



# TEXAS SOUTHMOST COLLEGE DISTRICT

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## Texas Southmost College District

### Board of Trustees

*Francisco G. Rendon*  
Chair

*Roberto Robles, M.D.*  
Vice Chair

*Adela G. Garza*  
Secretary

*Trey Mendez*

*Robert A. Lozano, M.D., Ph.D*

*David G. Oliveira*

*Rene Torr s*

### Minutes of the Regular Meeting of the Board of Trustees

February 29, 2012

The Board of Trustees of the Texas Southmost College District convened in open session on February 29, 2012, at 5:30 p.m., in the Gorgas Board Room at Texas Southmost College. Board members present were Francisco G. Rendon, Chair; David Oliveira; Ren  Torres; Trey Mendez; and Dr. Robert A. Lozano. Also present was Dr. Lily F. Tercero, President of Texas Southmost College. Board members absent were Dr. Roberto Robles, Vice Chair and Adela G. Garza, Secretary.

### TSC President

*Lily F. Tercero, Ph.D*

#### **1. Call to Order**

The meeting was called to order by Chairman Rendon at 5:39 p.m.

#### **2. Announcements**

Chairman Rendon called on Dr. Tercero to make the announcement. Dr. Tercero announced that both she and Mrs. Garza were selected to participate in BISD's annual "Principal for the Day" program, held on Friday, February 17, 2012. Mrs. Garza participated at Homer Hanna High School, and Dr. Tercero participated at Besteiro Middle School.

#### **3. Speakers to Agenda Items and Public Discussion**

There were no speakers.

#### **4. Mission Statement**

Chairman Rendon read the existing mission for the Texas Southmost College District as follows:

"Texas Southmost College is a comprehensive open admissions public community college whose mission comports with Texas Statute Subchapter A, Section 130.

Texas Southmost College offers programs leading to certificates of completion and associate degrees, developmental education to prepare students for college-level work, occupational and technical programs to prepare students for immediate employment, academic courses of study to develop the core skills, understandings, and knowledge appropriate for baccalaureate programs, and continuing education, counseling, guidance, adult literacy and personal enrichment.

Texas Southmost College advances economic and social development, enhances the quality of life, encourages respect for the environment, cultivates personal enrichment, and expands knowledge in service to its community. It convenes the cultures of its community and fosters an appreciation for the unique heritage of the Lower Rio Grande Valley. It provides academic leadership in the intellectual, social, cultural, and economic life of the region it serves.

Texas Southmost College places excellence in teaching and learning at the core of its commitments. It seeks to help students at all levels develop the skills which will sustain life-long learning while respecting the dignity of each learner and the needs of the entire community.”

## **5. Approval of Minutes of Previous Meetings**

### **Consideration and Approval of Minutes of the Regular Meeting on January 19, 2012**

**A motion was made by Mr. Mendez to approve the Minutes of the Regular Meeting on January 19, 2012 as presented. The motion was seconded by Mr. Torres and carried unanimously.**

## **6. Resolution Granting Certain Tax Exemptions to Certain Historic Sites under the 2012 Heritage Plan**

### **Consideration and Possible Action on Adoption of Resolution Granting Tax Exemptions to Certain Historic Sites Under the 2012 Heritage Plan**

Chairman Rendon called on Mr. Joe Gavito, Heritage Officer, City of Brownsville (COB). Mr. Gavito presented the resolution granting certain tax exemptions to certain historic sites under the 2012 Heritage Plan. This would be the 25<sup>th</sup> year of continued commitment to the restoration and preservation of historic properties in Brownsville. Mr. Gavito presented the 55 historic sites under consideration. The financial implications to the District would be a total of \$9,170.53 in taxes

forgone for the 55 properties. These amounts will be taken into consideration in the development of the FY2013 budget.

**A motion was made by Dr. Lozano to adopt the resolution granting certain tax exemptions to certain historic sites under the 2012 Heritage Plan as presented. The motion was seconded by Mr. Torres and carried. Mr. Mendez abstained from the vote. Exhibit "A"**

## **7. Works of Art**

### **Consideration and Approval of Acceptance of Works of Art**

Chairman Rendon called on Mr. Ramiro Gonzalez, City of Brownsville (COB). Mr. Gonzalez stated that the COB, the Mexican Consulate and the Brownsville Museum of Fine Arts (BMFA) are requesting that TSC consider displaying sculptures at both the ITECC and the Arts Center, as part of a community arts project. The COB would like to place one exhibit in front of ITECC on the grass and another on the side of the Arts Center near the Commandant's quarters. The sculptures will remain in place for approximately one year.

Dr. Tercero asked Mr. Gonzalez to explain the liability and cost issues to the College regarding these art pieces. Mr. Gonzalez explained that the sculptures are insured by the BMFA for the entire year the sculptures will be placed on campus and that the COB will be responsible for delivering and removing the sculptures.

**A motion was made by Mr. Oliveira to accept the Works of Art as presented. The motion was seconded by Mr. Mendez and carried unanimously. Exhibit "B"**

## **8. Notice and Order of Election**

### **Consideration and Approval of the Notice and Order of Election**

Chairman Rendon called on Mr. Chet Lewis, Vice President for Administration and Finance to present the item. Mr. Lewis stated that as per the election code, political subdivisions are required to publish a notice and order of election on or before the 21st day of election. The notice and order includes the type and date of election; the location of each polling place; hours the polls are open; location of each early voting place; dates and hours for early voting place; and the early voting clerk's mailing address. The notice and order proposes 22 polling locations for General Election Day and 7 early voting sites. The number and locations of polling places are reduced to match the most recent City of Brownsville authorized

locations; however, given the current status at the state level, these polling places may need to be adjusted upon final decision by the state.

**A motion was made by Mr. Torres to approve the Notice and Order of Election as presented. The motion was seconded by Mr. Mendez and carried unanimously. Exhibit "C"**

## **9. Budget Amendment for FY 2012**

### **Consideration and Approval of Budget Amendment for FY 2012**

Chairman Rendon called on Mr. Lewis to present the item. Mr. Lewis reported that the adjustment reflects the sale of the Cueto Building, and the payment for United Brownsville that was in last fiscal year's budget. Mr. Lewis also reported that a new account for the Vice President for Instruction and Student Services has been created.

**A motion was made by Mr. Torres to approve Budget Amendment for #12-002 for Fiscal Year 2012 as presented. The motion was seconded by Dr. Lozano and carried unanimously. Exhibit "D"**

## **10. Report on Grants Submitted/Received**

Chairman Rendon called on Mr. Irv Downing, UTB Vice President for Economic Development and Community Service to present the item. Mr. Downing presented an overview of grants for Texas Southmost College and responded to questions. *Exhibit "E"*

## **11. Report on Changes to the Student Financial Assistance Programs including Federal Financial Aid and Pell Grants**

Chairman Rendon called on Rene Villarreal, Associate Vice President for Enrollment Management for UTB/TSC. Mr. Villarreal introduced Mrs. Mary Comerota, Director of Financial Aid for UTB/TSC to give the report. Mrs. Comerota gave a presentation on the recent changes in federal student financial aid regulations. Items highlighted included, satisfactory academic progress, repeated coursework, gainful employment, Pell Grant eligibility, ability to benefit, direct lending and default rates. *Exhibit "F"*

## **12. Report on Changes to the Perkins Center and Technical Education State Grant Program**

Chairman Rendon called on Beatriz Castillo, Chair of Applied Business Technology Department of UTB/TSC to give the report. Mrs. Castillo presented changes to the Carl Perkins Basic Grant and responded to questions. *Exhibit "G"*

## **13. Report on the TSC Foundation Annual Meeting by the TSC Board of Trustees Chairman/TSC Foundation Member**

Chairman Rendon reported that the Texas Southmost College Foundation was established as a non-profit organization on February 23, 1984. In December 1987 Texas Southmost College received a challenge grant from the U.S. Department of Education's Development Institution Program. The grant challenged Texas Southmost College to raise one million dollars in 18 months, which would then be matched with two million dollars. By 1989, the goal was met and U.S. Department of Education matched it with two million dollars.

As per its By-Laws, the Foundation meets annually for the purpose of electing Directors and officers, approving the annual report of the corporation to be presented by the Board of Directors to the Board of Trustees of Texas Southmost College, and transacting such other business as may come before the meeting. Mr. Rendon requested that Dr. Tercero invite the chairman of the Foundation to present the annual report to the TSC Board of Trustees at the next meeting.

Mr. Rendon also reported on the Foundation's annual meeting, held on December 9, 2011. The Foundation's annual financial report shows net assets of \$5,751,803 as of August 31, 2011. Based on the information presented at the meeting, the number of students receiving scholarships along with the amounts awarded has dramatically changed from FY 1995 to FY 2012. There has been a declining trend in the number of awarded scholarships and funds awarded to students. In FY 1995, there was 848 recipients for a total of \$151,268 and by FY 1999 the number had increased to 1,798 and \$512,912. However, by FY 2011 there were only 135 scholarships awarded for a total of \$116,312 and of this total, 33 were recipients of a new program established by the TSC Foundation, titled, the UTB/TSC Challenge for Excellence Scholarship. As of FY 2012 year-to-date, the 51 scholarships that have been awarded, totaling \$102,000, were awarded under the new UTB/TSC Challenge for Excellence Scholarship.

He stated that the diminishing number of awards and funding amounts was important to note, especially in view of the impending separation of the College and the University into two freely standing and accredited higher education institutions.

He stated that Texas Southmost College has had its Foundation since 1984; its Articles of Incorporation are very clear about the purpose of the Foundation being

for the support of the College and those it serves; and that the Foundation should continue to operate in keeping with its original, legal purpose through the period of transition toward separation, and after separation for the exclusive support of Texas Southmost College. However, he stated that at the December 2011 meeting of the TSC Foundation, sub-committees were created to review and recommend changes to the TSC Foundation's By-Laws and Articles of Incorporation, in an effort to provide Foundation support for UT -Brownsville.

He stated that the University deserves and needs such support, especially when it becomes a free-standing, higher education institution, separate from TSC; however, each institution should be supported by its own separate Foundation.

He stated no action or activity by the current TSC Foundation Board, or by any individual Foundation Board Member, maybe in contravention of the stated purposes of the Foundation. He mentioned it could give rise to a breach of fiduciary duty claim by the Foundation and, perhaps, by TSC as the intended beneficiary of the Foundation. Additionally, the Amended and Re-stated By-Laws of the Texas Southmost College Foundation, speak to the number, tenure, and qualification of the Board of Directors. These provide, in part, that the qualifying positions of the Board of Directors are the current chief executive officer of Texas Southmost College: Dr. Lily Tercero. He immediately requested that the Chair of the Foundation, Rev. Monsignor Heberto Diaz, to confirm Dr. Tercero's appointment to her position on the Foundation Board. He stated that Dr. Tercero's leadership and expertise will help guide the Foundation and those who serve on the Board, in keeping with the state purposes of the Foundation.

Mr. Torres noted that the TSC Foundation is an independent board. He thanked the TSC Foundation Board for their efforts and work they have done to provide scholarship monies to TSC students. Mr. Torres suggested that, in the spirit of cooperation, wouldn't it be wonderful if the UTB Endowment Funds of \$7.3 million dollars would also be available to help TSC students.

#### **14. Report of the First Quarter Financial Statements and Investment for FY 2012**

Mr. Lewis provided a brief report on the First Quarter Financial Statements and Investment Report for FY 2012. Mr. Lewis stated that the reports are provided for informational purposes only, and no action is required by the Board.

#### **15. Report on Transition Team**

Chairman Rendon called on Dr. Leonardo de la Garza, TSC Consultant for the TSC Transition Team to provide an update on the transition process. Dr. de la Garza stated that a draft Report to the Legislature as required by Senate Bill 1909 of the 82<sup>nd</sup> Legislature had been prepared. This report summarizes the more important

activities by the UTB/TSC Partnership as it moves toward final separation of the University and the College on or before August 2015. TSC's Report focused on three key areas: 1. Continuation of the Partnership; 2. Accreditation; and 3. State funding.

Dr. de la Garza also reported on TSC's accreditation process. He reminded the Board that this is a process which will require that the College and University walk hand-in-hand to secure full separate accreditation. Also, the process and timeline are prescribed by SACS, not by the institutions, and is scheduled through 2015. Both entities will remain accredited under the UTB/TSC accreditation until separate accreditation is achieved.

He reported on the review of campus facilities and infrastructure. He stated that this is an ongoing, comprehensive assessment of buildings and support elements of the campus. This information will be used by the college in determining its best and most efficient use of those facilities and its infrastructure for the support of its programs and services.

Dr. de la Garza explained that TSC may have operational responsibilities for some programs, under the accreditation of the UTB/TSC Partnership, by Fall 2013.

**16. Executive Session as provided by Government Code, Chapter 551.072.**

**The Board convened in Executive Session at 7:35 p.m.**

**The Board reconvened in Regular Session at 7:56 p.m.**

**17. Consideration and possible action on matters discussed in Executive Session**

**Consideration and Possible Action to Deliberation on Real Property  
Regarding the TSC Fort Brown Condo Villas I**

**A motion was made by Mr. Torres to accept the bid for 21 units of Villas I of a total cost of \$682,500 as presented. The motion was seconded by Mr. Mendez and carried unanimously.**

**18. Proposed Meeting Dates**

**Thursday, March 22, 2012**  
**Thursday, April 19, 2012**  
**Thursday, May 17, 2012**

**Adjournment**

The meeting was adjourned by Chairman Rendon at 8:01 p.m.



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Mr. Francisco G. Rendon  
Chairman, Board of Trustees



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Ms. Adela G. Garza  
Secretary, Board of Trustees

**NOTE:** The tape of the Regular Board of Trustees meeting held on February 29, 2012, is on file at the District Office of the Texas Southmost College District. The master tape is on file at UTB/TSC Media Services. These minutes were taken and transcribed by Max E. Roca, Administrative Assistant. Videotaping of the Board of Trustees' meetings began on April 11, 1996. They are aired on Channel KBSD in cooperation with the Brownsville Independent School District.