); Del Mar District Tax Bonds, Series 2017 (\$9,070,000); Del Mar College District Limited Tax Bonds, Series 2018A (\$44,275,000); Del Mar College District Limited Tax Bonds, Series 2018B (\$57,305,000); Del Mar College District Limited Tax Bonds, Series 2020A (\$22,150,000) and Del Mar College District Limited Tax Bonds, Series 2020B (\$56,285,000).

Regent Adame made a motion to pass the Order relating to the 2020-2021 Tax Levy. Regent Sherwood seconded the motion. There was no further discussion from the Board. There were no public comments. A roll call vote was taken and the motion passed unanimously 7 - 0, with Regents Adame, Averyt, Bennett, Estrada, Hutchinson, Sherwood, and Scott voting in favor.

**4. Discussion and possible action related to the Resolution of the Board of Regents of the Del Mar College District: 2020-2021 Tax Exemptions.....Mr. Raul Garcia (Goal 6: Financial Effectiveness and Affordability)**

Mr. Garcia provided information regarding the yearly granted specific tax exemptions in accordance with the Texas Property Tax Code Section 11. Traditionally, the College has provided the following tax exemptions:

1. Homestead Exemptions	\$5,000
2. Persons 65 years or Older	\$50,000
3. Qualified Disabled Veterans	Statutory exemption
4. Person under 65 years, qualified disability benefits	\$50,000
5. Qualified Charitable Organizations	Statutory exemption

Mr. Augustin Rivera, Jr., General Counsel read the Resolution of the Board of Regents of the Del Mar College District: 2020-2021 Tax Exemptions:

**RESOLUTION OF THE BOARD OF REGENTS  
OF THE  
DEL MAR COLLEGE DISTRICT**

RESOLVED, that for the year 2020 all persons who qualify by law are granted an exemption in the amount of Five Thousand Dollars (\$5,000.00) of the appraised value of their homestead property; and

RESOLVED FURTHER, that for the year 2020 persons of the age of sixty-five (65) or older are granted an additional exemption in the amount of Fifty Thousand Dollars (\$50,000.00) of the appraised value of their homestead property, and qualified disabled veterans are granted the statutory exemption; and

RESOLVED FURTHER, that for the year 2020 each person under sixty-five (65) years of age who is qualified for the payment of disability insurance benefits as defined under Federal Old-Age, Survivors, and Disability Insurance (or its successor) is hereby granted an additional exemption from taxation, in accordance with Section 11.13( d) of the Property Tax Code ("Code"), the total amount of which is equal to Fifty Thousand Dollars (\$50,000.00) of the appraised value of such person's residence homestead property, as that term is defined by the State Constitution and law, provided the owner of such residence homestead property, or his or her duly authorized agent or attorney, applies at the office of the Nueces County Tax Appraisal District for said exemption in accord with the requirements established by the Tax Assessor-Collector or the Nueces County Tax Appraisal District, as permitted by law; and

RESOLVED FURTHER, that for the year 2020 each disabled veteran is entitled to the mandatory exemption provided in Section 11.22 of the Code; and

RESOLVED FURTHER, that for the year 2020 each qualified charitable organization that has been granted exemption by the City of Corpus Christi is entitled to the tax exemption provided under Section 11.184 of the Texas Tax Code.

Regent Estrada made a motion to adopt the Resolution for 2020-2021 Tax Exemptions as presented. Regent Averyt seconded the motion. There was no further discussion from the Board. There were no public comments. A roll call vote was taken and the motion

passed unanimously 7 - 0, with Regents Adame, Averyt, Bennett Estrada, Hutchinson, Sherwood, and Scott voting in favor.

**5. Discussion and possible action relating to Appointment to fill Regent Vacancy in District 1 .....Ms. Carol Scott (Goal 5: Workforce Development; Community Partnerships, and Advocacy)**

Mr. Augustin Rivera, Jr., General Counsel, reviewed the proposed timeline to fill the District 1 vacancy as follows:

August 25, 2020	Announce Opening of Appointment Process and Response Submission Deadlines
September 8, 2020 (by 10:00 a.m.)	Deadline for interested Applicants to Submit Letter of Interest, Resume and up to five (5) Letters of Reference The Board, in Closed Session, will review the applications and determine which applicants will be interviewed.
September 22, 2020 (at 1:00 p.m.)	During Special Called Board Meeting, Board will conduct interviews of Applicants in open session, deliberate in closed session, and then make decision on appointment in open session.
October 13, 2020	New District 1 Board Member sworn in and seated in October Regular Board Meeting

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

Regent Estrada made a motion approve the proposed Timeline to Fill Vacancy in District 1 with one correction. Regent Hutchison seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion passed unanimously 7 - 0, with Regents Adame, Averyt, Bennett, Estrada, Hutchinson, Sherwood, and Scott voting in favor.

The Board Chair announced that the Board was going into Closed Session at 12:24 p.m. as follows:

**6. CLOSED SESSION pursuant to:**

- A. 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; 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 1.) Annual Evaluation of College President; 2.) College resident's Contract; and, 3.) and, Appointment to fill Vacancy in District 1, with possible discussion and action in open session.

The Board reconvened in Open Session at 12:43 p.m.

Chair Scott stated that according to their process the Board has conducted an evaluation of Dr. Mark Escamilla, College President, and the evaluation was completed in July with a positive evaluation of Dr. Escamilla. The Board is ready to make specific recommendations related to his contract. She described the different areas the Board evaluates during the process. She stated that the Board has been very pleased with Dr. Escamilla's service during the last year, he remains committed to Del Mar College and is a leader who is respected by faculty, staff, students and the community. He has demonstrated his leadership capabilities, most recently in time of crisis during COVID-19 and prior to that during hurricanes and other events that have occurred at the College. He has led the College through a successful reaccreditation process with the regional accrediting body of SACSCOC and a very robust and excellent report from them with only one minor item that needs correction. Financially, the College is in good shape and Dr. Escamilla is making very strong decisions related to the future financial health of the College. The Board wants to offer him proposed additions and modifications to the President's contract: a 1% base pay raise effective September 1, 2020, a one-year addition to his contract term, and a \$15,000 performance bonus to be paid by September 4, 2020.

Regent Averyt made a motion to adopt the additions and modifications as presented to Dr. Mark Escamilla's contract. Regent Hutchison seconded the motion. There was no further discussion from the Board. There were no public comments. A roll call vote was taken and the motion passed with 6-1, with Regents Adame, Averyt, Estrada, Hutchinson, Sherwood, and Scott voting in favor and Regent Bennet voting against.

Also, Chair Scott stated that she has asked Regent Hutchison to review the evaluation regarding the instrument and process and provide recommendations at a future Board meeting for consideration in next year's evaluation process.

CALENDAR: Discussion related to calendaring dates.

ADJOURNMENT: The meeting was adjourned at 12:51 p.m.

MINUTES REVIEWED BY GC: /s/ARjr