

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

May 11, 2021

The Regular Meeting of the Board of Regents of the Del Mar College District convened at the Isensee Board Room, Del Mar College, Corpus Christi, Texas at 10:30 a.m. on Tuesday, May 11, 2021, with the following present:

From the Board:

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

Dr. Laurie Turner 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; Dr. Jonda Halcomb, Vice President and Chief Academic Officer; 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, Executive Director of Government & Board Relations; Ms. Mary McQueen, Executive Director of Development; Ms. Delia Perez, Executive Administrative Assistant and Board Liaison, and other staff and faculty.

Due to ongoing health and safety concerns related to the Coronavirus Pandemic Crisis, this meeting was also conducted by video and/or teleconference and 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.

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.

AGENDA

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 made for this meeting.

At 10:33 a.m., the Chair announced that the Board was going into Closed Session pursuant to:

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, 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.) Appointment to fill At Large Regent Vacancy, 2.) Annual Evaluation of College President and President’s Contract, and 3.) Annual Board Self-Evaluation, with possible discussion and action in open session.

The Board reconvened in Open Session at 12:08 p.m. with no action taken.

RECESS: The meeting was recessed at 12:08 p.m.

The Board reconvened at 1:00 p.m.

SPECIAL ACTION ITEM:

**Discussion and possible action regarding adoption of Resolution Honoring Regent Hector “Coach” Salinas.....Ms. Carol Scott
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)**

Mr. Augustin Rivera, Jr. read the Resolution Honoring Regent Hector “Coach” Salinas entitled “Resolution of the Board of Regents of the Del Mar College District in Honor and Memory of Regent Hector “Coach” Salinas (1945-2021).

The Board of Regents and President Escamilla shared their heartfelt memories of Regent Salinas and friend, Coach Salinas. Regent Salinas’ family thanked the Board for honoring him. President Escamilla presented the Salinas family with Regent Salinas’ official Regent portrait.

Regent Adame made a motion to pass the Resolution Honoring Regent Hector “Coach” Salinas. Regent Bennett 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, with Regents Scott, Adame, Avery, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

RECOGNITIONS:

- Ms. Rachel Benavides, Director of Adult Education and Dr. Leonard Rivera, Dean of Continuing Education and Off Campus Programs, Commendations from Judge Joe

Benavides for support during Justice Courts Pct. 1, Pl. 1, 2021 Retreat/Workshop
.....Ms. Tammy McDonald
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Ms. McDonald stated Ms. Rachel Benavides and Dr. Leonard Rivera received a Letter of Accommodation from Judge Joe Benavides for their support during the Justice Courts Pct. 1, Pl. 1 2021 Retreat/Workshop. They provided the staff support by keeping updated on information with programs and classes intended to assist at-risk population through GED and other course opportunities offered through Del Mar College.

Ms. Benavides and Dr. Rivera provided words of appreciation.

- Dr. Natalie Villarreal, Executive Director of Government and Board Relations, selection to the 2021 National Community College Hispanic Council (NCCHC) Leadership Fellows Program.....Ms. Tammy McDonald
(Goal 4: Learning Environments)

Ms. McDonald stated Dr. Villarreal has been chosen to participate in the 2021 National Community College Hispanic Council Leadership Fellows Program which provides vital leadership training and opportunities to enhance leadership abilities.

Dr. Villarreal provided words of appreciation.

- Newman Wong, Research Associate: Selected to serve as a Texas Success Center Community College Research Fellow.....Dr. Kristina Wilson
(Goal 4: Learning Environments)

Dr. Wilson stated Mr. Wong has been selected to serve as a Texas Success Center Community College Research Fellow. The Texas Success Center leads the Texas Pathways strategy in building capacity in community colleges to design and implement structured career and academic pathways for all students. Del Mar College has been active in the Texas Pathways for the past five years. Research Fellows will conduct research studies to 1) build the knowledge base concerning Texas Pathways reform efforts; 2) enhance the impact of community colleges performance efforts; and 3) increase capacity of community college researchers and policy makers.

STUDENT SUCCESS REPORT.....Dr. Rito Silva and Ms. Patricia Benavides-Dominguez

- Patient Care Technician (PCT) Pass Rates
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Chair Scott began by telling Dr. Silva the Board looks forward to their future relationship with Dr. Silva as he begins his new path at Texas A&M-Kingsville and gave Dr. Silva well wishes. Dr. Silva began his presentation stating Del Mar College leverages the Continuing Education Department to help with the College's contact hours. Dr. Silva introduced Ms. Benavides-Dominguez who highlighted one of the many successful education programs -

Patient Care Technician (PCT). Ms. Benavides-Dominguez provided data showing 100% of students in the 2018-2019 introductory year of the program passed their licensure exam. The national average of students passing their licensure test is 76% while Del Mar College had 91% of their students pass their licensure exams in 2019-2020. The PCT program is the newest but fastest growing at the College. The PCT incorporates the skills and knowledge of a phlebotomist, EKG Technician, and Nurse's Aide. Many students who receive their PCT continue their studies in nursing, radiology, and dental hygiene.

Dr. Escamilla offered words of congratulations.

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

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

Dr. Escamilla began by stating that the College is currently in the latter half of Phase II Return to Campus Plan. The College remains vigilant and takes the pandemic on a day-by-day scenario. The College stays up to date regarding infection rates and hot spots. Health and safety protocols will remain in effect for the foreseeable future. The College is in a transitional period where employees with private offices or workspace, and have been vaccinated have slowly returned to work on campus. The College is looking forward to Summer with Fall being most "normal-like" set of circumstances but, Fall will have serious considerations before a final decision is made.

- Anthology Headquarters, Enterprise Resource Planning System (ERP), April 26-28, 2021
(Goal 4: Learning Environments)

Dr. Escamilla stated that one of his top priorities is the College's Enterprise Resources Planning System (ERP). The ERP is a very critical part of the College's processes. Anthology is the parent company of the College's ERP and Dr. Escamilla met with Chairman and CEO, Jim Milton, Jeff Brigadier, Chief Revenue Officer and the entire Executive Team. Dr. Escamilla provided the Anthology Team an update and input as to where the College is with the conversion. Del Mar College is the first College in Texas that has implemented Campus Management.

- Spring Graduation, May 14, 2021
(Goal 1: Completion)

Dr. Escamilla stated that the Spring Commencement is scheduled for May 14, 2021, at 7 p.m. and will be available on the College's social media pages. Dr. Escamilla is hopeful that this will be the last virtual graduation. At this time, the College is graduating 828 students and despite the pandemic, the students and faculty did well.

Dr. Escamilla responded to questions from the Board of Regents.

REGENT COMMENTS:

- Update on Ad Hoc Bylaws Committee.....Ms. Libby Averyt
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Regent Averyt stated that the Committee has already met three times and thanked all involved. Regent Averyt stated that the Committee has reviewed and compared a number of peer College’s Bylaws, Code of Ethics, and Policies to the College’s own. The next task will be to review the Weaver recommended edits. The Committee’s goal is to meet every other week and provide recommendations to the Board of Regents by the August meeting and to vote on recommendations by the September meeting.

STAFF REPORTS:

- Legislative Update.....Dr. Natalie Villarreal
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Villarreal began her presentation stating she is giving an update on the Community College prioritized Bills involving TACC, CCATT, and TCCTA. Dr. Villarreal stated that the number one priority for the Texas Legislature is the budget; HB1 and SB1 have successfully passed in both Houses. However, in the higher education appropriations, both sides do not match. The legislature sets up a separate committee called Conference Committee with five members from the Senate and five members from the House of Representatives. The Conference Committee will work together to get the budget equal on both sides. Dr. Villarreal stated a decision should be made by the June Board meeting and she will provide an update at that time.

The second priority for the Texas Legislature is the Texas Reskilling & Upskilling through Education (TRUE) Initiative. The goal of the TRUE Initiative is to create a grant for Community Colleges to work with business partners to rapidly provide short term credentials to get displaced and underpaid employees back into the workforce. The TRUE Bill has passed the Senate and are currently waiting for it to pass in the House. Because of the positive feedback being heard regarding the TRUE Initiative, TACC and CCATT staff members are currently putting together a committee of CEOs, Trustees, and TCCTA members to be prepared to provide recommendations to the Committee members.

The third priority is regarding the Texas Commission on Community College Finance. This Bill will establish a Commission which focuses on providing recommendations to the 88th legislature regarding state formula funding and funding levels for public junior colleges in Texas, and recommendations to the funding model would improve student outcomes that align with 60X30TX statewide initiative. This Bill passed through the Senate and the House and will go to the Governor’s Desk.

Dr. Villarreal provided information regarding federal appropriations. The State has received some money from the federal government, but that money has yet to be allocated but should be distributed after the current legislative session. Dr. Villarreal stated that it

does not look like the Texas Legislature will go into Special Session this summer. However, Special Session in the Fall is a possibility to discuss redistricting once the census data is received. Dr. Villarreal reviewed the American Family Plan that was unveiled in April 2021 which includes a completely new set of appropriations for higher education including two years of free community college, increase investment in Pell Grants, and minority serving institutions (MSI's).

Dr. Villarreal, Chair Scott and Dr. Escamilla responded to questions from the Board of Regents.

- 2022 Preliminary Budget Update.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia began his presentation stating there are many pending budget variables to complete the budget plan including state appropriations and property tax revenues. The State appropriation revenue hinges on the 87th Legislature passing the general state appropriations bill. The Office of the County Appraiser will complete and report the final property values to the College by August 1, 2021. Mr. Garcia reviewed the budget calendar and planning activities and stated the College will deliver another update on the budget at the June 8, 2021 Board meeting.

Dr. Turner temporarily left the meeting.

Mr. Garcia introduced Ms. Jackie Landrum, Budget Analyst for the College. Ms. Landrum provided a 2022 preliminary expense budget which did not reflect any changes due to not knowing what the State appropriations will be until June 2021. Ms. Landrum stated they are still reviewing the budget requests and trying to isolate if some of the requests could be related to the Higher Education Emergency Relief Fund II and III. Ms. Landrum stated she will have more details at the June Board meeting. Ms. Landrum introduced Ms. Tammy McDonald.

Chair Scott requested information for the next meeting regarding the \$1 million South Campus set-aside.

Ms. McDonald began her presentation providing the Board with different scenarios regarding the 2022 proposed salary increase for employees. The scenarios for faculty included: Scenario 1) experience pay; Scenario 2) experience pay plus \$500 increase to the base; and Scenario 3) experience pay plus \$1,000 increase to the base. The scenarios for exempt and non-exempt employees include Scenario 1) 1% increase monthly to exempt employees and 1% hourly rate to non-exempt employees; Scenario 2) 2% increase monthly to exempt employees and 2% hourly rate to non-exempt employees; and Scenario 3) 3% increase monthly to exempt employees and 3% hourly rate to non-exempt employees. These scenarios were proposed to the Board of Regents for discussion.

Mr. Garcia introduced Dr. Catherine West who began her presentation regarding 2022 preliminary expense increases. Dr. West stated the maintenance and operations expenses include electricity, custodial, security, and insurance. At this time, no dollar amounts were discussed pending State appropriations. Dr. West then introduced Mr. John Johnson who reviewed 2022

revenue challenges and assumptions. Tuition and fees assumption challenges include no in-district tuition rate increase and enrollment growth projection as flat. Mr. Johnson stated that the College is keeping the same revenue budget as 2019 and 2020. Tax assumptions challenges include maintenance and operations tax rate will remain the same, a 3% valuation growth, and \$300 million in new construction. Another challenge regarding State appropriations may be a flat increase. Mr. Johnson provided a preliminary revenue of the revenue budget which includes an increase of \$3.2 million in property taxes and will increase total projected revenues to \$111 million. The State appropriations and tuition & fees amounts were left flat.

Regent Turner rejoined the meeting.

Mr. Garcia continued the presentation with an update regarding Higher Education Emergency Relief Fund II and III (HEERF). At this time, the College has not received the grant notification or the related \$18.6 million of the HEERF III. The Department of Education requires the College to spend \$11.2 million on student aid grants. Mr. Garcia provided and reviewed a plan on the allocation of the student aid grants for the upcoming Fall, Spring and Summer terms.

The institutional category is valued at \$29.8 million and includes the HEERF III. The preliminary plan includes recovering of \$3.3 million for health and safety supplies and also includes IT enhancement for instruction student support services and security. The College will defray expenses associated with coronavirus including lost revenues, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll. Mr. Garcia stated there will be an update regarding the new guidelines as they are reviewed.

Ms. McDonald, Mr. Garcia, Mr. Johnson, and Dr. Escamilla responded to questions from the Board of Regents.

- 2016 Bond Update: South Campus Construction Project.....Mr. John Strybos
(Goal 4: Learning Environments)

Mr. Strybos provided an update regarding the 2016 Bond South Campus Construction Project. Mr. Strybos stated that the bond proceeds have accumulated interest income in the amount of \$3.3 million. The total funds available are \$152 million with commitments and contingency totaling \$143 million which leaves an available balance of \$8.5 million. Mr. Strybos provided a summary of 2016 Bond South Campus Budget soft costs which total \$15.9 million. Mr. Strybos gave a breakdown of the 2016 Bond South Campus Budget summary for construction costs and stated that as of March 31, 2021, the project is approximately 63.5% complete with \$74.2 million invoiced. With Change Order No. 2, \$1.2 million of the \$3.3 million interest income has been used to fund changes orders. Mr. Strybos reviewed the 2016 Bond Project schedule and provided renderings to the Board for visual reference.

Mr. Strybos updated the Board regarding the 2016 Bond South Campus Project Interlocal Agreement with the City of Corpus Christi as follows: the Rodd Field Road project is complete; Turner Ramirez was selected to design the City's Police Academy; the final

design for pedestrian bridge and trail has been approved by the City and the construction is expected to begin in Fall 2021; the right turn deceleration lane from Yorktown entering campus has been constructed; the City is ready to start the design of the Yorktown median and Rodd Field Road median; and the College is expected to negotiate with the City for the purchase/exchange of approximately 2 acre triangle at the intersection of Yorktown and Rodd Field Road. Mr. Strybos reviewed the construction management by AG/CM and the services they provide daily and on site to the College.

Mr. Strybos, Dr. West, Mr. Dave Gordon with Estrada Hinojosa, and Dr. Escamilla 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, April 13, 2011
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)
2. Acceptance of Investments for April 2021
(Goal 6: Financial Effectiveness and Affordability)
3. Acceptance of Financials for March 2021
(Goal 6: Financial Effectiveness and Affordability)

Public comments for consent agenda items

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

REGULAR AGENDA

- 4. Discussion and possible action relating to conferring Professor Emeritus to Ms. Kristen Wilkerson.....Dr. Jonda Halcomb
(Goal 4: Learning Environments)

Dr. Halcomb highly recommended Ms. Kristen Wilkerson for consideration of Professor Emeritus. She stated that Ms. Wilkerson has shown distinguished service, significant contributions to higher education, meritorious teaching, and special honors. Ms. Wilkerson has provided over thirty-four years of service to the College as a faculty member of the Child Development/Early Childhood Program and chairperson over the former Department of Human Sciences and Education. She has demonstrated distinguished leadership and notable dedication to students, the College, the community, and the field of Child Development/Early Childhood. Dr. Halcomb read a Resolution in honor of Ms. Wilkerson.

Regent Turner made a motion to adopt the Resolution conferring to Ms. Kristen Wilkerson for status Professor Emeritus. Regent Kelly seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by a show of hands and the motion carried unanimously, 8-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

Professor Emeritus Wilkerson provided words of gratitude and appreciation.

- 5. Discussion and possible resolution authorizing the issuance of up to \$8,435,000 in principal amount of Del Mar College District Limiting Tax Refunding Bonds, Series 2021: delegating authority to certain District officials to approve all final terms of the bonds; approving and authorizing the execution of an escrow agreement, a paying agent/registrar agreement, a purchase contract and investment letter, and other instruments and procedures related thereto, and calling certain bonds for redemption.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia began his presentation for consideration to call in refund all Series 2011 bonds maturing on or after August 15, 2021 and to delegate the approval of the final terms to the President and/or the Vice President and Chief Financial Officer as long as the results are as follows: 1) net cost savings to the College of at least 2% of the principal amount of the refunded Series 11 Bond; and 2) the final maturity date of the Series 2021 Bond does not extend beyond the final maturity date of the Series 2011 Bonds (i.e., August 15, 2023).

Mr. Garcia introduced Dave Gordon from Estrada Hinojosa who provided the following details: general obligation outstanding debt amount and Bond Series 11 in the amount of \$8.4 million is callable on August 15, 2021. Mr. Gordon stated that the idea would be to refinance the debt to

experience savings. Mr. Gordon reviewed the lowering debt service amounts in the coming years.

Mr. Gordon continued stating the College's Limited Tax Refunding Bonds, Series 2011 are callable on August 15, 2021 and can be currently refunded on a tax-exempt basis within 90 days of the call date. Because of the short final maturity on the bonds and limited size, refunding the 2011 bonds through a private placement might produce the highest savings for the College by limiting the costs of issuance and the amount of time invested by staff on producing an official statement, obtaining ratings, and doing underwriter due diligence. Their assumption is a private placement rate of 1.0% on the refunding bonds.

Mr. Gordon proposed to refinance the Bond Series 2011 debt using a private placement of the instrument versus a public offering. With the 1% interest rate assumption on the refunding bonds, the savings would be approximately \$413,000.00 or 4.9%. Mr. Gordon stated that their office with College staff has prepared a Request for Proposal (RFP) for private placement bids on the Bonds. Mr. Gordon reviewed the timeline for the RFP and stated they would report back in June 2021 Board meeting.

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

Regent Garza made a motion to authorize the issuance of up to \$8,435,000 in principal amount of Del Mar College District Limiting Tax Refunding Bonds, Series 2021: delegating authority to certain District officials to approve all final terms of the bonds; approving and authorizing the execution of an escrow agreement, a paying agent/registrars agreement, a purchase contract and investment letter, and other instruments and procedures related thereto, and calling certain bonds for redemption. Regent Adame seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by a show of hands and the motion carried unanimously, 8-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

6. Discussion and possible action relating to approval of 2016 South Campus construction project Change Orders.....Mr. John Strybos
(Goal 4: Learning Environments)

Mr. Strybos provided background regarding the purpose of Change Order #2 which is to address changes in the scope of work resulted from 1) architect's supplemental information; 2) request for information (RFI) responses issued by the architect; 3) bulletin issued by the architect to incorporate the City of Corpus Christi permit revision comments; and 4) unforeseen site conditions. The Change Order for the Central Plant is for \$167,063.00 and the Change Order for

the Main, STEM, Culinary buildings is for \$271,886.00. Mr. Strybos recommends funding the Change Orders through the Bond Interest Income.

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

Regent Adame made a motion approve the Change Order #2 as proposed. Regent Turner seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by a show of hands and the motion carried unanimously, 8-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, and Turner in favor.

- 7. Discussion and possible action relating to Appointment to fill At Large Regent VacancyMs. Carol Scott (Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Chair Scott began discussion regarding the appointment to fill the At-Large Regent Vacancy. Chair Scott reviewed the proposed At-Large Regent Appointment Process and the proposed timeline with the Board. Mr. Rivera noted that under the Board policy the applications are filed with the Office of the President but during the pandemic, the applications will be filed with the President’s Office through the Office of General Counsel.

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

CALENDAR: Discussion related to dates on Del Mar College’s calendar.

ADJOURNMENT: The meeting was adjourned at 3:41 p.m.

MINUTES REVIEWED BY GC: /s/ARjr