

LAREDO COMMUNITY COLLEGE DISTRICT
Laredo, Texas

The regular meeting of the Laredo Community College Board of Trustees convened on Thursday, August 4, 2016, beginning at 6:10 p.m. in the Samuel A. Meyer Board Room at the Elpha Lee West Building room 105 at the Fort McIntosh Campus.

	<u>MEMBERS PRESENT</u>	<u>OTHERS</u>
ROLL CALL	Mercurio Martinez Jr, President	Ricardo J. Solis
	Allen Tijerina, Vice President	Rusty Meurer,
	Cynthia Mares, Secretary	College Attorney
	*(arrived at 6:20 p.m.)	Vince Solis
	Rene De La Viña	Nora R. Garza
	Gilberto Martinez Jr.	Nora Stewart
	(arrived at 6:15 p.m.)	Cesar E. Vela Jr.
	Michelle De La Pena	Orlando Zepeda
	(arrived at 6:15 p.m.)	Deirdre Reyna
	Jackie Leven-Ramos	Sara Alicia Pompa
	Tita C. Vela	
	Chris Turner, Ex-officio	

MEMBERS ABSENT
Leonides G. Cigarroa Jr.

CALL TO ORDER

Judge Mercurio Martinez Jr., Board President, called the meeting to order. Board Vice President, Mr. Allen Tijerina called the roll. A quorum of the members was present.

Judge Martinez officially welcomed Dr. Ricardo J. Solis, President of Laredo Community College and offered the Board's assistance and support. Board Members expressed their views and welcomed him to LCC.

Dr. Ricardo J. Solis said, "I appreciate the comments. Not to take away any of our time from this busy schedule, I just want to say it is such an honor to be at this incredible institution. But, more importantly to this very progressive, visionary community of Laredo, Texas. For me it is such an exciting time. I look forward to be part of this for a very, very long time. This community has opened their arms to me and my wife. We are thoroughly excited and we look forward to be part of this visionary institution. Thank you."

Judge Martinez acknowledged the following for the record: "On behalf of the Cesar Chavez Memorial Alliance of South Texas, I would like to congratulate you on your appointment as President of the Laredo Community College." He mentioned the letter was signed by the president, Mr. Manuel Bocanegra.

**APPROVAL OF MINUTES
FOR: REGULAR BOARD OF
JUNE 30, 2016**

Board Member, Mr. Rene De La Viña, moved to approve the minutes as presented. The motion was seconded by Mr. Tijerina; motion carried. Judge Martinez noted for the record the arrival of Ms. Mares.*

PUBLIC TESTIMONY

Judge Martinez provided information from the Board Policy to clarify the topics presented under public testimony.

"Each person shall be allowed three minutes to address the Board. When there are six or less speakers scheduled, the President of the

Board may extend each speaker's time to five minutes. Time may not be ceded from one speaker to another. The Board President may also limit the total amount of time for public testimony but not to less than thirty minutes. The speaker may not speak on personnel or student matters that refer to individuals by name or title. After a speaker's comments, the Board President shall make whatever response, if any, to take whatever action, if any, is deemed appropriate to handle the matter. Such response or action may include the following: 1) referring the matter to the College President for action or for further recommendation, 2) referring the matter to a later meeting or to a Board committee for further discussion or study, and 3) indicating that the matter shall be taken under advisement. If the Board President determines that a person has not attempted to resolve a matter administratively, the person shall be directed to the appropriate policy for attempted resolution before bringing the matter to the Board."

Veronica Burgoa, UISD Migrant Program Coordinator, asked the Board to consider continuing to waive the out-of-district tuition for migrant students and consider placing an item on the agenda for the next meeting.

Demetrius Bullard presented student concerns with Item 16 – Consider Food Services Agreement between the Laredo Community College and Las Kekas Restaurant, LLC.

Ignacio Davila expressed his views and opinions regarding Item 18 – Status Report concerning the Requests for Proposals for Custodial Services for Laredo Community College.

Sylvia Praesel, Executive Director and Founder for Consortium for Apprenticeship Partners in Economic Development (CAPED) mentioned a kickoff conference (200 attendees) took place July 25th at TAMIU. The Texas Workforce Commission has identified this project as a pilot for the entire State of Texas, and she looks forward to working with LCC and the community to bring apprenticeships to the region.

President, Dr. Ricardo J. Solis, introduced Trustee Ms. Jackie Leven-Ramos. Ms. Leven-Ramos honored the members who participated on the Executive Search Committee and presented each with a recognition award and on behalf of the Board thanked each individual for their service and dedication to Laredo Community College. The recipient list follows:

**RECOGNITIONS,
INTRODUCTIONS, AND
COMMUNICATIONS**

**PRESIDENTIAL SEARCH
COMMITTEE MEMBERS AND
AMBASSADORS**

LCC PRESIDENTIAL SEARCH COMMITTEE

1. Mr. Mercurio Martinez, Jr.
2. Ms. Jackie Leven Ramos
3. Ms. Ernestina "Tita" C. Vela
4. Mr. Cliff Killam
5. Ms. Rosie Ramirez
6. Ms. Toni Ruiz
7. Mr. Robert Ochoa
8. Mr. Juan de Dios Ibarra
9. Dr. Matthew Bishop
10. Dr. Laura Cruz Garza
11. Dr. Esmeralda Vargas
12. Ms. Norma Moore
13. Ms. Ofelia Ostiguin

LISD/LISD Superintendents

1. Dr. A. Marcus Nelson
2. Mr. Roberto J. Santos

LCC Leadership Team

1. Dr. Vincent Solis
2. Mr. Luciano Ramon
3. Ms. Nora Stewart
4. Ms. Deirdre Reyna
5. Mr. Orlando Zepeda

14. Ms. Yolanda Gonzalez
15. Ms. Jennefer Hernandez

Administrative Assistants

1. Ms. Raquel Mata
2. Ms. Vicky Villalobos

LCC Ambassadors

1. Ms. Raquel Peña
2. Mr. Troy Van Brunt
3. Mr. Steven Aguilar
4. Ms. Priscilla Medina
5. Ms. Marissa Longoria
6. Ms. Sara Pompa
7. Dr. Marisela Rodriguez
8. Ms. Roxanne Vedia
9. Ms. Sandra Cortez
10. Mr. Alfredo Iñiguez
11. Mr. Rodney Rodriguez

Dr. Ricardo Solis recognized Trustee Leven-Ramos for her selection to participate as a member of the National Association of Latino Elected Officials and acknowledged she obtained a scholarship to attend their conference.

Dr. Vince Solis, Vice President for Instruction and Student Services, welcomed President Dr. Solis and introduced Ms. Cynthia Rodriguez – Student Engagement Assistant Librarian, Mr. Mario J. Arredondo Jr.-Technology Specialist, Mr. Ramiro Hernandez – Graduation & Career Services Specialist.

Dr. Nora R. Garza, Vice President for Resource Development, extended President Dr. Solis a welcome and introduced Ms. Sara Saldana – Data & Retention Specialist.

Trustee Leven-Ramos congratulated Ms. Cynthia Rodriguez, commended her for her service and diligence to continue her education, and mentioned that the only reason she knows this is because, “she is studying to be a librarian.”

**FACULTY ASSEMBLY
SENATE REPORT**

Mr. Chris Turner, Faculty Senate Vice President, congratulated the Board’s wisdom on the selection of Dr. Solis as president for the College. He reported the Faculty Senate is 100% supportive of Item 14 – Approval of new titles for faculty members at Laredo Community College, mentioned it would be a small morale boost for the faculty, and reported Ms. Bickel returns next week. Ms. Cynthia Mares, Board Secretary, made a motion to move up items 10, 11, and 12 and was seconded by Mr. De La Viña; motion carried.

**DISCUSSION AND
POSSIBLE ACTION****DISCUSSION AND POSSIBLE
ACTION TO APPROVE THE
2016 CERTIFICATION OF
THE TAX ROLL**

-MS. NORA STEWART

Ms. Patricia Barrera, Webb County Tax Assessor-Collector, reported the 2016 certified tax roll for LCC is \$11,736,870,895 (freeze adjusted taxable value). The total appraised value is \$14,827,403,023 with exemptions of \$2,366,394,240 and a freeze taxable value (10,014 accounts) of \$724,137,888. She asked the Board to vote on the appraised values. Ms. Mares so moved. The motion was seconded by Ms. Leven-Ramos; motion carried.

**DISCUSSION AND POSSIBLE
ACTION TO APPROVE THE
ANTICIPATED COLLECTION
FOR 2016 OF 100%**

- MS. NORA STEWART

Ms. Barrera explained the anticipated collection of 100% is okay because collections can surpass or go under that amount. She asked the Board to vote. Judge Martinez, on behalf of the Board, congratulated Ms. Barrera for the exceptional job she does on the tax collection services for the College. After the discussion, Ms. Mares made a motion to approve the anticipated collection for 2016 of 100% and was seconded by Mr. De La Viña; motion carried.

DISCUSSION AND POSSIBLE ACTION ON TAX RATE, IF PROPOSED TAX RATE WILL EXCEED THE EFFECTIVE TAX RATE, TAKE RECORD VOTE (TO CONSIDER THE TAX INCREASE) AND SCHEDULE PUBLIC HEARINGS (DATE, TIME AND PLACE)

– MS. NORA STEWART

Ms. Barrera distributed a planning calendar, noted the proposed tax rate \$0.343000/\$100 is above the effective tax rate of \$0.318164/\$100, and that requires two public hearings which she has to advertise informing the public there will be a tax increase. She provided the Board with the following dates:

- August 18th - the first public hearing,
- August 25th - the second public hearing, and
- September 1st - the date to adopt the budget.

She asked the Board to take a record vote if they agreed with the dates and that the meetings be held at 6:00 p.m. Discussion followed. Mr. De La Viña made a motion to approve Item #12 (a proposed tax rate of \$0.343000/\$100). Mr. Tijerina seconded the motion. Ms. Barrera added that the two public hearings be held on August 18th and 25th. Legal Counsel, Mr. Rusty Meurer, suggested the Board adopt the planning calendar as presented by Ms. Barrera. Mr. De La Viña amended the motion as suggested by Mr. Meurer and Mr. Tijerina seconded the motion; motion carried unanimously. Board Member, Dr. Gilberto Martinez Jr., made a motion to move up Item 14. Ms. Mares seconded the motion; motion carried.

APPROVAL OF NEW TITLES FOR FACULTY MEMBERS AT LAREDO COMMUNITY COLLEGE- DR. VINCE SOLIS

Dr. Vince Solis presented the item's background with the proposal by the Faculty Senate regarding faculty titles. Dr. Martinez voiced his questions, expressed his personal opinion regarding the requirement to obtain the title of "Professor", and mentioned the cost should reflect the amount needed to print and replace faculty business cards. President Solis mentioned he would visit and consult with the faculty on this matter. After the discussion, Ms. Mares moved to defer this item. The motion was seconded by Mr. De La Viña; motion carried.

JUNE 2016 FINANCIAL REPORT AND APPROVAL OF MAY 2016 QUARTERLY INVESTMENT REPORT

– MR. CESAR E. VELA JR.

Mr. Cesar E. Vela Jr., Comptroller, welcomed President Solis to LCC. He reported that as of June 30, 2016, year-to-date:

- Revenue was \$56.6 million equal to 104.7% of the budget,
- Pending transfers of \$3.5 million to pay the revenue bonds and \$3,075,000 to pay the maintenance tax notes, (to be reflected in July report),
- The deficit in Tuition of offset by the additional revenue in the Dual Enrollment Tuition item,
- Expenses are \$40.7 million equal to 75.31% of budget
- Savings in the salary line item is helping control costs this year
- Tax collection for this year is high, 97.19% currently collected

Mr. Vela reviewed the June monthly and May quarterly investment reports, the general operating fund balance, and a quick overview of the fund balances. Ms. Mares made a motion to acknowledge the June monthly financial report and approve the May quarterly investment report. Board Member, Ms. Tita C. Vela, seconded the motion; motion carried. Ms. Mares made a motion to move up Item 18 and was seconded by Mr. De La Viña; motion carried.

STATUS REPORT CONCERNING THE REQUESTS FOR PROPOSALS FOR CUSTODIAL SERVICES FOR LAREDO COMMUNITY

Ms. Mares summarized the status of this item, mentioned the committee met and decided to go out for proposals, Mr. Zepeda was instructed to begin process with stipulation that proposal be reviewed

by the committee before coming to the Board. Ms. Mares reported that an item should have been placed on the agenda for Board approval since the committee had no authority. She asked for a status report and if the Board wanted to move forward and seek requests for proposals for custodial services? Discussion followed. Mr. Orlando Zepeda, Chief Officer for Facilities and Oil & Gas Institute, presented his recommendation. President, Dr. Solis, mentioned it was important to consider all employees and reported that most colleges use a hybrid program (60-40). Ms. Mares noted a decision needs to be made. Ms. Leven-Ramos concurred and noted that this has been considered for two years and needs a resolution. Ms. Mares noted that no action would take place today but the item could be brought for Board official action. After additional discussion, Judge Martinez instructed Mr. Zepeda to follow through have the committee meet with President Dr. Solis and try to resolve it. Ms. Mares recommended Mr. Zepeda provide three options (as discussed with the committee), have a committee meeting to review options and begin proposal, and place the item on the Board agenda. Judge Martinez noted that the consensus of the Board was that no employee would lose his/her job.

**ORDERING ELECTION FOR
BOARD OF TRUSTEES
POSITIONS 1, 2, AND 3 AS
PER BOARD POLICY, THE
TEXAS ELECTION CODE,
AND TEXAS EDUCATION
CODE**
- MS. DEIRDRE REYNA

Ms. Deirdre Reyna, Communications and Institutional Effectiveness Officer, welcomed President Solis and presented the background information for this item. Ms. Reyna mentioned the first motion would be for the Board to order the election (November 8, 2016) and sign an order calling the election for Board places 1, 2, and 3 with the Early Voting Schedule set as indicated in the contract under Exhibit F. Ms. Mares so moved and was seconded by Ms. Vela. Judge Martinez asked that the record reflect five Board Members are present and unanimously approved. Ms. Reyna presented the second motion that the Board authorize the College President to enter into a Joint Election Services Contract with the County Elections Administrator for Webb County to conduct and supervise the Joint Elections of November 8, 2016. LCC's portion of the contract is estimated at \$79,215.65. Ms. Mares moved to enter into a Joint Election Services Contract with the County Elections Administrator for Webb County in the approximate amount of \$79,215.65 and was seconded by Ms. Leven-Ramos; motion carried. Ms. Reyna summarized the third item required the Board adopt the resolutions Exhibit B, C, D & E of the Joint Election Services Contract with the County Elections Administrator for Webb County for the November 8, 2016 Joint Election. Ms. Mares moved to adopt resolutions Exhibit B, C, D, & E; motion was seconded by Mr. De La Viña; motion carried. Judge Martinez asked that the record reflect six Trustees voted in favor.

**RATIFICATION OF
MATCHING FUNDS FOR
STARS SCHOLARSHIP TO
BENEFIT LCC STUDENTS**
- MS. SARA A. POMPA

Ms. Sara Alicia Pompa, Director of Donor Relations and Special Projects, requested the Board ratify matching funds (\$20,000.00) for the STARS scholarship program as per agreement submitted on July 2nd and presented the item's details. Ms. Mares so moved. The motion was seconded by Ms. Vela; motion carried.

REVIEW AND ACT TO ADOPT EXHIBITS FOR THE FOLLOWING LAREDO COMMUNITY COLLEGE BOARD OF TRUSTEES LOCAL POLICIES

– MS. VERONICA CARDENAS AND MR. RUSTY MEURER

- DIAA(EXHIBIT): FREEDOM FROM DISCRIMINATION HARASSMENT, AND RETALIATION - SEX AND SEXUAL VIOLENCE ADD
- DIAB(EXHIBIT): FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION – OTHER PROTECTED CHARACTERISTICS ADD

Judge Martinez asked for a motion to formally approve the exhibits. Mr. De La Viña so moved and was seconded by Ms. Mares; motion carried.

CONSIDER FURNISHING TRUSTEES WITH ELECTRONIC COPIES OF BOARD MEETING AGENDAS AND THE BACKGROUND DOCUMENTS CONTAINED IN THE BOARD PACKETS AND PROVIDING TRUSTEES WITH ADEQUATE ACCESS TO THESE MATERIALS DURING BOARD MEETINGS

– MS. JACKIE LEVEN-RAMOS

Ms. Leven-Ramos presented the Board her views in favor of using an electronic format for Board documents instead of paper booklets and mentioned options for the Board’s consideration. Discussion followed. Mr. De La Viña so moved to approve item 15 and was seconded by Ms. Leven-Ramos; motion carried.

CONSIDER FOOD SERVICES AGREEMENT BETWEEN THE LAREDO COMMUNITY COLLEGE AND LAS KEKAS RESTAURANT, LLC – MS. JACKIE LEVEN-RAMOS

Ms. Leven-Ramos moved that the Laredo Community College terminate the food services agreement with Las Kekas Restaurant, LLC pursuant to Article 3 of the agreement effective 120 days after the date on which the College provides written notice of intent to terminate and that administration provide Las Kekas Restaurant LLC with 120 days prior written notice of intent to terminate the agreement specifying the termination date. Ms. Mares seconded for the sake of discussion. During the discussion, legal counsel was asked for information. Mr. Meurer suggested that he provide legal advice in executive session under Section 551.071 of the Texas Government Code. Ms. Leven-Ramos rescinded her motion and Ms. Mares rescinded her second. Judge Martinez so acknowledged. Ms. Mares moved to defer this item for discussion with the other items in executive session. Mr. Tijerina seconded the motion; motion carried.

CONSIDER AND NOMINATE A MEMBER OF THE LAREDO COMMUNITY COLLEGE BOARD OF TRUSTEES TO SERVE ON A COMMITTEE OF THE BOARD OF DIRECTORS OF THE ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES

– MS. JACKIE LEVEN-RAMOS

Ms. Leven-Ramos explained this was an opportunity for the Trustees to be nominated to serve on a committee that convenes in October in New Orleans. ACCT is seeking members from different community colleges. She brought this to the Board to possibly nominate one Board member to be part of this ACCT committee. Mr. De La Viña nominated Ms. Leven-Ramos for that committee. The motion was seconded by Ms. Vela; motion carried.

EXECUTIVE SESSION

At 8:05 p.m., Judge Martinez entertained a motion for the Board to go into executive session for the items below:

- CLOSED SESSION MEETING WITH LAREDO COMMUNITY COLLEGE DISTRICT ATTORNEY TO DISCUSS EEOC CHARGE NO. 451-2016-00676 AND LITIGATION MATTER STYLED CAUSE NO. 2015CVZ001646D1; CYNTHIA ARADILLAS VS. LAREDO COMMUNITY COLLEGE; IN THE DISTRICT COURT, 49TH JUDICIAL DISTRICT, WEBB COUNTY, TEXAS PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.071 AND 551.074.
– MR. RUSTY MEURER
- DISCUSSION WITH LAREDO COMMUNITY COLLEGE DISTRICT ATTORNEY CONCERNING LEGAL ISSUES RELATED TO ADOPTION OF A POLICY OF PROGRESSIVE DISCIPLINE FOR LAREDO COMMUNITY COLLEGE EMPLOYEES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 – MR. RENE DE LA VINA
- DISCUSSION WITH LAREDO COMMUNITY COLLEGE DISTRICT ATTORNEY CONCERNING LEGAL ISSUES RELATED TO THE SELECTION OF A FIRM FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 – MR. RENE DE LA VINA

**EXECUTIVE SESSION
CONTINUED**

- CONSIDER FOOD SERVICES AGREEMENT BETWEEN THE LAREDO COMMUNITY COLLEGE AND LAS KEKAS RESTAURANT, LLC PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 – MS. JACKIE LEVEN-RAMOS

Mr. De La Viña so moved and was seconded by Ms. Vela; motion carried. The Board reconvened to open session at 9:27 p.m. Judge Martinez noted for the record that no action took place in executive session.

DISCUSSION AND POSSIBLE ACTION

**CONSIDER FOOD SERVICES AGREEMENT BETWEEN THE LAREDO COMMUNITY COLLEGE AND LAS KEKAS RESTAURANT, LLC
– MS. JACKIE LEVEN-RAMOS**

Ms. Leven-Ramos moved that the Laredo Community College terminate the food services agreement with Las Kekas Restaurant, LLC pursuant to Article 3 of the agreement effective 120 days after the date on which the College provides written notice of intent to terminate and that administration provide Las Kekas Restaurant LLC with 120 days prior written notice of intent to terminate the agreement specifying the termination date. Ms. Vela seconded the motion; motion carried. Judge Martinez asked that the record reflect five votes in favor; motion does pass. Mr. Tijerina voted against.

**CONSIDER AND TAKE POSSIBLE ACTION REGARDING EEOC CHARGE NO. 451-2016-00676 AND LITIGATION MATTER STYLED CAUSE NO. 2015CVZ001646D1; CYNTHIA ARADILLAS VS. LAREDO COMMUNITY COLLEGE; IN THE DISTRICT COURT, 49TH JUDICIAL DISTRICT, WEBB COUNTY, TEXAS
– MR. RUSTY MEURER**

No action taken.

**ADOPTION OF A POLICY OF PROGRESSIVE DISCIPLINE FOR LAREDO COMMUNITY COLLEGE EMPLOYEES
– MR. RENE DE LA VINA**

Mr. De La Viña moved that the Program and Policy Committee draft a proposed progressive discipline policy for classified staff to recommend to the Board of Trustees for consideration and adoption. The motion was seconded by Ms. Mares; motion carried unanimously.

**PRESENTATION BY AGAPE GRACE, LLC FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES
– MR. RENE DE LA VINA**

Judge Martinez called on legal counsel. Mr. Meurer mentioned state laws in Texas address what community colleges have to follow when they procure services for construction. He indicated this item addresses construction management and inspection services and the College has not commenced a process to procure these types of services and suggested the Board follow the process. Judge Martinez reported the State law is very specific and if the Board allowed the presentation it would in effect be disqualifying this firm at the time an RFP was requested and possibly exposing the College to possible litigation. The Board took no action.

**SELECTION OF A FIRM FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES
– MR. RENE DE LA VINA**

**PRESIDENT'S REPORTS
CAMPUS POLICE,
PERSONNEL,
TRAVEL, AND
OTHER REPORTS**

The reports were provided for information purposes.

NEXT MEETING DATE:

Thursday, August 18 and 25, 2016, and September 1, 2016 at 6:00 p.m. in ELW 105.

ADJOURNMENT

At 9:40 p.m., Ms. Mares moved to adjourn the meeting. Mr. De La Viña seconded the motion; motion carried.