

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

August 8, 2023

The Regular Meeting of the Board of Regents of the Del Mar College District convened on Tuesday, August 8, 2023 at 1:00 p.m., at the Center for Economic Development, 3209 S. Staples, Room 106, Corpus Christi, Texas with the following present:

**From the Board:**

Ms. Carol Scott, Dr. Nicholas Adame, Ms. Libby Averyt, Dr. Anantha Babbili, Mr. Carl Crull, Mr. Rudy Garza, Jr., and Mr. David Loeb.

**From the College:**

Dr. Mark Escamilla, President and CEO; Ms. Lenora Keas, Executive Vice President and COO; Mr. Raul Garcia, Vice President and CFO; Mr. Ali Kolaoudou, Vice President and Chief Information Officer; Dr. Jonda Halcomb, Vice President and Chief Academic Officer; Ms. Tammy McDonald, Vice President of Administration and Human Resources; Ms. Patricia Benavides-Dominguez, Vice President for Student Affairs; Ms. Cheryl Sanders, Associate Vice President for Student Affairs; Mr. Augustin Rivera, Jr., General Counsel; Mr. John Strybos, Vice President and Chief Physical Facilities Officer; Ms. Mary McQueen, Vice President of Advancement and Government Relations; Ms. Delia Perez, Director of CEO Office and Board Relations, and other staff and faculty.

**CALL TO ORDER/QUORUM CALL**

Chair 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).

There were no public comments made for this meeting.

**STUDENT SUCCESS REPORT**.....Patricia Benavides-Dominguez

- College Reading and Learning Association (CRLA) Certification Level 1  
(Goal 4: Learning Environments)

Ms. Patricia Benavides-Dominguez provided information regarding the Student Success Center’s College Reading and Learning Association Certification Level 1 (CRLA). She described how the training offers benefits for the institution, program administrators, and students. The certification is certified through April 30, 2026.

Ms. Benavides-Dominguez responded to questions from the Board of Regents.

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

- June 27, 2023: TAMUCC/DMC MOU Signing, College Connection Program  
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Escamilla signed the College Connection Program MOU along with representatives from Texas A&M-Corpus Christi. Both institutions for higher education continue to advance their relationships for the benefit of our students having seamless transfer opportunities.

- July 11, 2023: TACC Executive Committee Meeting  
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Escamilla announced he attended the TACC Executive Committee Meeting.

- July 17-19, 2023: Anthology Together Conference, Nashville, TN  
(Goal 2: Recruitment and Persistence)

Dr. Escamilla attended and presented with Anthology’s Chief Innovation Officer, Dr. Melissa Hart at the Anthology Together Conference.

- July 19-20, 2023: TACC Annual Summer Conference, Lakeway, TX  
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Escamilla attended the TACC Annual Summer Conference with Dr. Jonda Halcomb and Ms. Patricia Benavides-Dominguez. Discussion was held regarding House Bill 8.

- Budget Update  
(Goal 6: Financial Effectiveness and Affordability)

Dr. Escamilla reported that with everyone’s patience, the current budget dates are currently fluid until more information needed is provided. Dr. Escamilla thanked the Business Office for all the work they have been doing with various scenarios.

**REGENT’S REPORT:**

- June 23, 2023: CCATT Trustee Leadership Seminar, South Texas College  
.....Regents Scott and Turner  
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Chair Scott stated Regent Turner and Dr. Escamilla also attended the CCATT Trustee Leadership Seminar. They were able to hear Dr. Linda Garcia, Executive Director of the Center for Community College Student Engagement. She presented interesting data about the student experience, and specifically attentive to trends around the student engagement and the student experience in Texas.

**BOARD NOTIFICATION:**

- Revisions to “A” Administrative Procedures in DMC Policy B7.13.7 Student Scholastic

Dishonesty.....Ms. Tammy McDonald  
(Goal 4: Learning Environments)

Ms. McDonald discussed the administrative procedure section of the Board of Regents regarding revisions for policy concerning Student Scholastic Dishonesty. Ms. McDonald stated Dr. Paul Gottemoller, Dean Rita Hernandez, and Dr. Halcomb worked together as a team to bring this policy change to completion. She asked all the Deans and faculty members who worked on the policy revision to stand and be recognized.

Ms. McDonald responded to questions from the Board of Regents.

**PENDING BUSINESS:**

Status Report on Requested Information

(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

**CONSENT AGENDA**

Notice to the Public

*The following items are of a routine or administrative nature. The Board of Regents has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Board member or a citizen, in which event the item(s) will immediately be withdrawn for individual consideration in their normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.*

**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, May 9, 2023  
Board Retreat, May 17 and 18, 2023  
Regular Board Meeting, June 13, 2023  
Called Meeting, June 30, 2023  
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)
2. Acceptance of Investments for June and July 2023  
(Goal 6: Financial Effectiveness and Affordability)
3. Acceptance of Financials for June 2023  
(Goal 6: Financial Effectiveness and Affordability)

Regent Crull made a motion to adopt the Consent Agenda.  
Regent Babbili 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 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

### REGULAR AGENDA

4. Discussion and possible action relating to the Internal Audit Report for Payroll and review status of FY23 plan.....Ms. Tammy McDonald  
*(Goal 4: Learning Environments)*

Ms. McDonald began the presentation and introduced Mr. Dan Graves and Mr. Brandon Tanous, partners with Weaver.

Mr. Tanous provided the results of the internal audit over the Payroll Department which included the scope and results of the audit. In response to formalized payroll Standard Operating Procedures (SOP), the Payroll Department has expanded the SOP manual to include the areas identified in the audit. This manual will be reviewed and verified annually. Additionally, it will be updated as soon as new payroll processes are created.

Mr. Graves continued provided an update regarding the Bursar's Office being complete and they are in the process of closing out the audit. Also, for Safety and Security, they are in the planning stages of this advisory audit and anticipate the fieldwork will begin in the next 2 to 3 weeks. Mr. Graves stated they have a couple of clarifications with the IT and IT Security Department which will be handled in Closed Session at a later date. They are in the process of helping the College update Standard Operating Procedures for the Construction Management audit. The annual Internal Audit report is prepared by Weaver in accordance with the State Auditor's guidelines. This report will be filed with the State Auditor's Office, the Legislative Budget Board, and the Governor's Office by November 1, 2023.

Mr. Graves, Mr. Tanous, and Ms. McDonald responded to questions from the Board of Regents.

Regent Adame made a motion to accept the Internal Audit Report as presented. Regent Babbili 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 7-0, amongst Regents

present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

- 5. Discussion and possible action related to the College’s Quarterly Investment Report for the period ending May 31, 2023.....Mr. Raul Garcia  
*(Goal 6: Financial Effectiveness and Affordability)*

Mr. Garcia introduced Mr. David McElwain with the Patterson Group, a Meeder Investment Management Company. He presented his report which included information regarding the College’s investments, performance and current economic conditions affecting the investments.

Mr. McElwain stated the Federal Reserve is continuing their course of raising rates. Short-term T-Bills had spiked up into the 6 to 7% range and they leveled out by the end of the month. Mr. McElwain reviewed treasury yields and presented information regarding the College’s portfolio. Mr. McElwain reviewed the College’s Pooled Funds and stated the book value to close out the third quarter is over \$112 million, and the market value is just under \$100 million. The 2018 Bond Fund remains around \$20 million. The College’s Portfolio remains fully invested in securities, or 86% in agencies, and 14% in municipal bonds.

Mr. McElwain and Dr. Escamilla responded to questions from the Board of Regents.

Regent Babbili made a motion to accept the College’s Quarterly Investment Report 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 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

- 6. Discussion and possible action related to a Resolution adopting Investment Policy and Investment Strategy.....Mr. Raul Garcia  
*(Goal 6: Financial Effectiveness and Affordability)*

Mr. Garcia stated in accordance with the Board’s Investment Policy for Adoption of Investment Policy, the Texas Funds Investment Act, and the Public Funds Collateral Act, the College is required and has a written investment policy which describes the strategy, investment objectives, preservations and safety of principle liquidity, diversification, and investment yields. Mr. Garcia introduced Mr. McElwain who stated that there have been no changes statutorily to require any changes in the College’s policy.

Regent Babbili made a motion to adopt the investment policy and strategy with no changes as presented. Regent Averyt 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 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

7. Discussion and possible action related to a Resolution adopting the authorized Broker/Dealer list.....Mr. Raul Garcia  
*(Goal 6: Financial Effectiveness and Affordability)*

Mr. Garcia stated in accordance with the Board’s Investment Policy the Texas Public Funds Investment Act, and the Public Funds Collateral Act, the College is required to review, revise, and adopt a list of qualified brokers that are authorized to engage in investment activity for the College on an annual basis. Mr. Garcia introduced Mr. McElwain who stated the broker dealer list was expanded and they added new names, and a couple of firms had name changes. He indicated that the updated broker list gives a little more flexibility and a little more variety.

Regent Crull made a motion to adopt the resolution of the authorized broker dealer list as presented. Regent Babbili 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 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

8. Discussion and possible action related to the College’s Quarterly Financial Statement for the period ending May 31, 2023.....Mr. Raul Garcia  
*(Goal 6: Financial Effectiveness and Affordability)*

Mr. Garcia stated that the College’s financial performance ending as of May 2023 is sound relative to the annual plan budget. Tuition is trending similar to prior years actual at \$18 million with the possibility of closing out the year at \$22 million. The reported property tax revenues are trending at the same rate relative to prior years, and the College’s investments revenues are performing well above the planned budget, due to better-than-expected investment yields. The operating expenses were \$77.9 million, within the plan budget, at a rate of 68%, which is relatively consistent with the prior

year's rate of 67%. Mr. Garcia reviewed the May 2023 balance sheet being well positioned to weather most business interruptions with a cash and investment position of \$73.3 million. The College's liquidity levels are sufficient to pay its current obligations valued at \$16.9 million.

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

Regent Loeb made a motion to adopt the College's Quarterly Financial Statement as presented. Regent Babbili 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 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

9. Discussion and possible action related to the approval of 2016 Oso Creek Campus construction Project Change Order #14.....Mr. John Strybos  
*(Goal 4: Learning Environments and 6: Financial Effectiveness and Affordability)*

Mr. Strybos provided information regarding Project Change Order #14 which is to address changes in the scope of work that resulted from 1) additional work due to Audio Visual devices; 2) architect's supplemental information; 3) Request for Information (RFI) responses issued by architect; 4) bulletin issued by the architect; and 5) unforeseen sight conditions. After reviewing details of the change order, Mr. Strybos stated the project is approximately 89% complete. The total amount of this Change Order is \$69,161.03 being funded with plant funds. The total cost for this project for the Central Plant and the rest of the campus is \$129,644,126.53.

Mr. Strybos and Dr. Escamilla responded to questions from the Board of Regents.

Regent Crull made a motion to approve Change Order #14 as presented. Regent Adame 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 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

At 2:01 p.m., the Chair announced that the Board was going into Closed Session pursuant to:

14. CLOSED SESSION pursuant to:

- A. **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, with possible discussion and action in open session;
- B. **TEX. GOV'T CODE § 551.089**: (Deliberations), regarding security devices or audits, regarding security assessments or deployments relating to information, resources, technology, network security information or the deployment or specific occasions for implementation of security personnel, critical infrastructure or security devices with possible discussion and action in open session; and,
- C. **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.

The Board of Regents reconvened in Open Session at 2:54 p.m. with no action taken.

**CALENDAR:** Discussion and possible action related to calendaring dates.

**ADJOURNMENT:** The meeting was adjourned at 2:56 p.m.