

LAREDO COMMUNITY COLLEGE DISTRICT  
Laredo, Texas

The regular meeting of the Laredo Community College Board of Trustees convened on Wednesday, December 14, 2016, beginning at 6:25 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>
<b>ROLL CALL</b>	Mercurio Martinez Jr, President	Ricardo J. Solis
	Allen Tijerina, Vice President (arrived at 6:45 p.m.)	Rusty Meurer, College Attorney
	Cynthia Mares, Secretary	Nora R. Garza
	Gilberto Martinez Jr. (arrived after 7:15 p.m.)	Cesar E. Vela Jr.
	Michelle De La Peña	Eli Mendoza of Garza/Gonzalez & Associates
	Jackie Leven-Ramos	Vince Solis
	Tita C. Vela	Veronica Cardenas
	Cin Bickel, Ex-officio	

MEMBERS ABSENT  
Leonides G. Cigarroa Jr.  
Rene De La Viña

**CALL TO ORDER** Judge Mercurio Martinez Jr., Board President, called the meeting to order. Board Secretary, Ms. Cynthia Mares called the roll. A quorum of the members was present.

**APPROVAL OF MINUTES  
FOR SPECIAL BOARD OF  
TRUSTEES MEETINGS  
OF OCTOBER 19, 2016 AND  
NOVEMBER 19, 2016**

Ms. Mares moved to approve the minutes as presented. Ms. Jackie Leven-Ramos, Board Member, seconded the motion; motion carried.

**NOVEMBER 16, 2016  
PUBLIC CANVASS OF  
ELECTION RESULTS OF  
NOVEMBER 8, 2016**

**PUBLIC TESTIMONY**

No one signed up for public testimony.

**RECOGNITIONS,  
INTRODUCTIONS, AND  
COMMUNICATIONS**

Dr. Nora R. Garza, Vice President for Resource Development, announced AEP awarded a \$1.6 million grant to Laredo Community College with L.I.S.D. The grant is for STEM students. She recognized the work of Mr. Gabriel Lozano - LCC Grant Writer and from AEP Laredo, Mr. Tony Arce.

Dr. Ricardo J. Solis, President, introduced the following new employees: Maria I. Royster – Director of Purchasing, Claudia Sanchez – Off Site Specialist, Denise A. Flores – Workforce & Career Services Coordinator, Cynthia Diaz – Health Services Director, and Andres Fuentes – Lead Web Development Technician.

**FACULTY ASSEMBLY  
SENATE REPORT**

Ms. Cin Bickel, Faculty Senate President, reported work continues on the following goals: 1) attending Leadership meetings with the president, 2) upward evaluation of the deans, 3) Ad Hoc Committee will have an initial meeting with president, 4) Memorial Hall Brick project process, 5) faculty titles and ranks, and the 6) faculty back pay. She congratulated Judge Martinez and Ms. Mares on their re-election to the Board. Judge Martinez acknowledged the presence of Mr. Tijerina.

**DISCUSSION AND  
POSSIBLE ACTION**

**FY 2016 AUDITED ANNUAL  
FINANCIAL REPORT**

- Mr. Cesar E. Vela Jr.

Mr. Cesar E. Vela Jr., Comptroller, introduced Mr. Eli Mendoza of Garza/Gonzalez & Associates who presented a detailed review of LCC's Annual Financial Report for Fiscal Year ended August 31, 2016 and distributed to Board members the LCCD Report on Conduct of Audit FYE ended 8/31/16. Mr. Mendoza reported the audit was conducted in accordance with accounting principles generally accepted in the United States of America and government standards. The College received a clean opinion. He reviewed the financial statements, reported they are fairly presented in all material respects, indicated internal controls did not identify any material weaknesses nor significant deficiencies, and answered questions from the Board. The Board commended the auditor for an excellent, detailed report. Ms. Mares moved to accept the annual financial report. The motion was seconded by Board Member, Ms. Michelle De La Peña; motion carried.

**ANNEXATION OF PROPERTY  
WHICH HAS BEEN ANNEXED  
BY THE CITY OF LAREDO**

- Dr. Nora Stewart

Judge Martinez read the resolution below:

**RESOLUTION ANNEXING NEW PROPERTY  
HERETOFORE ANNEXED BY THE CITY OF LAREDO INTO  
THE BOUNDARIES OF THE LAREDO COMMUNITY COLLEGE DISTRICT**

WHEREAS, pursuant to H. B. 1182 passed by the 67<sup>th</sup> Legislature an election was called and had on April 2, 1983, for the purpose of annexing that portion of the City of Laredo not within the boundaries of the Laredo Municipal Junior College District, at which election, a majority of the voters residing within the District as changed by the proposed election, voted in favor of such annexation and such new property were thereby annexed; and,

WHEREAS, subsequent to said election, the name of the Laredo Municipal Junior College was changed to the Laredo Community College District; and,

WHEREAS, on or about December 5, 2016, the City of Laredo annexed new property, described by metes and bounds in one (1) attached ordinance and being generally described as follows, to wit:

**TRACT 1:**

A TRACT OF LAND CONTAINING 82.48 Acre Tract of Land, situated in Webb County School Land, Survey No. 1462, Abstract 502, partly in the City of Laredo, Webb County, Texas. Being out of that 93.38 acre tract being 100.356 acre LESS AND EXCEPT a 6.976 acre tract owned by 4-G Investments, LTD., a Texas limited partnership as recorded in volume 1520, pages 46-56, Deed of Trust, Webb County Deed Records, Texas.

**TRACT 2:**

A tract of land containing 54.20 acres, more or less, being a 50.00 acre tract described as Texas Mexican Railway Company, recorded in Volume 253, pages 613-615, Deed Records of Webb County, Texas, and 4.20 acres out of an 8.672 acre tract conveyed to the Texas Mexican Railway Company, a Texas Corporation, recorded in Volume 806, pages 832-837, Official Public Records of Webb County, Texas, situated in Porcion 31, Jose Trevino Original Grantee, Abstract 3116, and Porcion 32, Antonio Trevino Original Grantee.

**TRACT 3:**

A tract of land containing 20.34 acres of land, more or less, situated in Porcion 31, Abstract 3116, Jose Trevino, original grantee, same being out of a tract of land as conveyed to AFW Investments II, Ltd., as recorded in Volume 2212, Pages 868-884, Webb County Official Public Records.

**TRACT 4:**

A 5.0 acre more or less tract of land, being the north 5.0 acres out of a 10.0 acre tract designated as tract 3-E out of Share 3, as recorded in Volume 550 Pages 39-42, Webb County Deed Records, Webb County, Texas, situated in Porcion 25, abstract 50, Webb County, Texas. Said 10.0 acre tract designated as "Tract II," save and except the 5.0 acre tract described as Exhibit "A," recorded in Partition Deed, Volume 2739, Pages 375-379, Webb County Official Public Records, Webb County, Texas.

**TRACT 5:**

A 7.61 Acre Tract of Land, MORE OR LESS, situated in Porcion 5, Webb County, Texas. Being out of a 180.39 acre tract of land owned by Mos Professional Building, Inc. as recorded in volume 3162, pages 379-390 of the Webb County Deed Records, Texas.

**TRACT 6:**

A 1,743.53 ACRES, MORE OR LESS, being out of Tract 3, Tract 4, and Tract 5, recorded in Volume 336, pages 01-04, Deed Records of Webb County, Texas situated in Porcion 9, Abstract 38, Blas Maria Diaz, Original Grantee, Porcion 10, Abstract 280, Tomas Sanches, Original Grantee, and Porcion 11, Abstract 279, Tomas Sanches, Original Grantee, Webb County, Texas.

**TRACT 7:**

A tract of land containing 0.31 acres (13,500 SF), more or less, out of the Subcarrier Communications, Inc. tract called to contain 5.0 acres, more or less, and recorded in Volume 3366, pages 447-452 W.C.O.P.R.

WHEREAS, it is found to be in the best interest of the Laredo Community College District and its residents to extend and annex for community college purposes all those new properties within the city limits of the City of Laredo not now within the boundaries of the Laredo Community College District, as is provided by TEX EDUC. CODE § 130.066.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that those areas annexed by the City of Laredo, set forth and described by metes and bounds in the one (1) attached ordinances, be incorporated and annexed to the boundaries of the Laredo Community College District for community college purposes.

PASSED at Laredo, Texas on this 14th day of December, 2016.

Attest:

Mr. Mercurio Martinez, Jr.  
PRESIDENT and Presiding Trustee  
Board of Trustees of  
Laredo Community College District

Ms. Cynthia Mares  
SECRETARY, Board of Trustee of Officer,  
Laredo Community College District

and asked for a motion to adopt the resolution as read. Ms. Leven-Ramos so moved and the motion was seconded by Board Member, Ms. Tita C. Vela; motion carried.

**RATIFICATION OF  
EQUIPMENT PURCHASES  
FUNDED BY THE JOBS AND  
EDUCATION FOR TEXANS  
GRANT PROGRAM (JET)**

- Dr. Nora Stewart

Ms. Mares moved under the consent agenda mode that the Board approve agenda items 10, 11, 12, 13, and 14. The motion was seconded by Board Vice President, Mr. Allen Tijerina; motion carried.

**RATIFICATION OF RADIO  
COMMUNICATION  
EQUIPMENT PURCHASE  
FOR CAMPUS POLICE**

- Dr. Nora Stewart

**RATIFICATION OF  
TRAINING EXPENDITURES  
FOR THE OIL AND GAS  
INSTITUTE**

- Dr. Nora Stewart

**RATIFICATION OF  
GROUNDS MAINTENANCE  
CONTRACT**

- Dr. Nora Stewart

**APPROVAL OF THE 2017 -  
2018 LAREDO COMMUNITY  
COLLEGE ACADEMIC  
CALENDAR**

- Dr. Vince Solis

**ELECTION OF BOARD OFFICERS**

- Ms. Deirdre Reyna

Judge Martinez asked that the election of Board Officer item be deferred until the run-off election is conducted and the final results are in. Ms. Vela so moved and was seconded by Ms. De La Peña; motion carried.

**EXECUTIVE SESSION**

**BOARD CONSIDERATION OF EVALUATION COMMITTEE'S RECOMMENDATION OF PROPOSAL(S) FOR THE SELECTION OF A FOOD SERVICES CONTRACTOR FOR LAREDO COMMUNITY COLLEGE FORT MCINTOSH CAMPUS AND LAREDO COMMUNITY COLLEGE SOUTH CAMPUS CAFETERIA OPERATIONS, AND FINAL SELECTION OF A FOOD SERVICES CONTRACTOR**  
- Dr. Nora Stewart,  
Dr. Ricardo J. Solis

Ms. Mares asked that the Board go into executive session to consult with legal counsel. The motion was seconded by Mr. Tijerina. Judge Martinez recognized legal counsel, Mr. Meurer, who recommended that the Board cite section 551.071 of the Texas Government code to go into executive session to receive legal advice about the selection process in connection to item number 9. A vote was taken; motion carried. The Board went into executive session at 7:14 p.m. The Board reconvened to open session at 7:55 p.m. Judge Martinez noted for the record that no action took place in executive session and asked that the record reflect the presence of Dr. Gilberto Martinez Jr. at the meeting.

Dr. Gilberto Martinez Jr., Board Member, made a motion to reject all bids and address all this at a later time. Mr. Tijerina seconded the motion. Ms. Mares asked that the motion be amended to stipulate the bids are being rejected and instructing administration to start the process. Dr. Martinez acknowledged the amendment and Mr. Tijerina seconded the amendment. A vote was taken. The motion carried.

**DISCUSSION AND POSSIBLE ACTION TO REQUIRE ALL SUPERVISORY POSITIONS OF FACULTY (DEPARTMENT CHAIRS AND ACADEMIC COORDINATORS) HAVE TENURE BEFORE FACULTY ARE PLACED IN THE SUPERVISORY POSITIONS**  
-DR. GILBERTO MARTINEZ JR.

Dr. Martinez mentioned that faculty leadership positions should require tenure. Ms. Mares asked if a change in policy was needed. Judge Martinez suggested that Dr. Martinez and Ms. Leven-Ramos in the Program Policy Committee develop the proper terminology, procedures, and documentation. Dr. Martinez moved to approve to implement within policy and Ms. Leven-Ramos seconded the motion; motion carried. Ms. Leven-Ramos asked for a clarification on the motion. Dr. Martinez replied it was, "to require all supervisory positions of faculty, department chairs, and academic coordinators have tenure before faculty are placed in the supervisory positions."

**DISCUSSION AND POSSIBLE ACTION TO LIMIT RELEASE TIME FOR DUTIES UNDERTAKEN BY ALL FACULTY COORDINATORS TO NO MORE THAN 3 HOURS**  
- DR. GILBERTO MARTINEZ JR.

Dr. Martinez presented his concerns regarding this item. Dr. Vince Solis, VPI and Student Success, answered questions from the Board. Discussion followed. Dr. Martinez moved to limit release time for duties undertaken by all faculty coordinators to no more than 3 hours. The motion was seconded by Ms. Leven-Ramos; motion carried.

**PROGRAM/POLICY COMMITTEE REPORT**

**BOARD APPOINTMENT OF AN AD HOC COMMITTEE TO CONSIDER AND DEVELOP A PROPOSED POLICY REGARDING NEW TITLES FOR FACULTY MEMBERS AT LAREDO COMMUNITY COLLEGE**  
- Ms. Jackie Leven-Ramos,  
Dr. Vince Solis

Ms. Leven-Ramos reported the Committee met, discussed forming an Ad Hoc Committee to consider and develop a proposed policy regarding new titles for faculty members at LCC. She asked the Board for feedback. Discussion followed. Ms. Leven-Ramos made a motion to form an Ad Hoc Committee and appoint the following as members: Ms. Cynthia Mares, Ms. Cin Bickel, Ms. Michelle De La Peña, Ms. Jackie Leven-Ramos-Chair, Dr. Vince Solis, and Dr. Jim Goetze. Dr. Martinez seconded the motion; motion carried.

**REVIEW UPDATE, DISCUSS, AND CONSIDER ADOPTING A POLICY OF PROGRESSIVE**

Ms. Leven-Ramos reported this item was brought to the Board for consideration by Board Member, Mr. Rene De La Viña, and was assigned to the Program Policy Committee who worked with Ms.

**DISCIPLINE FOR LAREDO  
COMMUNITY COLLEGE  
EMPLOYEES** - Ms. Jackie  
Leven-Ramos, Mr. Rene De La  
Vina, and Ms. Veronica  
Cardenas

Veronica Cardenas, Human Resources Director, to develop the policy below for review to be considered by the Board for adoption. Discussion followed.

*EMPLOYMENT PRACTICES  
AT-WILL-EMPLOYMENT – PROGRESSIVE DISCIPLINE*

*Personnel not hired under a contract shall be employed on an at-will basis. See DCC and DM. This policy applies to at-will employees. [For information regarding contractual employment, see DCA and DCB as appropriate.]*

*Progressive discipline is a method used to provide notice to employees who are not meeting expected or communicated job performance standards, not behaving appropriately at work, or are not following the College District's policies and procedures. The intent of progressive discipline is to help employees correct such issues and become successful and productive.*

*The College President or designee shall develop written procedures for progressive discipline, ranging from counseling to termination of employment, and implemented depending on the severity or recurring nature of the violation or behavior. The procedures for progressive discipline shall be published by the Office of Human Resources and posted in other relevant locations as determined by College administration.*

*This progressive discipline policy does not and is not intended to alter the at-will status of College District employees.*

Ms. Leven-Ramos moved to adopt the policy of progressive discipline as presented to the Board. The motion was seconded by Ms. Vela. After additional discussion, Ms. Mares called for the question. A vote was taken. The motion carried.

**REVIEW AND ACT ON  
PROPOSED REVISIONS,  
ADDITIONS, OR DELETIONS  
TO THE FOLLOWING LAREDO  
COMMUNITY COLLEGE  
BOARD OF TRUSTEES LOCAL  
POLICIES BELOW:**

BD (LOCAL) Board Meetings -  
Ms. Jackie Leven-Ramos

Ms. Leven-Ramos presented the proposed revisions to BD LOCAL as noted below (Text in **bold** is to be added):

AGENDA – SUBMISSION OF TOPICS

A Board member shall submit a written request that a subject be included on the agenda for a meeting to the Board President **and College President** with a copy to the College District's attorney. The Board President **and College President** shall acknowledge receipt of the written request for the agenda item. The deadline for submitting items for inclusion on the agenda is the sixth working day before regular meetings and the sixth working day before special meetings.

and made a motion to adopt the revisions as presented. Ms. Vela seconded the motion; motion carried.

BD (REGULATION) Board  
Meetings  
– Ms. Jackie Leven-Ramos

Ms. Leven-Ramos presented the proposed revision to BD REGULATION as noted below (Text in **bold** to be added):

- a. Roll Call
- b. Approval of Minutes
- c. Public Testimony
- d. Recognitions, Correspondence, and Introductions
- e. Faculty Senate Report
- f. Associated Student Organization Report**
- g. Classified Staff Organization Report**

CAK (LOCAL) Appropriations  
and Revenue Sources:  
Investments  
– Mr. Cesar E. Vela Jr.

and made a motion to adopt the revisions as presented. The motion was seconded by Ms. De La Peña; motion carried.

Mr. Cesar E. Vela Jr., Comptroller, reviewed the proposed revisions to CAK LOCAL and presented the resolution below for adoption:

**RESOLUTION OF THE BOARD REGARDING REVIEW OF THE INVESTMENT POLICY**

WHEREAS, Section 2256.005(e) of the Public Funds Investment Act (Texas Government Code Chapter 2256) requires the Board of Trustees of Laredo Community College District to (a) review the District’s investment policy and investment strategies [set forth in CAK (LOCAL)] not less than annually and (b) adopt this resolution reflecting the Board’s review and recording any changes made to the investment policy or strategies;

WHEREAS, the District’s investment policy for fiscal year 2016-2017 has been presented to the Board for its consideration and approval, as required by the Act; and

WHEREAS, the District’s investment policy for fiscal year 2016-2017 includes:

1. Modifications to Section 5.2 – Investment Training
2. Modifications to Section 6.1 – Open Meeting
3. Modifications to Section 6.2 – Effective Date

NOW THEREFORE BE IT RESOLVED the Board of Trustees of Laredo Community College District has reviewed the District’s investment policy, and hereby adopts the policy for fiscal year 2016-2017 in compliance with the Public Funds Investment Act.

Adopted this 14<sup>th</sup> day of December, 2016 by the Board of Trustees.

Mr. Mercurio Martinez Jr.	Ms. Cynthia Mares
Board President	Board Secretary

Ms. Leven-Ramos moved to adopt the revisions as presented by Mr. Vela. The motion was seconded by Ms. Vela; motion carried.

Dr. Vince Solis reported the proposed revisions are being presented for Board consideration for adoption and noted they were reviewed by the Program Policy Committee (Text in **bold** to be added and ~~Text~~ to be deleted) as presented below:

**PERSONNEL ACTION EFFECT ON TENURE**

The guidelines for personnel action effect on tenure are as follows:

1. Leaves of absence pre-authorized by the College President neither interrupt nor terminate tenure.
2. A faculty member who leaves employment with the College District loses his or her tenure status. If subsequently rehired for a faculty position, the faculty member starts the tenure process anew, **but will have a reduced tenure period of two years.**
3. A faculty member whose position is funded in part or in whole by restricted funds is not eligible for tenure.
4. A tenured faculty member whose position is shifted wholly or partially to restricted funds continues to be tenured.
5. A faculty member who receives an annual appointment to a nonfaculty position is eligible to retain tenure status.

DCB (LOCAL) Employment  
Practices – Tenure  
– Dr. Vince Solis

~~6. A faculty member who is hired in a nonfaculty permanent position loses his or her tenure status. The faculty member who loses tenure because of such employment and is subsequently rehired for a faculty position starts a shortened two-year tenure process and shall receive an “EE” or “ME” rating during this shortened two-year tenure process period to receive tenure.~~

~~6 For years of tenure service, all tenured years shall count for a faculty member who has had tenure, lost it, and regained it.~~

**For years of tenure service, all years of service to Laredo Community College will count towards placement on the faculty pay scale when a tenured faculty member returns to instructional duties from administrative duties.**

#### APPENDIX A

~~Faculty members eligible for tenure in academic year 2014–15 must have a current year rating of “E” or “G.” The rating for the previous two years should be “E” or “G.”~~

~~Faculty members eligible for tenure in academic year 2015–16 must have a current year rating of “EE” or “ME.” The rating for the previous two years should be “E” or “G.”~~

Faculty members eligible for tenure in academic year 2016–17 must have a current year rating of “EE” or “ME,” a rating of “EE” or “ME” in academic year 2015–16, and a rating of “E” or “G” in academic year 2014–15.

“E” stands for exceptional and “G” stands for good.

Mr. Tijerina moved to adopt Option B. The motion was seconded by Ms. Mares. During the discussion, Ms. Leven-Ramos suggested that Mr. Tijerina rescind his motion and restate the motion to adopt the items that have been considered for modification. Mr. Tijerina rescinded his motion. Ms. Mares rescinded her second. Ms. Leven-Ramos made a motion to adopt the recommendation on the changes for DCB LOCAL with Option B to be considered for page 5 of existing policy and also remove the two items from APPENDIX A which include the dates 2014-2015 and 2015-2016 for Board policy DCB LOCAL. Mr. Tijerina seconded the motion; motion carried.

DEA (LOCAL) Compensation  
and Benefits – Salaries and  
Wages  
– Ms. Veronica Cardenas

Ms. Veronica Cardenas, Human Resources Director, presented below the proposed revisions to DEA LOCAL to align and reflect consistency with LCC’s administrative workweek and current practice (Text in **bold** to be added and ~~Text~~ to be deleted):

WORKWEEK DEFINED - For purposes of FLSA compliance, the workweek for College District employees shall be 12:01 a.m. ~~Saturday~~ **Sunday** until 12:00 midnight ~~p.m. Friday.~~ **Saturday.**

Ms. Leven-Ramos moved to approve revisions as presented and was seconded by Mr. Tijerina; motion carried unanimously.

Ms. Deirdre Reyna, Communications and Institutional Effectiveness Officer, presented the following three modifications to GF (LOCAL):

Page 2 of 5 (~~Text~~ to be deleted)

~~**NO APPROVAL REQUIRED**~~

~~**No approval shall be required for nonschool-related recreational use of the College District's unlocked, outdoor recreational facilities, such as the track, tennis courts, and the like, when the facilities are not in use by the College District or for another scheduled purpose.**~~

Page 3 of 5 (~~Text~~ to be deleted)

~~**FEES FOR USE**~~

~~A community member or organization authorized to use College District facilities shall be charged a fee for the use of designated facilities.~~

~~The chief ~~administrative and~~ financial officer shall establish and publish a schedule of fees based on the cost of the physical operation of the facilities, as well as any applicable personnel costs for supervision, custodial services, food services, security, and technology services.~~

Page 5 of 5 (~~Text~~ to be deleted)

~~A College District support organization may post a sign with prior approval of the director of ~~media and~~ public relations in accordance with the procedures developed for that purpose.~~

Ms. Leven-Ramos moved to adopt the revisions as presented. Mr. Tijerina seconded the motion; motion carried. Dr. Gilberto Martinez Jr. voted against.

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

The reports were provided for information purposes.

**NEXT MEETING DATE:**

Tuesday, December 27, 2016, at 2:00 p.m. at 211 Calle del Norte, Laredo, TX to canvass the December 17, 2016 Run-off Election results.

**ADJOURNMENT**

At 8:45 p.m., Ms. Leven-Ramos moved to adjourn the meeting. Mr. Tijerina seconded the motion; motion carried.