



TEXAS SOUTHMOST COLLEGE DISTRICT
THE UNIVERSITY OF TEXAS AT BROWNSVILLE and TEXAS SOUTHMOST COLLEGE

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Texas Southmost College District

Minutes of the Regular Meeting of the Board of Trustees

June 25, 2008

The Board of Trustees of the Texas Southmost College District convened in open session on June 25, 2008, at 5:30 p.m., in the Free Speech Area, behind Gorgas Hall, Texas Southmost College. Board members present were Mr. Chester Gonzalez, Chair, Mr. Eduardo A. Campirano, Secretary, Dr. Roberto Robles, Mr. David Oliveira, Mr. Rene Torres, and Ms. Adela Garza. Absent was Ms. Rosemary Breedlove, Vice Chair. Also present was Dr. Juliet V. García, President of The University of Texas at Brownsville and Texas Southmost College.

Board of Trustees

Chester Gonzalez
Chair

Rosemary Breedlove
Vice Chair

Eduardo A. Campirano
Secretary

Adela G. Garza

David G. Oliveira

Roberto Robles, M.D.

René Torres

UTB/TSC President

Juliet V. García, Ph.D

Call to Order

The meeting was called to order by Chairman Gonzalez at 5:30 p.m.

1. Announcements

Chairman Gonzalez announced the recognition of two of our Trustees for their outstanding work in the community.

Mr. Torres was selected locally to receive the "Jefferson Award for Public Service," and attended the National Ceremony in Washington, D.C., in June 2008.

Dr. Roberto Robles was the honoree for the "Leadership Award," presented during the Timeless Values Reception sponsored by the Rio Grande Council of the Boy Scouts of America on June 12, 2008. Dr. Robles was the sixth recipient to receive this award.

2. Resolution

Chairman Gonzalez stated that on May 21st, 2008, Ernesto Gamez suffered a heart attack that could have been fatal if not for the heroic efforts of Albert Barreda, Oseas Cantu, Dr. Phillip Conaster, and Dr. Susan Hart. He stated these four individuals used their expertise and responded quickly, using CPR and other life saving measures that saved Mr. Gamez's life.

On behalf of the Texas Southmost College Board of Trustees, Mr. Gonzalez read and presented the resolution to heroes Albert Barreda, Oseas Cantu, Dr. Phillip Conaster and Dr. Susan Hart for their heroic life-saving efforts. He also introduced Mr. Gamez and his family, who were present in the audience.

Dr. Robles recognized Dr. Jaime Gomez, Mr. Gamez's presiding physician, who was also present.

Consideration and possible action on adoption of a resolution honoring heroes

A motion was made by Mr. Campirano to adopt the resolution honoring heroes Albert Barreda, Oseas Cantu, Dr. Phillip Conaster, and Dr. Susan Hart. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "A"*

3. Board Briefing Bond Retirement Report

Mr. Gonzalez called on Dr. Garcia to introduce a video recognizing former TSC Trustees who served from 1986 to present: among them Michael Putegnath, Mary Rose Cardenas, and Mervyn Mosbacher.

Joining us for this celebratory event were Paul Davis and Robert Henderson. Mr. Davis, lead architect with Marmon Barkley Souter Foster & Hays of San Antonio, was the project architect who directed the construction. Mr. Henderson was one of the financial advisors who participated in the 1986 bond sale. He also participated in the presentations to the rating agencies.

Dr. David Pearson, Vice President for Partnership Affairs, introduced Anne Burger Entekin of First Southwest Company for additional comments on the bond retirement.

4. District Elections

Dr. Pearson called on Allan Peakes, Election Agent, for the TSC District, who provided the *Canvassing the Results* report of the TSC District run-off election held on June 14, 2008.

Consideration and possible action on the canvassing the results of the TSC District run-off election

A motion was made by Mr. Oliveira to accept the results of the TSC District election as presented. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "B"*

Consideration and possible action on the order declaring results of the TSC District run-off election

A motion was made by Mr. Oliveira to adopt the order declaring results of the TSC District election as presented. The motion was seconded by Mr. Torres and carried unanimously. *Exhibit "C"*

The Certificate of Election was signed and presented to Ms. Adela Garza.

5. Administering Oath of Office for Elected Members

Chairman Gonzalez announced the swearing in of two new members of the Board of Trustees of the Texas Southmost College District, Rene Torres, Place 2, and Adela Garza, Place 1.

Mr. Torres was sworn into office by the Honorable Judge Arturo McDonald. Ms. Garza was sworn into office by the Honorable Judge Arturo Nelson. A reception at the Free Speech Area, behind Gorgas Hall, followed the ceremony. The regular Board meeting reconvened in the Gorgas Board Room.

6. Executive Session

as provided by Government
Code, Chapter 551.071-7

Real Estate

Electric Utility Easement to
the Brownsville Public
Utilities Board for the Arts
Center

Contract and Resolution for
purchase of Lot 3, Block 11,

Colonia Alta Vista
Subdivision, Brownsville,
Texas

Contract and Resolution for
purchase of Lot 21, Block 12,
Colonia Alta Vista
Subdivision, Brownsville,
Texas

Contract and Resolution for
purchase of Lot 22, Block 12,
Colonia Alta Vista
Subdivision, Brownsville,
Texas

Contract and Resolution for
purchase of Lots 23 & 24,
Block 12, Colonia Alta Vista
Subdivision, Brownsville,
Texas

Legal Matters

The Board convened in executive session at 6:40 p.m.

The Board reconvened in regular session at 7:20 p.m.

7. Consideration and Possible Action on Matters Discussed in Executive Session

Electric utility easement to the
Brownsville Public Utilities Board for the Arts Center

A motion was made by Mr. Campirano to approve the electric utility easement to the Brownsville Public Utilities Board for the Arts Center. The motion was seconded by Mr. Oliveira and carried unanimously. Exhibit "D"

**Contract and resolution for purchase
of Lot 3, Block 11, Colonia Alta Vista Subdivision, Brownsville, Texas**

A motion was made by Dr. Robles to approve the earnest money contract and resolution for the purchase of Lot 3, Block 11, Colonia Alta Vista Subdivision in the amount of \$20,000. The motion was seconded by Mr. Torres and carried unanimously. *Exhibit "E"*

**Contract and resolution for purchase
of Lot 21, Block 12, Colonia Alta Vista Subdivision, Brownsville, Texas**

A motion was made by Mr. Torres to approve the earnest money contract and resolution for the purchase of Lot 21, Block 12, Colonia Alta Vista Subdivision in the amount of \$45,000. The motion was seconded by Ms. Garza and carried unanimously. *Exhibit "F"*

**Contract and resolution for purchase of
Lot 22, Block 12, Colonia Alta Vista, Brownsville, Texas**

A motion was made by Mr. Campirano to approve the earnest money contract and resolution for the purchase of Lot 22, Block 12, Colonia Alta Vista in the amount of \$45,000. The motion was seconded by Dr. Robles and carried unanimously. *Exhibit "G"*

**Contract and resolution for purchase
of Lot 23 & 24, Block 12, Colonia Alta Vista Subdivision, Brownsville, TX**

A motion was made by Mr. Torres to approve the earnest money contract and resolution for the purchase of Lot 23 & 24, Block 12, Colonia Alta Vista in the amount of \$79,500. The motion was seconded by Ms. Garza and carried unanimously. *Exhibit "H"*

8. Approval of Minutes of Previous Meetings

**Consideration and possible action on
minutes of the meeting of May 15 & special meeting of May 19, 2008**

A motion was made by Mr. Campirano to approve the minutes of the regular meeting on May 15, and the special meeting on May 19, 2008. The motion was seconded by Dr. Robles and carried unanimously. Mr. Torres and Ms. Garza abstained. *Exhibit "I"*

9. Speakers to Agenda Items and Public Discussion

There were no speakers.

10. Early College High School

Dr. Charles Dameron provided a report on Early College High School. He reported that the project was initiated by The Bill and Melinda Gates Foundation. It is a national program that helps under-privileged students succeed through an intensive early college program of study. The program is in its preliminary stages and is jointly incorporated by UTB/TSC and the Brownsville Independent School District. Dr. Dameron added that both partners have been responsible for the selection process of the students, staff, and administration, and that 113 incoming freshman students from BISD were chosen to participate in the program. These Brownsville Early College High School (BECHS) students will attend the first two years of high school and then transition to college level courses on the main UTB/TSC campus for their junior and senior years. Upon graduation they will receive both their high school diploma and an Associate Degree. The Memorandum of Understanding specifies that BISD will be responsible for the first two years and UTB/TSC will take responsibility for the following years. BISD has invested \$1 million at its Clearwater Campus, and the expectation is that the Economic Development Agency will provide funding for the renovation of the ITEC Campus which would then be used for the first two years of the program.

Dr. Dameron called on Dr. Salvador Cavazos, Assistant Superintendent for BISD, to address concerns expressed by several Board members. He emphasized that UTB/TSC was involved in the interviewing and selection of students. He added that the main requirement for students to qualify was that they had to be first generation college students. Dr. Cavazos also noted that if there were delays, or difficulties in making the ITECC available for BECHS, BISD would continue to utilize the Clearwater Campus. Dr. Cavazos also informed the Board that BISD was committed to offer transportation to and from campuses to students who opted to participate in extracurricular activities.

No action necessary.

11. Trustee Scholarship

Motion was tabled.

12. Physical Facilities Partnership Committee

Report

Dr. Robles reported that the Physical Facilities Committee met on June 24, 2008. The committee discussed the approval of the funding allocation for construction projects and a change order to the contract with SpawGlass Contractors for the renovation project at the ITEC Campus. The committee recommended the following items:

Consideration and possible action on funding allocation for construction projects

Dr. Robles reported that the funding allocation summary outlines budgets for the construction projects and the various funding sources. The previous funding allocation was approved by the Board in November 2007, and is being updated to incorporate funds that will become available from the 2008 bond sales.

A motion was made by Dr. Robles to approve the funding allocation for construction projects as presented. A motion was seconded by Ms. Garza and carried unanimously. Exhibit "J"

Consideration and possible action on the change order to the contract with SpawGlass Contractors for the renovation project at the ITEC Campus.

Dr. Robles reported that the proposed main entrance design for the ITEC Campus called for two phases of construction. Phase I involves the main entrance structure, and Phase II a flanking arcade reminiscent of the historic Fort Brown architecture. Phase I is being recommended.

A motion was made by Dr. Robles to approve the change order to the contract with SpawGlass Contractors Inc., and authorize the Assistant Vice President for Planning and Construction to execute the change order in the amount of 570,000. A motion was seconded by Mr. Oliveira and carried unanimously. Exhibit "K"

Consideration and possible action on change order to the contract with J.E. Dunn/Terry Ray, a joint venture partnership, for construction of the Recreation, Education, and Kinesiology Center.

Dr. Robles reported that, although the REK Center is in the final stages of construction, it has experienced construction escalation caused by ambiguities in the construction documents. The proposed change order will increase the owner's contingency in the amount of \$1,732,698. The additional funding is necessary to mitigate any additional impacts, maintain project schedule, and fund the addition of a six-lane, twenty-five yard National Council Athletic Association (NCAA) swimming pool. The required funds are available from interest earnings from the REK Center Bonds.

A motion to approve the change order to J. E. Dunn/Terry Ray Construction, a joint venture partnership; and authorize the Assistant Vice President for Planning and Construction to execute the change order in the amount of \$1,732,698. The motion was seconded by Mr. Campirano and carried unanimously. Exhibit "L"

Consideration and possible action on approval of purchase of furniture for the ITEC Campus renovation and the Recreation, Education, and Kinesiology Center.

Dr. Robles reported that the owner procurement of materials was identified as one of the cost control strategies for the bond projects. Workplace Resource is the recommended supplier. They participate in the TexMass agreement, allowing us to contract with them directly, and take advantage of bulk pricing.

A motion was made by Dr. Robles to approve the purchase of furniture for the ITEC Campus renovation and the Recreation, Education, and Kinesiology Center to Workplace Resource in the amount of \$720,120., and authorize the Assistant Vice president for Planning and Construction to execute the contract. The motion was seconded by Ms. Garza and carried unanimously. Exhibit "M"

13. Business Affairs Partnership Committee

Mr. Campirano reported that the Business Affairs Partnership Committee met on June 17, 2008. Several items were discussed:

Mr. Campirano reported on the First Reading of Board Policy V-D Investment, informing the Board that per the Public Investment Act, The District is required to review its Investment Policy on an annual basis. He reported that there are no changes being proposed, and that no action is required.

Mr. Campirano, then introduced Melba Sanchez, Assistant Vice President for Finance to present the TSC District Budget for fiscal year 2008-2009. Ms. Sanchez described the funding allocations that provide instructional services in partnership with UTB. She also discussed budget allocations for scholarships, capital improvements and deferred maintenance, insurance, fund reserves, property acquisition, and for the bond projects. The Budget will be presented for a second reading at the August Board meeting. No action required.

Ms. Sanchez also informed the Board that there is a budgetary surplus for the current fiscal year. Mr. Campirano recommended that the surplus should only be used for student scholarships and the form they take should be decided by the Board at a future meeting.

Mr. Campirano reported that the committee also reviewed the UTB/TSC Partnership Budget for FY 2008-2009. He noted that Rosemary Martinez, Vice President for Business Affairs, would be presenting the Partnership Budget at the next Board meeting, since she was out of town representing the President at a Senate Hearing.

14. Bond Issuance

Dr. David Pearson, Vice President for Partnership Affairs, stated that in September 2004 the voters approved a \$68 million bond election for the construction of various projects on campus. The bonds are being sold in a series of five issuances and this is the 4th issuance.

Dr. Pearson introduced Anne Berger-Entrekin of First Southwest Company to provide an update on the current bond market and its volatility during the previous years. Daniel Martinez, Bond Counsel, was also in attendance.

**Consideration and adoption of an order
authorizing the issuance of "Texas Southmost College District
Limited Tax Bonds, Series 2008";
entering into a bond purchase agreement and a paying
agent/registrars agreement; approving an official statement;
and authorizing and approving other matters related thereto.**

A motion was made by Dr. Robles to approve the order authorizing the issuance of the TSC Tax Bonds, Series 2008. The motion was seconded by Mr. Torres and carried unanimously. Exhibit "N"

**Resolution authorizing the issuance of
“Texas Southmost College District Maintenance Tax Notes,
Series 2008”; entering into a purchase contract and a paying
agent/registrar agreement; approving an official statement;
and authorizing and approving other matters related thereto.**

A motion was made by Mr. Campirano to adopt the resolution authorizing the issuance of the “TSC District Maintenance Tax Notes, Series 2008.” The motion was seconded by Mr. Oliveira and carried unanimously. Exhibit “O”

15. Construction Report

Report

Dr. Pearson reported the following:

- Work is nearing completion on two parking lots on Jackson Street in the areas of 21st and 24th Street. He said that parking lot striping will be completed within the next week, and that landscaping irrigation is complete.
- Construction continues in the Cavalry Building wing designated for use by the Center for Gravitational Wave Astronomy. The walls have been painted and the wainescotting installed.
- Renovation on the Commandant’s Quarters continues. The two chimneys were completed and siding and windows are being installed.
- Demolition is almost complete on the Commissary Building. Beams are now exposed and additional space is being constructed for the air conditioning.
- The abatement at the Newman Center is complete.

Ms. Mendez reported the following:

- Structural steel is installed and completed on the first floor of the New Library and Classroom Building, and work continues on the 2nd floor. The building should be ready for “topping off” in mid-July 2008.
- Construction continues at the REK Center. The jogging track has been completed and installation of brick, air conditioning, and the railing for the track are in progress.
- Construction continues at the Arts Center. Additional piers and water and sewer lines are installed. On May 22nd, the IBC Board visited the Orchestra Pit.
- Interior renovation of the ITECC continues. Framing is completed, and the detailing of the arcades are almost complete.
- KRGV-TV Channel 5 reported on the REK Center in their People’s Stories weekly programming.

- On June 24, 2008, the official groundbreaking ceremony for the Early Childhood Studies was held at the construction site.

16. Presidents Report

Because of time constraints, the President's Report will be read at the following Board meeting.

16. Proposed Meeting Dates

July ** no meeting**

Friday August 15, 2008

Thursday, August 28, 2008

Public Hearing -5:00 pm

Regular Meeting-5:30 pm

Thursday, September 18, 2008

Public Hearing- 5:00 pm

Thursday, October 30, 2008

Regular Meeting-4:30 p

Thursday, November 20, 2008

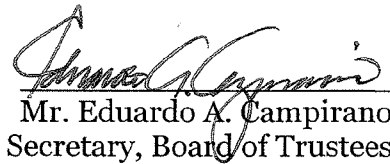
Thursday, December 18, 2008

Adjournment

The meeting was adjourned by Chairman Gonzalez at 10:00 p.m.



Mr. Chester Gonzalez
Chairman, Board of Trustees



Mr. Eduardo A. Campirano
Secretary, Board of Trustees

NOTE: The tape of the Regular Board of Trustees meeting held on June 25, 2008 is on file at the District Office of the Texas Southmost College District. The master tape is on file at the UTB/TSC Media center. These minutes were taken and transcribed by Gloria Miranda, Administrative Assistant. Videotaping of the Board of Trustees' meetings began on April 11, 1996. They are aired on Channel KISD in cooperation with the Brownsville Independent School District.