

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

December 5, 2023

The Regular Meeting of the Board of Regents of the Del Mar College District convened on Tuesday, December 5, 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., Mr. Bill Kelly, 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 Kolahdouz, 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.

**RECOGNITIONS.....Dr. Jonda Halcomb**

- Dr. Cynthia Bridges, Dean of the Communication, Fine Arts, and Social Sciences Division, was elected as Chair of the Commission of Community College Accreditation by the National Association of Schools of Music (NASM) for a 3-year term from 2023-2026  
*(Goal 5: Workforce Development, Community Partnerships, and Advocacy)*

Dr. Halcomb recognized Dr. Bridges stating she has been elected to serve as the Chair of the Commission on Community College Accreditation by the National Association of Schools of Music (NASM). NASM is an organization of schools, conservatories, colleges, and universities with about 628 accredited institutional members. NASM establishes national standards for undergraduate and graduate degrees, and other

credentials for music and related disciplines. Del Mar College was the first community college to receive accreditation by NASM back in 1940s. Dr. Bridges has served on accreditation teams for NASM since 2016, and has served on the Community College Commission for two terms. Dr. Bridges has also become a member of the Board of Directors and has been elected to serve as chairperson. Dr. Bridges provided words of appreciation and gratefulness.

- Davis Merrell, Dean of the Industry and Public Service Division, was appointed to serve a term on the Texas Association of College Technical Educators (TACTE) Board from 2023-2026 as a representative for the Gulf Coast/Southern region and to serve as a Workforce Education Course Manual (WECM) Facilitator  
*(Goal 5: Workforce Development, Community Partnerships, and Advocacy)*

Dr. Halcomb recognized Davis Merrell, Dean of the Industry and Public Service Division. He was appointed to serve a term on the Texas Association of College Technical Educators board, (TACTE), from 2023 to 2026. Mr. Merrell will represent the Gulf Coast Southern region, and he will also serve as a workforce education course manual facilitator. TACTE identifies workforce education leadership needs in Texas community and technical colleges, and provides an efficient, effective structure for articulating and responding to workforce education leadership needs. Mr. Merrell provided words of gratitude and appreciation.

Chair Scott changed the order of the Agenda and asked Dr. Jonda Halcomb to introduce the Professor Emeritus recommendations.

2. Discussion and possible action related to recommendation of Professor Emeritus status to Norma Ayala-Maynard, Professor of English.....Dr. Jonda Halcomb

Dr. Halcomb presented Norma Ayala-Maynard, Professor of English to the Board for consideration of Professor Emeritus. She stated Professor Ayala-Maynard has provided 34 years of service to the College as a Professor of English. During her tenure, Professor Ayala-Maynard demonstrated distinguished leadership and notable dedication to the students, the College, and the community. Professor Ayala-Maynard received numerous College Teacher of the Year nominations and received Diamond Pen award for her recognition in teaching. She was instrumental in developing curriculum for early versions of Mexican American literature courses at Del Mar College and did so at a time when Mexican American literature anthologies were practically non-existent. She served the English and Philosophy department of the College for over a decade as the English adjunct mentoring coordinator facilitating professional development for scores of adjuncts during this time. In addition, she engaged professionally through Conference of College Teachers of English, the English Association, the Conference on College Composition and Communication, and the National Council of English Teachers. Dr. Halcomb read a resolution in honor of Professor Ayala-Maynard and recommended the Board approve her Professor Emeritus status. Chair Scott expressed the Board's gratitude. Professor Ayala-Maynard provided words of appreciation and gratefulness.

Regent Crull made a motion to accept the recommendation to present Norma Ayala-Maynard with title 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 show of hands, and the motion carried unanimously 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, Kelly, and Loeb, in favor.

- 3. Discussion and possible action related to recommendation of Professor Emeritus status to Benita Flores-Munoz, Professor of Child Development/Early Childhood  
.....Dr. Jonda Halcomb

Dr. Halcomb presented Benita Flores-Munoz, Professor of Child Development/Early Childhood to the Board for consideration of Professor Emeritus. Professor Flores-Munoz, Professor of Child Development Early Childhood, served as an exemplary tenured educator among her peers and students at the college for more than 18 years. She received the highest award for faculty of the College, the Aileen Creighton Award for Teaching Excellence in 2021. Professor Flores-Munoz led the CDEC program through the National Association for the Education of Young Children National Accreditation in 2019, a feat that only 11 Texas colleges have achieved. Her accomplishments include being recognized as a disability advocate for the year, and as a Blue and Silver Alumni Faculty of the Year at Del Mar College in 2016. She actively participated in various college-wide committees. She also participated in outreach activities and community events such as the Week of the Young Child, Teddy Bear Drive, Special Olympics, and volunteered with the YWCA. Dr. Halcomb read a resolution in honor of Professor Flores-Munoz and recommended the Board approve her Professor Emeritus status. Chair Scott expressed the Board’s gratitude. Professor Flores-Munoz provided words of appreciation and gratefulness.

Regent Adame made a motion to accept the recommendation to present Benita Flores-Munoz with title Professor Emeritus. 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 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, Kelly, and Loeb, in favor.

4. Discussion and possible action related to recommendation of Professor Emeritus status to Dolores G. Huerta, Professor of Accounting.....Dr. Jonda Halcomb

Dr. Halcomb presented Dolores G. Huerta, Professor of Accounting to the Board for consideration of Professor Emeritus. Professor Huerta served as an exemplary educator for over 45 years at the College, providing excellent leadership in the areas of accounting and business education. She demonstrated a passion for teaching, advising, mentoring, and retention. Professor Huerta's accomplishments include being named Who's Who Among American Teachers and Educators, and being a three-time recipient of the Del Mar College's faculty Academic Advisor of the Year award. She provided committed service to the College as an active member of numerous committees, including the curriculum committee, employee grievance policy review committee, accounting advisory committee, retention committee, a presidential search committee, and numerous others. Professor Huerta participated and promoted junior achievement, the Texas Association of Chicanos in Higher Education, and the American Association of University Professors. Dr. Halcomb read a resolution in honor of Professor Huerta and recommended the Board approve her Professor Emeritus status. Chair Scott expressed the Board's gratitude. Professor Huerta provided words of appreciation and gratefulness.

Regent Garza made a motion to accept the recommendation to present Dolores G. Huerta with title Professor Emeritus. Regent Loeb 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, Adame, Averyt, Babbili, Crull, Garza, Kelly, and Loeb, in favor.

**STUDENT SUCCESS REPORT.....Ms. Rita Hernandez**

- Student Engagement and Retention Services  
(Goal 3: Academic Preparedness and Student Learning)

Ms. Hernandez stated that the division of Student Engagement and Retention has provided a holistic approach to student support services which includes academic, professional, social, and personal support for each student. Each department coordinates campus and community resources with the primary goal of removing barriers to student success and completion.

Ms. Hernandez provided a brief overview of the services provided by each department which include Career Development, Center for Access & Advocacy, Counseling Center, Student Leadership & Campus Life, Student Success Center, Veteran Services, and Vikings Care and Valdar's Market. Student Engagement and Retention offers a

wraparound approach to supporting students through to completion. Ms. Hernandez recognized the difference makers and the leadership team who assists students.

Chair Scott thanked Ms. Hernandez for the comprehensive report and the services and support provided to students through each department.

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

- December 15, 2023: Season Celebration, Tres Grace Community Room, Oso Creek Campus  
*(Goal 4: Learning Environments)*

Dr. Escamilla announced the College’s Season Celebration to be held on December 15, 2023 at the Tres Grace Community Room, Oso Creek Campus.

- December 15, 2023: Fall Graduation Ceremony, American Bank Center  
*(Goal 1: Completion)*

Dr. Escamilla announced the commencement ceremony for the 2023 Fall Graduation being held at the American Bank Center on December 15, 2023. He reported that there are 518 prospective graduates and they have applied for 645 awards, degrees, and certificates.

**STAFF REPORTS:**

- Tax Abatements Update ..... Ms. Lenora Keas  
*(Goal 6: Financial Effectiveness and Affordability)*

Ms. Keas introduced Mr. Randy Almaguer with the Corpus Christi Regional Economic Development Corporation (CCREDC). Mr. Almaguer stated he is a Compliance Officer with CCREDC. CCREDC provides compliance reviews for City of Corpus Christi, Nueces County, San Patricio County, Del Mar College, San Patricio County Drainage District, Corpus Christi Business & Job Development (Type A Board), and Corpus Christi B Corporation (Type B Board).

Mr. Almaguer reviewed compliance procedures which included review of all requirements from the agreements and standard documents needed for compliance. He reviewed existing agreements.

Ms. Keas, Dr. Escamilla, Mr. Almaguer, and Mr. Mike Culbertson responded to questions from the Board of Regents.

- 2019-2024 Strategic Plan Update, Goal 2 ..... Dr. Natalie Villarreal  
*(All Goals 1-6)*

Dr. Villarreal provided a brief overview of the 2019-2024 strategic planning process and provided the Board an update on how the College is progressing with Goal 2,

Recruitment & Persistence. She also provided the Board with current data regarding fall credit headcount 9,985, a preliminary number, and 7,261 annual headcounts for Continuing Education for 2022-23, which is based on the quarter semester. The College headcount, credit and continuing education, is up 6% from the previous year. The contact hours for fall 2023 were up by 2% with the new method of counting contact hours from the state.

Dr. Villarreal reviewed KPI 1: Student Intent, which showed 58.2% wanted to earn an associate degree, and 25.7% wanted to earn credits for a transfer. In reviewing KPI 1: Student On-Ramps/Pipelines, 53.2% are high school graduates, and 20.5% are dual credit/collegiate students. KPI 2: Students receiving Pell grants showed 4,209 grants in 2022, and the target for 2024 is to increase that number by 3%. KPI 3: Persistence rates demonstrated one and two-year persistence rates for first-time, credential-seeking undergraduates enrolled in at least 12 semester credit hours in the fall who are enrolled at the same or another Texas public or private institution. The threshold for students who satisfy TSI requirements in two years in math, reading, and writing was reviewed, and it was noted that the Development Education Council continues to work towards new targets.

KPI 4 – Student Classification was reviewed which included information regarding Freshman students, with less than 30 semester credit hours, Sophomores are students with 31-27 semester credit hours, unclassified are students with 73+ semester credit hours – no associate degree or above earned, and other prior associate degree or above earned.

Dr. Villarreal stated there are many new strategies the Strategic Enrollment Management is working on and will implement before fall 2024.

Dr. Villarreal, Ms. Patricia Benavides-Dominguez, and Dr. Escamilla responded to questions from the Board of Regents.

- Strategic Marketing Plan Update ..... Mr. Jeff Olsen  
(Goal 1: Completion and Goal 2: Recruitment and Persistence)

Mr. Olsen began his presentation and stated a new strategic marketing plan is being developed and will be ready for full review in February/March 2024. For Del Mar College to continue to build on its success in an increasingly competitive and constantly changing landscape, marketing and communication efforts must relate to prospects with an attractive value proposition, automate through CRM and AI solutions to attain students, market stacked credentials as paths to successful outcomes, simplify student onboarding and improve experience, and engage the community with successful events on campus.

After providing data on who the Del Mar College student is, Mr. Olsen stated the first step needed is to relate to the students. The second step is to automate, which will generate leads with contact forms on every ad and web page, then continuously follow up with prospective students through automation and a call center. This gives students a much-needed point of contact to help them navigate past any barriers as they make their

way to DMC with confidence. Mr. Olsen described the College embracing the CRM and AI efforts.

The current student journey offers a wide assortment of great choices for students to achieve their desired outcome, but they are often offered separately and divided across different areas of the College. Often programs could be packaged together as a journey.

The third step is to stack credentials and offer a path for the new student journey. The Pathways Committee has been doing great work mapping how credentials stacked across the College. Showing a student their complete journey from the start will be a gamechanger. In upcoming campaigns, we will ask prospective students to share their dream, then use that information to show them a path to that outcome that may include multiple credentials. Once the student identifies their path, and it is loaded into the CRM, we can guide the student along in their journey through marketing automation. Additionally, once these maps are established, we can provide onramps and offramps, as well as listing average salaries.

The fourth step is to simplify and have a great experience on campus. With the recent centralization of College events, and the CRM creating a database of leads, they will have the opportunity to organize large-scale College-wide events that will introduce scores of new people to Del Mar. In partnership with other key stakeholders across campus, they are exploring yearly festivals that will highlight the campuses. A community college in Texas they have been in conversations with holds a similar event with average attendance between 6,000 and 8,000 people. The cost is covered by community sponsors. For many of their current students, this was their first experience on campus.

The fifth step is to engage the students. For marketing to achieve maximum effectiveness through the years to come, the College must embrace a strong, fully modernized approach that drives prospects using automation and a personal touch toward engaging events. Once prospects become students, the same approach of automation, someone to help them navigate, and engaging events on campus will continue to help them persist as they navigate each credential along their journey.

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

- Fiscal Year 2024-2025 Budget Calendar and Student Charges .....Mr. Raul Garcia (*Goal 6: Financial Effectiveness and Affordability*)

Mr. Garcia stated that the 2025 Fiscal Year budget and possible tuition increase will be discussed.

Ms. Jackie Landrum was introduced and began the review of the upcoming budget calendar for the Fiscal Year 2025 budget. Ms. Landrum reviewed the five phases which include phase one – planning, phase two – information gathering, phase three – review and recommendation, phase four – budget approval, and phase five – property tax approval.

Mr. Garcia reviewed the Fiscal Year 2022 community college funding strategies and stated Del Mar College is just one of twenty-seven that are heavily dependent on property taxes. The recent changes in the state funding formula for community colleges may signal a shift whereby more community colleges will become more dependent on or having state funding as a more pronounced funding source. During fiscal year 2022, our DMC students received an average of grant or scholarship financial aid in the amount of \$5,912.00. The College places third in student debt as the least expensive relative to most of their peer group institutions.

Mr. Garcia reviewed the general tuition and fee structure for fiscal years 2022 part-time and full-time students and compared it to fiscal year 2023. The \$2 increase approved by the Board last year raised the cost of attendance by \$60.00. After reviewing the different fees and rates, Mr. Garcia reviewed the 13-year historical view graph of the College's current strategy of steady and modest increases. The most recent enrollment trends are now driven in part by strong labor market conditions. This historical view suggests a modest increase in student charges by as much as \$5 per semester hour may minimize student sticker price shock, reduce the risk of downward shift in student enrollment, and minimize the shifting of tuition costs to future first-year students. Mr. Garcia reviewed the factors influencing possible fiscal year 2025 tuition rate change and a tuition rate change scenario ranging from \$1 to \$5 on a per semester hour basis. These new funding amounts could be used to support operating cost, including student support services, and the cost of instruction.

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

The Board of Regents recessed at 3:44 p.m.

The Board of Regents reconvened at 3:51 p.m.

- Foundation Yearly Update ..... Ms. Mary McQueen  
(Goal 6: *Financial Effectiveness and Affordability*)

Ms. McQueen stated that this is Del Mar College Foundation (DMCF) 40<sup>th</sup> year anniversary. From the time of the DMCF's inception, community supporters have provided almost \$54 million in gifts and grants to Del Mar College students and programs. Ms. McQueen thanked her team who have raised \$42.2 million since 2010 and have given out \$18.4 million in scholarships to 17,000 students and another \$12.2 million in awards and programs to support Del Mar College.

Ms. McQueen reviewed the DMCF's financials as follows: Assets for Fiscal Year 2022-2023 of \$31.5 million. The 2022-2023 Fiscal Year fundraising amount was \$3.0 million which has held a 5-year average of \$3.6 million (2019-2023). Scholarships awarded from 2022-2023 totaled \$1.7 million with 894 students served.

Ms. McQueen provided a review of the major fundraising events that have taken place from 2010 to the present. The advancement focus over the past 13 1/2 years has really

shifted from events to donor engagement. Their goal is to build the relationships to share the Del Mar College story, to discover the donor preferences.

Ms. McQueen described the DMCF Strategic Plan for 2015-2025.

DMCF has created a series of infographics that allow a story to be shared. One profile created is named Sophie and a history is built for her that is shared with the donors, so they get an idea of who they're investing in with their scholarship dollars. Student information wellness is a big component that shows 56% of students are housing insecure, 25% have low food security, 69% worry about paying for school, 31% ran out of money six or more times in the past year, 71% have trouble getting \$500 in an emergency, and 49% experience generalized anxiety disorder.

DMCF scholarships impact students and show increased completion rates, 19.2% higher program completion rate over student with financial aid, and 24.1% higher program completion rate over students with no financial aid. Ms. McQueen compared local area university tuition, fees, books, and supplies for 15 semester credit hours to Del Mar College, it showed over \$3,000 savings if the student attended our College.

DMCF holds an annual stewardship reception and scholarship reception, each donor gets a scholarship report which shows the balance in the fund and amount distributed, names and bios of recipients, and the report is sent out each year in the spring. Ms. McQueen concluded with a DMCF video of some students that were awarded scholarships.

- Professional Contract Review ..... Ms. Tammy McDonald  
(Goal 6: Financial Effectiveness and Affordability)

Ms. McDonald provided information regarding the latest professional service contracts. She stated that as of June 2023, the 2014 Bond with Victory Building Team will be expiring the end of December. The Fulton Construction contract for Oso Creek Campus had a date change and has been extended to May 31, 2024. The change with Command Commissioning for Oso Creek Campus will be expiring at the end of December.

**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. Acceptance of Financials for October 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 8-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, Kelly, and Loeb, in favor.

**REGULAR AGENDA**

- 5. Discussion and possible action related to the 2023 Annual Audit, presented as the Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ending August 31, 2023  
.....Mr. Raul Garcia

Mr. Garcia thanked Dr. Cathy West, Ms. Christina Gonzalez, Ms. Jackie Landrum, Mr. John Johnson, and his entire team for their work on this year’s accelerated financial audit. Mr. Garcia thanked Ms. Bridgid Cook for her years of service and introduced Mr. Adam Miller with Collier, Johnson, and Woods to present the 2023 audit results.

Mr. Miller introduced himself and acknowledged the Del Mar College Finance team in helping prepare the annual reports. He also announced the College has again received the GFOA Certificate of Achievement for Excellence for Financial Reporting which makes it the 13<sup>th</sup> year in a row.

Mr. Miller provided information regarding the audited financial statements of the College and the Del Mar College Foundation (DMCF) for the years ending August 31, 2023 and 2022, and June 30, 2023 and 2022.

The four independent auditor reports reviewed include Financial Statements, Governmental (“Yellow Book”) Report, Schedule of Expenditures of Federal Awards, and Schedule of Expenditures of State Awards and found the following:

Financial Statements – For both the College and DMCF, the opinion is the financial statements adhere to the reporting framework without exception.

Governmental (“Yellow Book”) Report – No deficiencies in internal control over financial reporting and on compliance considered to be material weaknesses or significant deficiencies.

Schedule of Expenditures of Federal Awards – unmodified “clean” opinion, no instances of noncompliance with major federal programs.

Schedule of Expenditures of State Awards – unmodified “clean” opinion, no instances of noncompliance with major state programs.

Review of the Statement of Net Position (Balance Sheet), Statement of Activities (Income Statement), Taxes Receivable (Ad Valorem) showed cash and investments decreased from the prior year \$139 million to \$98 million. 2023 net investment in capital assets was \$165.4 million, representing a \$17.7 million increase from prior year.

The Statement of Activities showed an increase in net position from \$126 million to \$142 million. HEERF related revenues and expenses winding down during FY 2023 with performance period ending June 30, 2023. Increase to property tax revenues (ad valorem) of \$6.8 million from prior year. Net investment income improved \$8.5 million over prior year, led by appreciation in FMV of fixed income securities.

The event of a taxpayer dispute was generally reviewed, and it was stated until this matter is resolved, there remains an uncertainty in the amount and timing of those respective tax collections. The required communication with the College was discussed as to the auditor’s responsibility to express their opinion about whether the financial statements prepared by management with the College’s oversight are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America (U.S. GAAP).

During the fiscal year 2023, Del Mar implemented (GASB Statement) No. 96. This implementation required the recognition of right of use subscription assets and corresponding liabilities for IT applications. And due to the comparative presentation of financial statements, that retrospective implementation was required, which resulted in the restatement of the 2022 net position by approximately 300,000. There are three new standards that could affect the financial statements of the college. This includes GASB 99, 100, and 101. The purpose of each of these upcoming pronouncements is to add clarity to existing standards, and accordingly, implementation should not have a significant effect on the form and contents of the financial statements in future reporting periods.

Regent Babbili made a motion to adopt the Comprehensive Financial Report as presented. Regent Adame seconded the motion. Complimentary comments were made to the Audit and Business Teams 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, Adame, Averyt, Babbili, Crull, Garza, Kelly, and Loeb, in favor.

6. Discussion and possible action related to Board approval of recommended revisions, deletions, and additions to Board “B” policies and Notification of the Board of Administrative “A” procedure revisions, deletions, and additions

.....Ms. Tammy McDonald

Ms. McDonald presented a recommendation regarding policy compliance with legislation passed during the Texas 88<sup>th</sup> Legislative Session and the College’s policy review process. Board Policies are reviewed by College administration as required with the exception of changes in laws, statutes, regulations, and requirements executed at federal, state, local levels, and by accrediting bodies that requires review outside the schedule. The CEO or their designee has oversight of the policy review process. College administration performs review of policies according to the review schedule and make recommendations to the Board of Regents as necessary.

The College policy review for FY 2023/2024 scheduled to review Chapters 5 (HR) & 6 (Faculty) - pending due to anticipated legislative changes, and Chapters 7 (Students) & 8 (Misc.).

Ms. Jessica Alaniz provided an overview of four pieces of legislation including HB 1 and SB 17 regarding DEI practices or programs, SB 1376 regarding expansion of military employment preference, and SB 412 regarding protection for pregnant and parenting students.

Ms. McDonald continued and stated non-legislation proposed changes would also be made regarding changes to the use of Windward for West and Heritage for East campus references. Ms. McDonald provided a summary of the changes to the Board of Regents.

Ms. McDonald and Dr. Escamilla responded to questions from the Board of Regents.

Regent Kelly made a motion to adopt Board of Regents “B” policies as presented. Regent Crull 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, Adame, Averyt, Babbili, Crull, Garza, Kelly, and Loeb, in favor.

- 7. Discussion and possible action on Award Contract for Request for Competitive Sealed Proposals, RCSP #2023-12, Del Mar College Center for Economic Development HVAC Improvements.....Mr. John Strybos

Mr. John Strybos provided background information regarding the Request for a Competitive Sealed Proposal #2023-12 for the Del Mar College Center for Economic Development HVAC Improvements. Mr. Strybos reviewed the process and evaluation criteria of possible candidates. He also stated they are recommending the award go to the number one team, Victory Building Team with their low bid of \$2.9 million and the second bidder, SpawGlass at \$4.2 million.

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

Regent Loeb made a motion to table Agenda Item No. 7. Regent Kelly seconded the motion. There was no discussion on a Motion to Table. A vote was taken by show of hands, and Regents Crull, Kelly, Garza, and Loeb voted to table the motion, Regents Averyt, Adame, Babbili, and Scott voted to move forward. The motion failed as there was not a majority vote.

No other motions were made and staff was instructed to review the matter for re-consideration at a future Board meeting.

- 8. Discussion and possible action on State Energy Conservation Office (SECO) Utility Cost Reduction Measures Loan..... Mr. John Strybos

Mr. Strybos provided information regarding securing a loan with State Energy Conservation Office and to negotiate a loan with the State of Texas. The amount of the loan is tied into the energy project and its conservation measures. The preliminary engineering assessment helps govern the project and parameters of the project, and the loan is repaid from the energy savings of energy use that will go down with the new systems in place. The College isn't having to use other funds to pay back the loan and it should not impact the operating budget.

Regent Averyt made a motion to award the contract to Victory Building Team and the funding source from the SECO, utility cost reduction measure, low interest loan. 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 Regents Crull, Kelly, Garza, and Loeb voted against the motion, Regents Averyt, Adame, Babbili, and Scott voted for the motion. The motion failed as there was not a majority vote.

At 5:10 p.m., the Chair announced that the Board was going into Closed Session pursuant to:

9. **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; and
- B. **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 5:30 p.m. with no action taken.

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

**ADJOURNMENT:** The meeting was adjourned at 5:31 p.m.

MINUTES REVIEWED BY GC: /s/ARjr