

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

June 14, 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 1:01 p.m. on Tuesday, June 14, 2022, with the following present:

From the Board:

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

From the College:

Dr. Mark Escamilla, President and CEO; Ms. Lenora Keas, Executive Vice President and COO; Mr. Raul Garcia, Vice President and CFO; 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.

AGENDA

CALL TO ORDER QUORUM CALL

Ms. Scott called the meeting to order with a quorum present.

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:

- Carlos Garanzuay, Institutional Effectiveness and Assessment Manager, and Angelica Gomez, Curriculum Manager, earned their doctorate degrees.....Dr. Kristina Ramirez Wilson (*Goal 4: Learning Environments*)

Dr. Wilson recognized two members of the Planning and Institutional Effectiveness Division, Angelica Gomez, and Carlos Garanzuay. Ms. Gomez and Mr. Garanzuay completed their Doctor of Education degrees from the prestigious Community College Leadership Program (CCLP). Ms. Gomez defended her dissertation titled “Communication and Collaboration Among Dual-Credit Instructors: A Case Study of El Paso Community College” in April of 2020. Mr. Garanzuay defended his dissertation “Improve. Adapt. Overcome: Identifying

Military-Acquired, Non-Cognitive Attributes Guiding Student-Veteran Success in Community College” in February of 2022. Both exhibited an unwavering dedication to student success. Chair Scott and Dr. Escamilla congratulated Dr. Gomez and Dr. Garanzuay and then, in return, provided words of appreciation and gratitude.

- Distinguished Budget Presentation Award received from the Government Financial Officers Association.....Mr. Raul Garcia
(Goal 6: Financial Effectiveness and Affordability)

Mr. Garcia recognized Dr. West, Dr. Wilson, Mr. John Johnson, Ms. Jackie Landrum, Dr. Garanzuay, and Dr. Saumby who all assisted Del Mar College in receiving the Distinguished Budget Presentation Award for Fiscal Year 2022 budget report. The report meets the highest level of reporting standards defined by the Government Financial Officers Association. Chair Scott congratulated everyone, and the team members provided words of appreciation and gratitude.

- Valton Stinson, TRIO Student Support Services Director, elected President-Elect for the Texas TRIO Association Board.....Ms. Cheryl Sanders
(Goal 4: Learning Environments)

Ms. Sanders recognized Mr. Valton Stinson, Director of TRIO Student Support Services for being elected to serve as president-elect for Texas TRIO Association Board. The Texas TRIO Association is the representative body for TRIO professionals from colleges, universities, and agencies that host federally funded TRIO educational opportunity programs in Texas. The three TRIO programs at Del Mar College are Educational Opportunity Centers, Veterans Upward Bound, and Student Support Services, for which Mr. Stinson serves as director. Mr. Stinson was spotlighted in a recent Coastal Bend Black Excellence series segmented on KRIS-TV news. Chair Scott congratulated Mr. Stinson and he provided words of appreciation and gratitude.

- Cheryl Sanders, Interim Associate Vice President for Student Affairs, elected Funds Vice President by the American Association of University Women (AAUW) Corpus Christi Branch Board of Directors.....Dr. Jonda Halcomb
(Goal 4: Learning Environments)

Dr. Halcomb recognized Interim Associate Vice President of Students Affairs, Cheryl Sanders for being elected as Funds Vice President for the American Association of University Women (AAUW), the Corpus Christi Branch Board of Directors. The mission of AAUW is to advance gender equity for women and girls through research, education, and advocacy. Interim Associate Vice President Sanders is also one of the advisors for the newly formed Del Mar College AAUW Student Organization. Chair Scott thanked Ms. Sanders and she provided words of appreciation and gratitude.

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

- Emergency Medical Services Civilian to Paramedic Course Pilot Program
(Goal 3: Academic Preparedness and Student Learning)

Dr. Halcomb briefly described the Civilian to Paramedic Course Pilot Program and Ms. Melissa Stuve discussed the implementation of the program. Ms. Stuve provided information regarding the Emergency Medical Services (EMS) program details. The College was in collaboration with the Corpus Christi Fire Department (CCFD) and offered the 43rd Academy cadets the opportunity to participate, the pilot program consists of training the Academy cadets in both the Emergency Medical Technician (EMT)-Basic and Paramedic Certification Programs simultaneously. Ms. Stuve described the successful outcomes of the course pilot program which had a 98% pass rate for the National Registry EMT-Paramedic Certification Program. Ms. Stuve stated they were invited to present their program throughout the nation on how to begin and will be presenting at EMS World in October. Chair Scott congratulated Ms. Stuve and the program and Ms. Stuve thanked the Board of Regents and the Executive Team for their support.

COLLEGE PRESIDENT’S REPORT.....Dr. Mark Escamilla
(Goal 4: Learning Environments)

Dr. Escamilla reported the construction on the Oso Creek Campus continues and they have offered a limited number of classes for the second summer session which will begin July 11, 2022. A grand opening will be held at the Oso Creek Campus next spring.

Dr. Escamilla stated that an adjustment to the College’s calendar is the summer graduation which will be held on August 19, 2022, at 7:00 p.m. at the American Bank Center.

STAFF REPORTS:

- Update on the Annexation by Election petition related to the territory comprising the Robstown Independent School District (Tex. Educ. Code § 130.065)Ms. Lenora Keas and Mr. Augustin Rivera, Jr.
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Mr. Rivera provided background information and status of a petition received by the College to annex Robstown Independent School District. The next step is to hold a public hearing which has been scheduled for June 29, 2022, at 6:00 p.m. at the Ortiz Elementary School Cafetorium, 208 East Avenue H, Robstown, Texas. The information for the public hearing will be provided on the College’s webpage. Mr. Rivera stated that during the August 9th Board of Regents meeting, the Board will have the opportunity to vote on the question of whether to put the petition request on the ballot for November.

Ms. Keas reviewed the proposed Service Plan and the details which includes the maximum tax rate allowed, existing tax exemptions, and in and out of district tuition and fees rates per term and per credit hour. Some key points of the Service Plan include expanding local delivery of services and programs, eligibility to vote for a Del Mar College Regent, and access to all College campuses, centers, and amenities.

- Professional Service Contract ReviewMs. Tammy McDonald

(Goal 4: Learning Environments)

Ms. McDonald began her presentation by providing information regarding the annual or semi-annual review of Professional Service Contracts. Ms. McDonald reviewed the changes and the revisions that have been made since December 2021. She also reviewed the upcoming contracts set to expire as well as new contracts that were added to the list.

- Compensation Evaluation and Comparison Staff Report.....Ms. Tammy McDonald
(Goal 4: Learning Environments)

Ms. McDonald introduced Dan Graves and Brandon Tanous from Weaver who were present to review the analysis process, the results, and recommendations. Mr. Graves provided an overview regarding an analysis of a total package of both salary and benefits for staff positions. The compensation analysis included a comparison of wages and benefits against other regional higher education institutions and private sector organizations located in the Coastal Bend area. The scope of the consulting procedures included a comparison of salaries by positions – direct comparison of salary by position title and grades – comparison of salary by level and experience. The comparison included 367 staff positions including exempt, and non-exempt.

Mr. Tanous provided more detailed information. They compared current College wages by position, to other Texas community colleges and private sector entities in the Corpus Christi region. Private sector wages were accumulated from the Economic Research Institute Salary Assessor tool for the Corpus Christi region. Benefit information for the College was compared to both higher education and private sector employers which focused on employer paid benefits that included retirement, leave, health care (health, vision and dental), life insurance, and tuition/education reimbursement.

Compensation evaluation and comparison results: For many grades and positions evaluated, the College is within or above the pay bands of other colleges, and generally within private sector pay bands. Overall, 98% of the College Exempt Positions were within or above the comparable grade bands as were the College's non-exempt positions.

Mr. Tanous continued discussing benefit summary of results. The College benefits were evaluated against survey data from both Higher Education entities in the South Region and all other industries in Texas cities. Regarding salary and benefits, 21 positions of the positions reviewed were identified to be outside the salary band for both public and private data, which warrant further review and validation for IT/Technical, Administrative, Trade/Craft, and Education Specialist. The differences in salary bands could be attributed to career stage, seniority, additional job roles and responsibilities, and minimum direct comparative data set. Salary differences identified in some private sector positions appear to be offset by the additional employer paid benefits and leave options provided by the College.

Mr. Graves provided concluding remarks. Ms. McDonald reiterated the important result of 94% of the College's staff positions fall within the salary pay bands of private and public

employers. Based on the recommendation from Weaver, the College acknowledges that there are further reviews for certain positions that need to be done to see the reasons why the pay falls below the pay bands. The Compensation Committee continues to meet and will work together to develop short and long-term solutions for our compensation plans.

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

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

ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

1. Approval of Minutes:
Workshop, May 10, 2022
Regular Board Meeting, May 10, 2022
(Goal 5: Workforce Development, Community Partnerships, and Advocacy)
2. Acceptance of Investments for May 2022
(Goal 6: Financial Effectiveness and Affordability)
3. Acceptance of Financials for April 2022
(Goal 6: Financial Effectiveness and Affordability)

Regent Kelly made a motion to approve the consent agenda items. Regent Turner 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 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

REGULAR AGENDA

4. Discussion and possible related to amended and restated tax abatement agreement between Del Mar College and Corpus Christi Polymers LLC
.....Ms. Lenora Keas and Mr. Augustin Rivera, Jr.
(Goal 6: Financial Effectiveness and Affordability)

Mr. Rivera introduced everyone involved in this agenda item which included, Ms. Lenora Keas; Mr. Raul Garcia; Mr. Mike Culbertson with CCREDC; Mr. Steve Kuntz, attorney with Norton Rose & Fulbright and attorney for CC Polymers; Jeff Shea, Site Manager with CC Polymers; and Alfredo Betancourt, CFO of CC Polymers.

Mr. Rivera provided background regarding the Tax Abatement Agreement with M&G Resins USA (M&G). M&G planned to build a new plastics plant and employ 200 full-time employees but ended up filing bankruptcy in October 2017. Corpus Christi Polymers LLC purchased M&G's assets, including the uncompleted plant in April of 2018.

Mr. Rivera reviewed the difference in opinion disagreement that arose over the effect of the bankruptcy on the status of the Abatement Agreement. The Nueces County Appraisal District considered the Agreement terminated. CC Polymers argued that the Agreement was still in effect and has filed tax protests since 2019, which remain pending. After extensive negotiations between Nueces County Appraisal District and CC Polymers, a resolution was reached in November 2021 to resolve the disputes over the interpretation of the original agreement and pending tax protests. The revised terms and conditions are in an Amended and Restated Abatement Agreement approved by Nueces County Appraisal District in November 2021.

CC Polymers is now requesting that the College accept the same terms of resolution which were reviewed with the Board.

Mr. Rivera discussed the status of the project and stated CC Polymers reports that it is proceeding with on-site completion of underground work, groundwork, and placement of heavy items. The next steps include major mechanical work, installations, and connections. Construction on the project will continue until 2024 with commissioning, startup and commercial operations expected in 2024. Also, CC Polymers has hired more than 35 new full-time employees and expected the number to increase over the next 12 months and have 200 guaranteed employees.

Mr. Rivera provided a summary stating the benefits to the College would be to receive a guaranteed number of payments through 2024. The agreement is clear, and it eliminates any legal disputes over the prior agreement and the effect of M&G's bankruptcy. The College will also get into sync with Nueces County, and the parties will get back to the original intent of the prior agreement that was entered into by the College ten years ago. These terms have been vetted by outside counsel, Cobby Caputo with the Bickerstaff Heath Delgado Acosta LLP.

Mr. Rivera, Mr. Kuntz, Mr. Garcia, and Mr. Jeff Shea responded to questions and input from

the Board of Regents.

Regent Hutchinson made a motion to approve the Amended and Restated Abatement Agreement 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 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

- 5. Discussion and possible action relating to approval of 2016 Oso Creek Campus Construction Project Change Order #10.....Mr. John Strybos
(Goal 4: Learning Environments and Goal 6: Financial Effectiveness and Affordability)

Mr. Strybos presented Construction Project Change Order #10 by providing a background regarding the Oso Creek Campus project. Mr. Strybos stated the purpose of the Change Order is to address changes in the scope of the work that resulted from additional work including (1) Architect’s Supplemental Information, (2) Request for Information (RFI) responses issued by the Architect, (3) Bulletin issued by the Architect, and (4) unforeseen sight conditions. Change Order #10 is due to architectural changes, City of Corpus Christi Fire Marshall Code compliance issues, and to make the buildings and facilities fully operational in accordance with the faculty and staff for their operational needs.

Mr. Strybos responded to questions and input from the Board.

Regent Adame made a motion to approve Change Order #10 for Oso Creek Campus Construction Project as presented. 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 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

- 6. Discussion and possible action relating to approval of increase in the tuition on Continuing Education courses.....Ms. Lenora Keas
(Goal 6: Financial Effectiveness and Affordability)

Ms. Keas presented information regarding approval to increase the tuition on Continuing Education courses. Ms. Keas stated Continuing Education and Corporate Services continue to be a growing service to the College’s students and the community. The focus over the past few years has been to work with area school districts to offer dual credit, continuing

education courses, and open enrollment to provide short-term credentials that prepare individuals to either enter the workforce or advance in a career. Ms. Keas provided funding and tuition information and stated the past year expenses have increased which include the cost of hourly wages for instructors, materials and supplies, and the price of fuel and repairs for trucks. Today's proposal is to increase the tuition for Continuing Education courses by approximately 10%. The last increase in tuition was in 2017. This proposed increase is based upon a survey prepared by the Higher Education Price Index fund that found an increase in costs from the fiscal year 2018 to 2021 to be over 10%. Ms. Keas reviewed the survey and price comparisons to other colleges.

Corporate Services provides the College's Continuing Education programs and Transportation Services. The College serves approximately 504 students a year and provides six state-of-the-art truck driving simulators and 16-wheeler cabs, 18-wheeler cabs and trailers, as well as two school buses. All of this must be maintained and kept roadworthy. Successful students have a job offer almost immediately. The program is highly successful and recognized throughout the state. Ms. Keas reviewed the cost of previous CDL programs to current costs.

Ms. Keas provided information regarding a selection of Continuing Education courses at a variety of community colleges such as the College's Certified Nurse's Aid program and Phlebotomist program. Ms. Keas provided examples of other community colleges and their costs for Continuing Education courses.

Mr. Rivera commented regarding a clarification that the Board is authorized under the Education Code to set tuition, fees, and rates.

Dr. Escamilla stated the discussion for today brings into consideration the current inflation costs, and associated maintenance fees.

Ms. Keas, Dr. Leonard Rivera, and Dr. Escamilla responded to questions and input from the Board of Regents.

Regent Averyt made a motion to approve an approximate 10% tuition increase for continuing education courses as presented. Regent Hutchinson seconded the motion. There were no public comments. A vote was taken by show of hands and the motion carried unanimously 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

At 2:35 p.m., the Chair announced that the Board was going into Closed Session.

7. **CLOSED SESSION pursuant to:**

- D. 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, 1.) Annual Evaluation of College President and President's Contract.

The Board of Regents reconvened in Open Session at 3:30 p.m.

Regent Villarreal made a motion to confirm the completion of a successful annual performance evaluation for College President Dr. Mark Escamilla. Regent Hutchinson seconded the motion. Chair Scott, Regent Kelly, and Regent Hutchinson provided complimentary comments for his hard work and a job well done to Dr. Escamilla. A vote was taken by show of hands and the motion carried unanimously 9-0, with Regents Scott, Adame, Averyt, Bennett, Garza, Hutchinson, Kelly, Turner, and Villarreal in favor.

CALENDAR: Discussion and possible action related to calendaring dates.

ADJOURNMENT: The meeting was adjourned at 3:35 p.m.

MINUTES REVIEWED BY GC: /s/ARjr