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

February 5, 2019

The Regular Meeting of the Board of Regents of the Del Mar College District convened in the Isensee Board Room, Del Mar College, Corpus Christi, Texas at 10:30 a.m. on Tuesday, February 5, 2019, with the following present:

From the Board:

Ms. Carol Scott, Dr. Nicholas Adame, Mr. Ed Bennett, Ms. Elva Estrada, Ms. Susan Hutchinson, Mr. Gabe Rivas, Mr. Hector Salinas, and Dr. Mary Sherwood.

From the College:

Dr. Mark Escamilla, President and CEO; Dr. Beth Lewis, Executive Vice President and Chief Academic Officer; Mr. Raul Garcia, Vice President and CFO; Ms. Lenora Keas, Vice President of Workforce Development and Strategic Initiatives; Ms. Tammy McDonald, Vice President of Administration and Human Resources; Mr. August Alfonso, Vice President for Facilities and Operations & Chief Information Officer; Mr. Rito Silva, Vice President for Student Affairs; Mr. Augustin Rivera, Jr., General Counsel; Ms. Claudia Jackson, Executive Director of Strategic Communication and Government Relations; Ms. Mary McQueen, Executive Director of Development, Ms. Delia Perez, Board Liaison, and other staff and faculty.

CALL TO ORDER/QUORUM CALL/MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE/MISSION STATEMENT

Ms. Scott called the meeting to order with a quorum present. She requested a moment of silence followed by the Pledge of Allegiance and Mission Statement.

The Board Chair announced the Board was going into Closed Session at 10:32 a.m. pursuant to:

1. CLOSED SESSION:

- 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; including, a.) At Large Regent vacancy, 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 legal claims, or a settlement offer, with possible discussion and action in open session; and, the seeking of legal advice from counsel, with possible discussion and action in open session; and,
- c. **TEX. GOV'T CODE § 551.072**: (Deliberation Regarding Real Property), regarding the purchase, exchange, lease, or value of real property, with possible discussion and action in open session; and,
- d. **TEX. GOV'T CODE** § **551.073**: (Deliberation Regarding Prospective Gift), regarding a prospective gift or donation, with possible discussion and action in open session.

The Board went into Closed Session at 10:32 a.m.

The Board reconvened in Open Session at 12:11 p.m.

2. Discussion and possible action regarding the At Large Regent Vacancy, Del Mar College Board of Regents

(Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

Ms. Scott thanked the individuals who applied for the vacant At Large Regent position and expressed appreciation for the willingness of the nine individuals to volunteer for the opportunity to serve our students and community.

Mr. Rivas then made a motion to proceed with the interviews of three applicants, Dr. Larry Lee, Libby Averyt and Sandra Messbarger. Ms. Estrada seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, 8-0, with Regents Scott, Adame, Bennett, Estrada, Hutchinson, Rivas, Salinas, and Sherwood in favor.

The Board recessed for lunch at 12:12 p.m.

The Board reconvened at 1:00 p.m.

RECOGNITIONS:

Special Recognition

Mr. Trey McCampbell, Board of Regent, November 2004 - December 2018

Ms. Scott stated that she served four years on the Board with Chair McCampbell, and has known him prior to that as a friend and colleague. He brought passion, intelligence, commitment, dedication, and organizational skills to the Board.

Regents Rivas, Adame, Hutchinson, Sherwood, Salinas, and Bennett spoke briefly to thank Mr. McCampbell for his service to the College and community.

Dr. Escamilla thanked Mr. McCampbell for his leadership and stated that \$296M in investment to this community came through Trey's leadership, with 12,000 students on the credit side and almost the same number on the non-credit side with an all-time high graduation rates in the past two springs. These things are part of what will transform this community forever.

Mr. McCampbell stated that it was his sincere pleasure to work on the Board of Regents and work alongside each of the Board members and phenomenal staff. He spoke about the work that Del Mar College does that is life changing, while sharing his personal experiences at the College. In 2004 when he was elected to the Board it was his opportunity to pay back to the College and be part of the group that changed lives.

• Dr. Judi Phillips, Professor of Kinesiology, 2018 Aileen Creighton Award recipient (Goal 3. Professional Initiatives: Provide Innovative, Relevant, and Meaningful Opportunities)

Dr. Phillips, Professor of Kinesiology, is the 2018 and 17th recipient of the highly coveted Aileen Creighton Award for teaching excellence. The award represents the late educator's legacy as a master teacher and serves as the benchmark faculty must emulate to receive the honor. Dr. Phillip's portfolio highlighted over 31 years of teaching at Del Mar College. Dr. Lewis highlighted Dr. Phillip's accomplishments and contributions throughout her career.

• Dr. Tammy Donaldson, Assistant Professor of Reading, Appointed Vice President of the Association of Literacy Educations and Researchers (Goal 6. Partnerships: Expand Opportunities for Mutually-Beneficial Alliances)

Dr. Tammy Donaldson, Assistant Professor of Reading, and Faculty Coordinator of Developmental Education, was appointed Vice President of the Association of Literacy Educators and Researchers. Her term officially began after Fall 2018. Dr. Donaldson began teaching at the College in 2012 and is a Tenured Assistant Professor and provides great leadership as Faculty Coordinator of Development Education.

Gene Power, Professor of Kinesiology and Kristy Urbick, Instructor of
Kinesiology/Intramural Director, won first place in research section for presentation on
College Personal Fitness Versus Yoga Courses at the annual Texas Association for
Health, Physical Education, Recreation and Dance Convention
(Goal 3. Professional Initiatives: Provide Innovative, Relevant, and Meaningful
Opportunities)

Gene Power, Professor of Kinesiology and Kristy Urbick, Instructor of Kinesiology/Intramural Director, won first place in the research section's poster presentation at the annual Texas Association for Health, Physical Education, Recreation and Dance Convention. The research was entitled Movement, Screening, and Mobility Training in Community College Personal Fitness Versus Yoga Courses.

STAFF REPORTS:

Dr. Escamilla stated that the College's Enterprise Resource Planning system that the College has had for many years is being reviewed and scrutinized and it is time for the College to evolve with a new ERP. There has been a lot of internal vetting at the College and when he is able to tell his colleagues around the state that faculty, staff and

administrators alike are anxiously awaiting this and want it to happen soon, it is hard for them to believe because usually there is a resistance. This speaks to the leadership of Mr. Alfonso, his team, faculty and staff in preparing for the future of this College. Today is a kickoff that will launch the College at least into the next decade.

Mr. Alfonso concurred that there is usually a resistance to such a major change; technology has changed since the College procured the existing ERP in 2008.

Craig Brashears, Professor of Drama, represented faculty and spoke about faculty's endorsement and participation in this project. He was the previous Faculty Council Chair and worked with Mr. Alfonso on this project for the past two years and the current Faculty Council Chair is presently working with him. He looks forward to this RFP being nudged forward.

Mr. Alfonso provided information relating to ERP Research and what the important functions they will look for in the ERP and that it must make sense to the students of today and the students of the future. The Request for Proposal (RFP) for the solicitation of a new ERP system will be released February 2019. They plan to bring it back to the Board in April or May 2019.

Dr. Escamilla and Mr. Alfonso responded to questions from the Board.

• DMC Steps Taken Due to Government Shutdown (Goal 2. Student Learning Success: Ensure Exceptional Educational Opportunities for All Students)

Dr. Escamilla recognized and thanked the College for its efforts in reaching out to all individuals affected by the government shutdown. Various steps were taken from the Foundation and Financial Aid to assist students affected by the shutdown.

Dr. Silva and Ms. McQueen spoke about contacting and assisting students who may have been affected during the government shutdown.

 January 9 and 10, 2019: TACC Executive and Legislative Committee Meetings, and Texas Success Center Winter Funders Meeting (Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

On January 9 and 10 Dr. Escamilla attended the Texas Association of Community College's Executive and Legislative Committee Meetings in preparation for their Quarterly Meeting as well as attending the Texas Success Center's Winter Funders Meeting.

• January 16, 2019: Del Mar College and Western Governor's University MOU Signing (Goal 6. Partnerships: Expand Opportunities for Mutually-Beneficial Alliances)

Del Mar College collaborated with Western Governor's University on January 16th for an MOU signing. Dr. Steve Johnson, Chancellor of WGU was present and signed the MOU. WGU works with students who have been in and out of school and accumulated a good amount of hours and they work with these students to carry their credits across to a four year degree.

January 17, 2019: Dr. Hector P. Garcia Birthday Celebration
 (Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

On January 17th, Dr. Escamilla was honored and proud to be the speaker for Dr. Hector P. Garcia's Birthday Celebration. The College was able through the support of the Foundation and generous donors to invite approximately 40 people from the College, with most of them being with the Next Generation Leadership Academy. Dr. Escamilla spoke at the event about imparting the values of Dr. Hector and all the things he has meant to him as he grew up in the community, what he meant to his family and how his parents raised them to revere and listen to this great American. He was honored to be the keynote speaker.

• January 23, 2019: TACC Quarterly Board Meeting (Goal 6. Partnerships: Expand Opportunities for Mutually-Beneficial Alliances)

On January 23rd Dr. Escamilla attended TACC's Quarterly Board Meeting. As the legislative session begins there is much work to be done. His role at the Association has grown and he is very busy in Austin.

• January 30, 2019: Community College Day (Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

January 30th was Community College Day for the State of Texas and Del Mar College showed up to the Capitol in a big way. He thanked the Regents that were able to attend. The College took 65 students, faculty and staff members and had a wonderful opportunity for Del Mar College to promote itself and support the other 49 sister institutions across the state.

REGENTS' COMMENTS:

• Community College Day..................Regents Bennett, Estrada, Rivas and Sherwood (Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

Regents Estrada, Bennett, Rivas and Sherwood attended Community College Day and shared highlights from that day.

PENDING BUSINESS:

Status Report on Requested Information

(Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

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:

Positioning)

(At this point the Board will vote on all motions not removed for individual consideration.)

ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

- 3. Approval of Minutes:
 Regular Board Meeting, December 11, 2018
 Called Meeting, January 7, 2019
 (Goal 5. Advocacy: Advance the College Mission Through Effective Governance and
- 4. Acceptance of Investments for December 2018 (Goal 7. Resources: Ensure Strong Financial and Operational Capacity)
- 5. Acceptance of Financial Statement for December 2018 (Goal 7. Resources: Ensure Strong Financial and Operational Capacity)

Ms. Estrada made a motion to approve the consent agenda items. Mr. Rivas seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, 8-0, with Regents Scott, Adame, Bennett, Estrada, Hutchinson, Rivas, Salinas, and Sherwood in favor.

REGULAR AGENDA

6. Discussion and possible action to accept the Internal Audit Report for Grants Management, Follow Up Reports for Admissions & Registrar, Financial Aid, Human

Ms. Tammy McDonald introduced Daniel Graves and Brandon Tanous with Weaver to present various Internal Audit Reports.

Mr. Graves stated that they would cover the Completed 2019 Internal Audit, and the Internal Audit over Grants Management, 2019 Completed Follow-Up Internal Audits, 2019 Internal Audit Activities in Progress, and Remaining 2019 Internal Audit Activities.

• Grants Management: They started field work in October through December and finished their reporting in late January. It covered the Grants Office, the Finance Office, and the Foundation. Mr. Graves reviewed the summary results of the Grant Management Audit. They had 3 objectives and 6 findings with 3 high and 3 moderate. Brandon Tanous reviewed the findings and recommendation, with the main recommendation being standardization. Management has responded to the findings and will have the findings completely remediated by December 2019.

Dr. Escamilla and Mr. Garcia responded to questions from the Regents relating to the Grants Management Internal Audit.

Mr. Graves reviewed the 2019 Completed Follow Up Internal Audits:

- Admissions and Registrar: There were 8 findings and all but 2 have been partially remediated. There were initially 25 findings and as of today there are only 2 that remain open: Advisor Training and Advisory Continuing Education.
- o Financial Aid: There were 6 findings, with 5 remediated. There is one open finding that relates to the return of federal funds and much of it has to do with the transition for the head of Financial Aid. There was a retirement, an interim director and they now have a new director.
- Human Resources: There were 9 initial findings with 4 previously remediated, 4 remediated and one open that is partially remediated that relates to incomplete College policies that should come to the Board for review and approval in the Spring of 2019.
- Accounts Payable and Disbursements: Five findings identified, 3 were remediated and 2 were partially remediated. Efforts have been made by management to address the two partially remediated findings, one finding being the P Card Policy and Procedures and the second one Inappropriate User Access. Internal Audit will conduct follow-up procedures to validate remediation efforts on the remaining open findings in Fiscal Year 2020.

Mr. Graves reviewed the 2019 Internal Audit activities in progress and the schedule for the remaining activities.

Mr. Bennett made a motion to approve the Internal Audit Report. Ms. Hutchinson seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, 8-0,

with Regents Scott, Adame, Bennett, Estrada, Hutchinson, Rivas, Salinas, and Sherwood in favor.

(Goal 7. Resources: Ensure Strong Financial and Operational Capacity)

Mr. Garcia introduced Ms. Linda Patterson to provide overall market insight and the position of the College in terms of investments. Mr. Garcia informed the Board that during the government shutdown the College had strong liquidity, being able to operate for over 8 months with no other cash flow.

Ms. Patterson provided information relating to the volatility and tensions in the market. She provided an overview of the makeup of the College's portfolio, with much of the assets being liquid.

In November total fiscal year earnings to date were \$359,990. She reviewed asset allocations, an overview of 2016, 2017, and 2018 tax bond funds, with fiscal year earning to date of \$892,786.

Dr. Escamilla, Mr. Garcia and Ms. Patterson responded to questions from the Regents.

Mr. Rivas made a motion to approve the Quarterly Investment Report. Dr. Adame seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, 8-0, with Regents Scott, Adame, Bennett, Estrada, Hutchinson, Rivas, Salinas, and Sherwood in favor.

8. Discussion and possible action related to the acceptance of the 100% Design Development of the South Side Campus Phase 1A Project and authorizing the administration to proceed with the Construction Documents development of the project...........Mr. August Alfonso

(Goal 7. Resources: Ensure Strong Financial and Operational Capacity)

Mr. Alfonso informed the Board that Gensler Architects and Turner Ramirez Architects had completed their work of 100% design of the South Side Campus Phase 1A and would present it for the Board's consideration and approval.

Mr. Alan Colyer thanked Dr. Escamilla and the Board for inviting them today to discuss the current design of the South Side campus. They began that process one year ago, working with the Board, the Executive Team, and many department heads and faculty. They began with the vision, attributes and values of the campus and synthesized these into characteristics.

Mr. Luis Ayala discussed the design of the campus, including:

- Characteristics of the design;
- Elements considered, including scientific information;
- Landscape design;
- Skin of the building, brick, and using four shades to create the gradient of the sunrise over the bay;
- Renderings depicting culmination of design process;
- Description of the three buildings: Main Building, STEM Building and Culinary Arts. Depending on market conditions, there will be items that can be added and hopefully the water feature is one of these items that can be included;
- Overview of the floor plans for the three buildings (Phillip Ramirez described the floor plan for Culinary Arts)

Mr. Paul Wilhelms presented information regarding the construction budget, reporting that they are on target. They prepared a list of add alternates as well as a few deduct alternates to cover factors that are outside of their control, optional items that give them flexibility when it comes down to the pricing.

Mr. Wilhelms discussed the next steps as they complete the design development phase: starting construction documents after approval of design, bidding in May and July, and depending on contract process, begin construction in Summer of 2019 with occupancy in Summer of 2021.

Mr. Rivas made the motion to accept 100% design and authorize administration to proceed with construction documents and development of the project. Dr. Adame seconded the motion. Ms. Scott thanked the Board, Dr. Escamilla and Dr. Lewis for leading the internal steering committee and their input, she applauded them for their attention to detail on this project. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, 8-0, with Regents Scott, Adame, Bennett, Estrada, Hutchinson, Rivas, Salinas, and Sherwood in favor.

(Goal 7. Resources: Ensure Strong Financial and Operational Capacity)

Mr. Alfonso reported that the College issued RFP # 2018-08 for the 2014 Bond Audio Visual Systems Contractor for the following 2014 Bond Construction Projects: Emerging Technology Expansion and Workforce Development Center.

The Audio Visual standards and specifications were designed and developed by the 2014 Bond technology consulting firm, Datacom Design Group.

The following four firms submitted qualification statements and competitive sealed proposals for consideration: Data Projection, Inc., Ford AV, Troxell Solutions, and Whitlock AV.

The evaluation committee's recommendation is Ford AV, with a contract amount of \$2,075,634.53.

Mr. Alfonso responded to questions from the Regents:

Ms. Estrada made a motion to accept recommendation and authorize administration to proceed with awarding a contract. Mr. Salinas seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, 8-0, with Regents Scott, Adame, Bennett, Estrada, Hutchinson, Rivas, Salinas, and Sherwood in favor.

10. Discussion and possible action regarding the increase of the College's academic tuition rates by a total of \$3.00 per semester credit hour.......Mr. Raul Garcia

(Goal 7. Resources: Ensure Strong Financial and Operational Capacity)

Dr. Escamilla provided an introduction to Mr. Garcia's presentation on updates to tuition rates. He stated that administration has evaluated the recommendations carefully and with all seriousness for the students it will impact and with regard to the accessibility components of the College's mission.

Mr. Garcia reviewed key factors in determining student tuition and fee rates and evaluate student affordability indicators relative to the College's peer institutions.

Key factors included legislative reform, affordability, strategic initiatives, and economic conditions. Del Mar College's share of State funding is determined by contact hour production relative to other Texas institutions.

In comparing affordability components from the IPEDS reporting with other institutions such as Coastal Bend, Texas A&M University-Kingsville, and Texas A&M University-Corpus Christi, Del Mar College's tuition discount rate is approximately 55%, which means that more than half of tuition and fees is paid by some form of financial aid. The average student Pell award is \$4,337 in FY 2016-2017. Del Mar College is the second highest in tuition discount in comparison of state-wide institutions such as Amarillo College, Laredo Community College, North Central College, South Plains College, and Tyler Junior College.

Ms. Scott stated that these institutions are comparable because they reflect a similar student enrollment number as Del Mar College.

Tuition and fee changes over the years vary based on various factors, primarily on the availability of State funding. Credit hour increases have ranged from \$0 to \$9, the average over the years is \$3.50. Noncredit fee has ranged from \$0-10, with an average

increase of \$3. The College experienced a decrease in State funding of \$2.1 million from 2011 to 2014. The College responded by restructuring and making changes to the fee structure. A comparison of semester hour rates with various institutions was presented.

On average, a DMC student registers for an average of eight credit hours per semester. The cost of attendance is approximately \$885 per semester. Del Mar College students receive the largest amount of Pell awards and carry the least amount of debt.

Mr. Garcia presented the scenarios for tuition increases to the Regents. A \$2 increase will allow the institution to operate at the same level of purchasing power as in FY 2019. The College is considering a student outreach initiative to educate students on the benefits of student financial aid programs.

Mr. Garcia and Dr. Silva responded to questions from Regents regarding financial aid efforts and options for students.

Mr. Garcia recommended a \$3 increase to tuition, which is \$2 above the required \$1 increase in policy.

Mr. Bennett made a motion to increase tuition by \$3 per semester credit hour. Ms. Estrada seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, 8-0, with Regents Scott, Adame, Bennett, Estrada, Hutchinson, Rivas, Salinas, and Sherwood in favor.

(Goal 7. Resources: Ensure Strong Financial and Operational Capacity)

Mr. Garcia reviewed the Quarterly Financial Report ending November 30, 2018. He provided information in the Income/Expense Statement, with total revenues increasing by \$1.8M over last year's \$27.9M, due mainly to changes in the appraised values of the properties and the M&O rate change from 2018 to 2019. Total revenues is trending as expected at 30% of the planned budget, which is consistent with prior year's 29%. Expenses are \$20.8M and are also trending consistently with the prior years at \$21.2M. Total expenses are trending as expected relative to the budget.

Mr. Garcia also reviewed the Balance Sheet and indicated that the College's liquidity position is stronger relative to twelve months ago. Combined cash and investment total in the operating funds as of November 30, 2018 is \$49M. The College can continue to operate for seven months with no additional inflow of cash. In 2017 the total was \$42M with a six month operating capability with no additional inflow of cash. Mr. Garcia provided a brief overview of the remainder of the Balance Sheet.

Mr. Garcia responded to questions from the Regents.

Dr. Sherwood made a motion to accept the financial statement.

Mr. Salinas seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, 8-0, with Regents Scott, Adame, Bennett, Estrada, Hutchinson, Rivas, Salinas, and Sherwood in favor.

Note: Ms. Estrada left the meeting at 4:05 p.m.

Ms. McDonald stated that as a result of the Human Resources internal audit, Board Policy B5.7 Restriction/Relatives, is being recommended for revision and approval. Recommended policy and title revisions are to provide a more comprehensive policy, to formalize College compliance with state nepotism statutes and guidelines, and to follow best practices as outlined in the Texas Human Resources Management Statutes Inventory of policies.

Ms. Hutchinson brought one typo correction to Ms. McDonald's attention in B5.7 "compensated from public funds" instead of "compensated for public funds".

Mr. Bennett made a motion to adopt the revisions to Board Policy 5.7 with the substitution of one word. Dr. Adame seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, 8-0, with Regents Scott, Adame, Bennett, Estrada, Hutchinson, Rivas, Salinas, and Sherwood in favor.

GENERAL PUBLIC COMMENTS (Non-Agenda Items) – 3-minute time limit

Jack Gordy: General public comment regarding a Public Information Request.

Dr. Jannell Bennett: General public comment regarding College employee.

Ms. Simone Sanders: General public comment regarding College employee.

Rev. Claude Axle: General public comment regarding College employee.

Ms. Tina Butler: General public comment regarding Board Policy B5.43.6.

CALENDAR: Discussion and possible action related to calendaring dates.

ADJOURNMENT: The meeting was adjourned at 4:33 p.m.

MINUTES REVIEWED BY GC: /s/AR