

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

February 1, 2022

The Regular Meeting of the Board of Regents of the Del Mar College District convened at the Center for Economic Development, 3209 S. Staples, Room 106, Corpus Christi, Texas, at 1:00 p.m. on Tuesday, February 1, 2022, with the following present:

From the Board:

Ms. Carol Scott, Ms. Libby Averyt, Mr. Rudy Garza, Jr., Ms. Susan Hutchinson, Mr. Bill Kelly, Dr. Laurie Turner, and Dr. Linda Villarreal.

Mr. Ed Bennett joined the meeting remotely at 1:25 p.m.

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; Ms. Patricia Benavides-Dominguez, Interim Vice President for Student Affairs; Mr. Augustin Rivera, Jr., General Counsel; Mr. John Strybos, Vice President and Chief Physical Facilities Officer; Ms. Lorette Williams, Executive Director of Communication and Marketing; Dr. Natalie Villarreal, Executive Director of Government & Board Relations; Ms. Mary McQueen, Executive Director of Development; Ms. Delia Perez, Executive Administrative Assistant to the President & Board Liaison, and other staff and faculty.

CALL TO ORDER QUORUM CALL

Chair Scott called the meeting to order with a quorum present. After a moment of silence, Ms. Susan Hutchinson led the Board in the Pledge of Allegiance followed by the DMC Vision Statement.

Chair Scott announced that Del Mar College is streaming live audio and video from the official Board of Regents meeting on the College's website in real time with the exception of portions of the meeting considered as "closed session" by statute.

GENERAL PUBLIC COMMENTS – The public was given the opportunity to provide public comments (both general and specific to any agenda item).

There were no public comments made for this meeting.

STUDENT SUCCESS REPORT.....Dr. Jonda Halcomb

- Music Performance Achievements
(Goal 3: Academic Preparedness and Student Learning)

Dr. Halcomb provided a slide presentation/report on competitions in which College Music Department students participate, demonstrating their performance abilities through opportunities to audition and compete with other music students from other two-year colleges and universities throughout the state. In summary:

Two-Year College All-State Band: The number of students receiving awards is significantly greater than other institutions in Texas. Students in the Sound Recording Technology program assist in recording auditions that are submitted to the Texas Community College Band Directors Association panel of judges. The All-State Band plays at the annual Texas Music Educators Association (TMEA) Convention each year whereby a competition is also held for a soloist. Del Mar College student Joel Hernandez, clarinetist, won the competition two years in a row (2020 and 2021). Since 2016, 40 DMC students have been chosen to participate in the All-State Band. Dr. Halcomb provided an update on the current status of those students.

National Association of Teachers of Singing (NATS): This is an intense live performance, not recorded. The competition, held in the fall, includes two other states. Average number of college students participating in the South Texas NATS is between 180-300.

Two-Year College All-State Choir: Community colleges participating in NATS also bring students to a regional live audition for the All-State Choir. Dr. Halcomb pointed out that the College usually has an average of 7-9 students accepted into the choir.

A brief discussion ensued on the plans for the official grand opening of the General Academic and Music Building. Dr. Cynthia Bridges, Chairperson of the Music Department, commented on the uncertainty at this time. Dr. Escamilla stated that plans remain possible but they are proceeding with caution.

A brief discussion ensued on the status of music students after they graduate from Del Mar College, with the response being that most transfer to Texas A&M University-Corpus Christi.

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

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

Dr. Escamilla commented that his concern for scheduling the grand opening for the GAMBII building was due to the uncertainty of COVID. He pointed out that it is a situational approach and noted that there were some localized surges at various high schools with some of those students also attending Del Mar College. He provided a brief review of how he has handled the COVID issue to ensure faculty, staff, and students remain

safe, and why some classes are continuing. He pointed out that a majority of classes that went online in recent weeks are positioned to return to face-to-face format to the extent possible. He noted that some faculty members did not want to return to the online environment.

Dr. Escamilla informed the Board that on-campus events continue to move forward and events for the public are being rescheduled for the Spring. He pointed out that the College continues to recommend facial coverings, especially in group gatherings; encourage COVID-19 vaccinations; and continue the use of the COVID-19 assessment and reporting forms. Dr. Escamilla also reported that more employees and their families were affected during the period January 2021 through January 2022.

Dr. Escamilla reiterated that the College continues to post all information in full transparency and in full effort so that both the internal and external College community know how the College is managing the virus and its impact, and how it is affecting the College. He pointed out that some programs are not able to or should not stop, such as the public service programs and health care programs, and others that have outside licensure requirements and oversight such as the aviation program. Dr. Escamilla encouraged Board members to contact him if they had any concerns or hear things from the community.

- TACC Regional Meeting, Corpus Christi, April 2022
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Escamilla announced that the Texas Association of Community Colleges (TACC) is currently in the early planning stages of forming a workforce and economic development conference for community college leadership, which includes administrators, trustees, and regents from the southern region (south of the Alamo). The southern region includes Alamo to Brownsville, Laredo, Southwest Texas Jr. College, Victoria College, Coastal Bend College, and Del Mar College. He reported that TACC selected Corpus Christi as the location for the conference to be held in April 2022, date to be determined. He stated that the topic is related to the regional impact of restarting the economy as well as the localized effects of the economy. Information will be provided as the plans develop.

REGENTS' REPORTS.....Ms. Carol Scott

- Update on Texas Commission on Community College Finance
(Goal 6: Financial Effectiveness and Affordability)

Chair Carol Scott announced that she would like to provide regular reports to the Board on the activities of the Commission on Community College Finance. She informed the Board that information was included in their packets which provides information on the Coordinating Board's website, along with accessing meeting materials and videos from previous meetings. She provided a brief report on their previous meeting and pointed out that all presentations are on their website. She informed the Board that the Commission divided into three sub-committees and will be developing specific recommendations in the area of college operations which include governance in the areas of student support and workforce education. She reported that she will be serving on the college operations sub-

group and Dr. Escamilla will be chairing the workforce education sub-group. She pointed out that they would be providing an opportunity on a regular basis for input as well as providing feedback. Regents and Trustees across the state will also be asked for feedback as specific recommendations are made for working on a communications plan.

BOARD NOTIFICATION.....Tammy McDonald

- Law Enforcement Racial Profiling Report Filed with The Texas Commission on Law Enforcement (TCOLE)
(Goal 4: Learning Environments)

Ms. McDonald informed the Board that the Law Enforcement Racial Profiling Report has to be filed with the Texas Commission on Law Enforcement, also known as the TCOLE, and the College is required to provide notice of the filing to its governing board. Ms. McDonald explained that the report applies to law enforcement agencies that make traffic stops in the routine performance of officer duties, which the College agency does not. The College is exempt but is required to file a report with the TCOLE to certify exempt status. This report certifying the College has an exempt status was filed by Interim Police Chief Lauren White on January 11, 2022.

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:
Board Retreat, November 17-19, 2021
Board Workshop, December 14, 2021
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)
2. Acceptance of Investments for December 2021
(Goal 6: Financial Effectiveness and Affordability)
3. Acceptance of Financials for December 2021
(Goal 6: Financial Effectiveness and Affordability)

Regent Hutchinson made a motion to approve the Consent

agenda items. Regent Kelly 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, amongst Regents present, with Regents Scott, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

REGULAR AGENDA

- 4. Discussion and possible action related to recommendation of Professor Emeritus status to Mr. Kenneth V. Rosier.....Dr. Jonda Halcomb
(Goal 4: Learning Environments)

Dr. Halcomb, presented Mr. Kenneth Rosier for consideration of Emeritus status. She explained that Emeritus status is a distinction that is reserved for those faculty who have shown distinguished service, significant recognition on their contributions to higher education, meritorious teaching, and special honors. It is awarded to only a few on retirement, and is an important and very distinguished honor. She pointed out that their packet included the policy covering the eligibility for consideration of Emeritus status and the process for nominations. She stated that the faculty Emeritus was recommended by the Dean, Faculty Council, and the Chief Academic Officer following the outlined policy and procedures. Dr. Halcomb read the Resolution in recognition of Mr. Rosier’s achievements and then asked the Board to accept the Resolution and confer Emeritus status.

Regent Bennett made a motion to adopt the Resolution and bestow the title of Professor Emeritus on Kenneth V. Rosier. Regent Villarreal 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, amongst Regents present, with Regents Scott, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, Villarreal in favor.

- 5. Discussion and possible action regarding the College’s Quarterly Investment Report for the period ending November 30, 2021.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia introduced Ms. Linda Patterson from Patterson and Associates who discussed the College’s investment yields performance and investment strategies and pursuit of higher yields.

Regent Garza made a motion to accept the Quarterly Investment Report for the period ending November 30, 2021, and Regent Kelly 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, amongst Regents present, with Regents Scott, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner and Villarreal in favor.

- 6. Discussion and possible action related to the College’s Quarterly Financial Report for the period ending November 30, 2021..... Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia reported that College revenues remain healthy relative to prior year. He explained that this was attributed to improved tax collections offset by the downward pressure to tuition and fee revenue. He reviewed some of the trends affecting the financial picture. He pointed out that the College has a sound financial position to weather the current business interruptions caused by the pandemic with the cash and investment position of \$69.4 million as of November 2021.

Regent Villarreal made a motion to approve the College’s Quarterly Financial Report for the period ending November 30, 2021. Regent Hutchinson 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, amongst Regents present, with Regents Scott, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner and Villarreal in favor.

- 7. Discussion and possible action regarding a tuition rate change for the 2022-2023 academic year.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Dr. Cathy West presented the budget calendar for fiscal year 2023. She reported that the budget process had already started with Budget Committee members and reviewed the process. She pointed out that they are working closely with the Student Government Association leadership, soliciting their feedback on the process. Dr. Halcomb provided information related to their transparency in shared governance in the academic areas and how they are working together. Discussion ensued on student financial aid and costs of programs, cost-of-living, number of hours students are taking, raising tuition and fees, and how it all affects them financially.

Regent Averyt made a recommendation for a \$2.00 per semester credit hour tuition increase. Regent Villarreal 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 5-3, amongst

Regents present, with Regents Scott, Avert, Hutchinson, Turner, and Villarreal in favor and Regents Bennett, Kelly, and Garza opposed.

- 8. Discussion and possible action on approval of 2016 Oso Creek Campus Construction Project Change Order 7..... Mr. John Strybos
(Goal 4: Learning Environments)

Mr. Strybos informed the Board that the Oso Creek Project was on track and that they plan on having students in classes in STEM and Culinary Arts Buildings in the Fall. He informed the Board that there were two change orders needing approval at this time. One is for the Central Plant for \$55,534.00 which includes additional fire extinguishers, electrical wiring, and IT cabling. He explained that the other change order for the STEM Culinary Arts main building is for \$1,111,119.00, bringing the total of both to \$1,166,653.00. He reported that the main building has a variety of different items on the list provided to Board members. Mr. Strybos answered questions Regents had related to the change orders.

Regent Villarreal made a motion to approve change order #7 in the amount of \$1,166,653.00 as presented. Regent Hutchinson seconded the motion. Mr. Rivera, general counsel for the College, confirmed for Regent Scott that monies spent in Contingency or in bond proceeds for the Oso Creek campus cannot be spent anywhere except on the Oso Creek campus. After clarification by legal counsel and no public comments, a vote was taken by show of hands and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner and Villarreal in favor.

At 2:55 p.m., the Chair announced that the Board was going into Closed Session pursuant to:

- 10. **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, including, legal redistricting obligations and legal audit questions, 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, Annual Board Self-Evaluation and Board Action Plan, with possible discussion and action in open session.

The Board reconvened in Open Session at 4:29 p.m. with no action taken.

- 9. Discussion and possible action adopting Board of Regents' Annual Action Plan.....Ms. Carol Scott
(Goal 5: *Workforce Development, Community Partnerships, and Advocacy*)

Ms. Scott read a draft of the Board Action Plans for 2022 and informed Ms. Perez that she will provide the final copy.

In support of Del Mar College and our community and in the spirit of Board trust and cohesion, the Del Mar College Board of Regents will commit to effective communications, participation, and respectful robust discussion with all Regents, maintaining a productive and constructive culture. Therefore, we adopt the following action plans:

- 1. Support the College President in creating and adopting a system-wide comprehensive diversity, equity, and inclusion plan to provide opportunity for equitable outcomes for all populations and ensure fair treatment of all constituents. In conjunction with the College President, the Board will also adopt a training policy for all DMC Regents, leadership, faculty, and staff.
- 2. Support the College President, update the College's strategic plan to incorporate new goals resulting from the COVID pandemic and changes in our higher education environment with emphasis on instruction facility use and student success, including access, enrollment, persistence, and completion.
- 3. Gain an increased understanding about changes in post-secondary education, improve student success, and state and national issues.
- 4. Serve as College ambassadors to maximize community outreach, support DMC's marketing efforts, and increase awareness about DMC's affordability, effectiveness, offerings, and economic impact across the service area.

Regent Hutchinson made a motion to adopt the action plans as presented. Regent Garza 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, amongst Regents present, with Regents Scott, Averyt, Bennett, Garza,

Hutchinson, Kelly, Turner, and Villarreal in favor.

Ms. Scott thanked the Regents for their work in November and their work today in drafting the final action plans.

CALENDAR: Discussion held regarding upcoming calendar dates.

ADJOURNMENT: The meeting was adjourned at 4:34 p.m.