

**SOUTH TEXAS COLLEGE**  
**BOARD OF TRUSTEES REGULAR MEETING**  
**Tuesday, March 31, 2020 @ 5:30 p.m.**  
**Ann Richards Administration Building Board Room**  
**Pecan Campus, McAllen, Texas 78501**

**AGENDA**

“At anytime during the course of this meeting, the Board of Trustees may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the Board of Trustees under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at anytime during the course of this meeting, the Board of Trustees may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code. At this meeting, the Board of Trustees may deliberate on and take any action deemed appropriate by the Board of Trustees on the following subjects:”

**COVID-19 Public Health / Attendance Measures**

Due to COVID-19 and Social Distancing recommendations, members of the public are encouraged to watch the live broadcast of the meeting at: <https://admin.southtexascollege.edu/president/agendas/live.html>.

- Anyone wishing to make Public Comments as provided in the agenda is asked to sign up prior to the meeting, and they will be called into the Board Room individually when it is their turn to make comments.
- Anyone who wishes to be available to respond to questions that may arise on an agenda item will be asked to wait outside the Board Room until their agenda item is called upon by the Board of Trustees. Pecan Campus Room D-106 will be open and televising the live stream, and guests are invited to wait for their items there.
- Essential staff will be on standby in an adjacent area, and ready to be called into the meeting as needed.

**I. Call Meeting to Order**

**II. Determination of Quorum**

**III. Invocation**

**IV. Public Comments**

**V. Presentation**

1. Presentation on South Texas College Response to COVID-19

**VI. Consideration and Action on Consent Agenda**

**A. Approval of Board Meeting Minutes**

1. February 25, 2020 Regular Board Meeting

**VII. Consideration and Action on Non-Committee Items**

1. Discussion and Action as Necessary regarding the Postponement of the May 2, 2020 South Texas College General Election for Single-Member Trustee District #7 until the November 3, 2020 Uniform Election Date
2. Consideration and Action as Necessary on Resolution 2020-010 Granting Authority to the College President, until July 1, 2020, to Implement Measures, Execute Procedures, and Make Decisions as Necessary and Appropriate to Combat the Spread of COVID-19 and to Facilitate the Continuity of College Operations during the COVID-19 State of Emergency and its Aftermath

**VIII. Consideration and Action on Committee Items**

**A. Education and Workforce Development Committee**

1. Review of Presentations Delivered at March 10, 2020 Education and Workforce Development Committee Meeting
  - (a) Presentation on South Texas College STEM Connection Newsletter
  - (b) Presentation on South Texas College SEA-PHAGES Program

**B. Finance, Audit, and Human Resources Committee**

1. Review and Action as Necessary on Firm for Delinquent Tax Collection Services for Hidalgo County and Starr County
2. Review and Action as Necessary on Resolution to Impose an Additional Penalty for Collection of Delinquent Taxes as Authorized Under Section 33.07 of the Texas Property Tax Code for Delinquent Tax Attorney Compensation
3. Discussion and Action as Necessary on Starr County Tax Resale Private Bid and Resolution #2020-009 Authorizing Tax Resale Bid
4. Discussion and Action as Necessary to Waive Student Reinstatement Fees and Student Late Payment Fees for Student Installment Plans and Emergency Loans Incurred on or After March 13, 2020 for the Spring 2020 Semester
5. Discussion and Action as Necessary on Proposed Revisions to Tuition and Fee Schedules for FY 2020 – 2021
6. Review and Action as Necessary on Award of Proposals, Purchases, and Renewals
  - A. Award of Proposals
    - 1) Asset Management, Chemical Inventory, and Inspection Software System (Award)
    - 2) Food and Related Non-Food Products (Award)
  - B. Purchases and Renewals (B-a. Instructional Item)
    - 3) Instructional Trainers (Purchase)

- B. Purchases and Renewal (B-b. Non-Instructional Items)
  - 4) Building Moving Services (Renewal)
  - 5) Engineering Services – Geotechnical and Materials Testing (Renewal) B. Purchases and Renewal (B-c. Technology Items)
  - 6) Computers, Laptops, Monitors, and Printers (Purchase)
  - 7) Adobe License Subscription Agreement (Renewal/Purchase)
- 7. Discussion and Action as Necessary on Interlocal Agreement for Policy Management Services between South Texas College and Texas Association of School Boards
- 8. Discussion and Action as Necessary on Potential Refunding of the Series 2014 Bonds and Series 2015 Bonds

**C. Facilities Committee**

- 1. Review and Action as Necessary on Contracting Architectural Services for the Pecan Campus Business and Science Building G Conversion of Two Classrooms to Geology Labs
- 2. Review and Action as Necessary on Contracting Construction Services for the Rebid of Pecan Campus Information Technology Building M Office and Work Space Renovation
- 3. Review and Action as Necessary on Rejection of Construction Proposals for the Pecan Campus South Academic Building J Flooring Replacement First Floor
- 4. Review and Action as Necessary on Contracting Construction Services for Signage at the West Entry of the Nursing and Allied Health Campus
- 5. Review and Action as Necessary on Contracting Construction Services for the Mid Valley Campus Existing Thermal Plant Demolition
- 6. Review and Action as Necessary on Contracting Construction Services for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas
- 7. Review and Action as Necessary on Contracting Construction Services for the District Wide Exterior Building Lettering
- 8. Update on Status of Unexpended Plant Fund Construction Projects

**IX. Consideration and Approval of Checks and Financial Reports**

**X. Informational Items**

- President's Report

## **XI. Announcements**

### A. Next Meetings:

- *Committee meetings scheduled for Tuesday, April 14, 2020 are cancelled.*
- Tuesday, April 28, 2020
  - 5:30 p.m. – Regular Board Meeting

### B. Other Announcements:

- The College will be closed on Thursday, April 9, 2020 – Sunday, April 12, 2020 in observance of Semester Break

Out of an abundance of caution in preparation for coronavirus/COVID-19, the following meetings and events have been cancelled:

- Mar. 23-25 Board of Trustees Institute
- Mar. 24 T-STEM Workshop
- Mar. 25 Valley Nature Speaker Series
- Mar. 25 House of Representatives – Higher Education Committee Meeting
- Mar. 26 Women in Technology Public Event
- Mar. 26 RCPSE President’s Advisory Council
- Mar. 27 Women in Technology High School Event
- Mar. 27 Physics Advising Social
- Mar. 27 Catch the Next Ascender Reception/Fundraiser
- Mar. 28-30 AACC Annual Conference
- Mar. 30 Culinary and Conversations
- Apr. 3 Preparing Healthful Meals
- Apr. 3 STEM Summit
- Apr. 3 Book Study and Round Table Discussion
- Apr. 4 5K Heroes Fun Run
- Apr. 6 Summit on College and Career Readiness
- Apr. 7 Dual Credit Programs Preview Day
- Apr. 8 Visit with Texas Higher Education Commissioner Dr. Harrison Keller
- Apr. 8 Visit with Texas Comptroller Glenn Hegar
- Apr. 14 Program Fair
- Apr. 15 Unmasking your Superpowers
- Apr. 16 ACTA Graduation Ceremony for Spring 2020 participants
- Apr. 17 T-STEM Workshop
- Apr. 17 Rio Grande Valley Hurricane Ready Expo
- Apr. 20 Culinary and Conversations
- Apr. 24 High School Dual Students Competition
- Apr. 24-25 Great Teacher's Seminar
- Apr. 29 Faculty Retirement Ceremony
- Apr. 30 Academy Programs Cord Ceremony
- May. 4 Culinary and Conversations
- May. 6 Graduation Luncheon
- May. 18-19 Distinguished Scholars Recognition

Date: 3/25/20

Re: STC Delinquent Tax Counsel

From: Chuy Ramirez

---

This summary is suggested as supplementary to any notice (including posted bulletin notice and internet-notice) which the College has previously issued in order to comply with the public notice requirements of HB 2826 and Section 2254.101, Government Code, as amended (the “Act”). Previously posted bulletin notice and written materials providing some Notice required under HB 2826 and Section 2254.101 have been attached to agendas of College meetings. Thus, the following material, satisfies the remainder of the public notice requirement. This public notice may be placed directly under the College trustee’s meeting Agenda Item: “Engagement of Bond Counsel” and/or may be attached to the agenda and/or the District’s notice in its webpage, prior to the next board meeting. Such procedures will satisfy the requirement that “Public Notice” be issued under the Act.

**The Public Notice Requirements Under HB 2826 are the following:**

This public notice is issued as required by Government Code Section 2254.10, et. Seq., as amended by provisions of HB 2826 (the “Act”). Such notice is required on or before the time of giving written notice of the meeting at which a contingency fee contract for legal services is to be approved.

The College seeks to engage the services of delinquent tax counsel, which may be a contingency fee agreement, with fees determined as provided under the Act. In that regard, the College needs to engage the services of delinquent tax counsel who has demonstrated competence, qualifications and experience in the requested services. The College has included in its Request for Proposals for Delinquent Tax Counsel which have been fully disclosed to the public prior to the trustee’s meeting (and thus satisfied) the matters required to be disclosed under sections (A) through (C) below. Further notice is provided in sections (D) through (F) below:

- (A) the services sought by the College;
- (B) the competence, qualifications and experience demonstrated by the law firm which would be selected as counsel;
- (C) the terms of the engagement agreement, which included counsel's obligations, fees and the right of the College to terminate or continue the agreement beyond the initial term and the relationship between the parties;

The following notices are provided:

- (D) the legal services sought by the College cannot be adequately performed by the College's general counsel, other counsel regularly engaged by the College and the supporting personnel of the College. The tax collection services require competences, experience and legal knowledge which are not normally had by general counsel and the College's supporting personnel. Specifically, the College's Request for Qualifications sets out these competences, experience and legal knowledge essential to the delinquent tax collection services which the College seeks. Further, the specialized legal services required by the fee agreement require a high cost of implementing the appropriate infrastructure and technology and employing sufficient in-house attorneys and staff with the level of experience and competence necessary to perform the myriad of services.
- (E) for the same reasons described in (D) above, a contingent fee contract for legal services is in the best interest of the residents of the College. In HB 2826, the Texas Legislature expressly recognizes that delinquent tax collection services are unique and particularly limited given the financial stability and technological resources and competences, experience and legal knowledge that are required to be had in order for legal counsel to perform its services in an efficient manner. The areas of legal practice which delinquent counsel typically is required to engage in in order to perform its services include: Texas constitutional, statutory and common law as it relates to legal titles, probate, encumbrances mortgages, foreclosures; collection procedures; interest and usury; federal tax law and bankruptcy law;

(F) the engagement of delinquent tax collection counsel on a contingency fee basis is in the best interest of the College and of its residents on the basis of the following: (1) the College has the benefit of receiving and relying on the legal advice of a qualified and experienced legal counsel; (2) the College avoids having to pay significant amounts of money as fees for a multiplicity of legal services and reimburseable costs and expenses; (3) a contingency fee allows the College to pay for legal fees as they are earned by legal counsel rather than to rely on its Maintenance and Operations Fund. Further, Texas Tax Code Sections 6.30, 33.07, 33.08, 33.11, and 33.48 specifically provide for an additional penalty imposed on delinquent taxes to compensate collection attorneys