



**SOUTH TEXAS
COLLEGE**

Board of Trustees

Special Board Meeting

**Monday, May 17, 2021
4:00 p.m.**

**Pecan Campus
Ann Richards Administration Building
Board Room
McAllen, Texas**

Online Board Packet

**SOUTH TEXAS COLLEGE
BOARD OF TRUSTEES SPECIAL BOARD MEETING
Monday, May 17, 2021 @ 4:00 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:”

- I. Call Meeting to Order**
- II. Determination of Quorum**
- III. Deliberation and Action as Necessary**
 - 1. Deliberation and Action as Necessary Regarding Legal Services 3 - 5
 - 2. Deliberation and Action as Necessary Regarding Presidential Search Protocols..... 6
- IV. Announcements**
- V. Next Meetings:**
 - Tuesday, May 25, 2021
 - 5:30 p.m. – Regular Board Meeting

Review and Action as Necessary on Legal Services

The Board is asked to take action as necessary on legal services.

Mrs. Mary Elizondo, Vice President for Finance and Administrative Services, will review the evaluations of legal services qualifications with the Board and will respond to any questions the members may have on these services.

At the January 26, 2021 Board of Trustees meeting, the Board authorized the solicitation of a request for qualifications for legal services to protect the College and provide advice and representation. A solicitation of qualification or appointment of one or more law firms is an essential for matters that are as follows:

- Attending Board and Committee meetings and advising Board members, Committee members, and Administration;
- Providing legal counsel and guidance to Board of Trustees and administrative staff on such matters as:
 - ⇒ Development, review, and recommendation for updates of policies
 - ⇒ Procurement procedures and contracts (interpretation of procurement law and review of certain contracts, development of a standardized contract form for most services the College solicits to be included as part of the RPF or RPQ document) and contract compliance
 - ⇒ Elections
 - ⇒ Texas Open Meetings Act
 - ⇒ Texas Public Information Act
 - ⇒ Construction contracts
 - ⇒ Litigation representation
 - ⇒ Tax Abatement Agreements
 - ⇒ IRS examinations
 - ⇒ Policy Drafting and Advising
 - ⇒ Legal Counsel Advising
 - ⇒ Public Information Responses
 - ⇒ Real Estate
 - ⇒ Intellectual Property
 - ⇒ Other U.S. State and International Matters and Engagements
 - ⇒ Land Use, Environmental, Health, and Safety
 - ⇒ General higher education matters including, but not limited to, tort and civil liabilities
- Additional legal services as requested and authorized by the Board

Typically, the first four (4) areas occupy most of the College's needs, and the remainder are needed, more or less, on an occasional basis.

Proposal documents were advertised on February 3, 2021 and February 10, 2021 and issued to twenty-eight (28) attorneys/law firms. Seven (7) responses were received on February 24, 2021.

At the January 12, 2021 Finance Committee meeting, it was indicated that the Purchasing Department would receive the request for qualifications responses and package them for the trustees to review and evaluate.

On March 5, 2021, administration provided procedures and best practices regarding the process used by College staff when reviewing and evaluating qualifications. All seven trustees were provided with hard copies of the forms used in the evaluation process, as well as copies of all seven (7) responsive Qualifications. The Board of Trustees were asked to complete and submit the *Acknowledgement of Evaluation Responsibility, Non-Conflict of Interest, and Confidentiality Statements* prior to their independent review of the Qualifications.

Enclosed Documents – All seven trustees completed independent evaluations of the responsive qualifications. These evaluations were submitted to the Purchasing Department for the compilation of an Evaluation Summary, as provided in the packet for the Board's information and review.

Recommendation:

It is recommended that the Board of Trustees of South Texas College approve and authorize action as necessary on legal services.

The Following Minute Order is proposed for consideration by the Board of Trustees:

The Board of Trustees of Trustees of South Texas College approves and authorizes action as necessary on legal services.

Approval Recommended:

Ms. Rose Benavidez
Board Chair

**SOUTH TEXAS COLLEGE
REQUEST FOR QUALIFICATIONS - LEGAL SERVICES
PROJECT NO. 20-21-1026
EVALUATION SUMMARY**

| VENDOR | | Abernathy, Roeder, Boyd & Hullett, P.C. | | Guerra & Sabo, PLLC. | | Jones, Galligan, Key & Lozano, LLP. | | Law Office of Javier Villalobos, P.C. | | O'Hanlon, Demerath & Castillo | | Troiani & Sossi, PLLC. | | Walsh Gallegos Trevino Russo & Kyle, PC. | |
|----------------|--|---|-------|---|-------|-------------------------------------|-------|---------------------------------------|-------|-------------------------------|-------|------------------------|-------|--|-------|
| ADDRESS | | 1700 N Redbud Blvd 3rd Fl | | 10213 N 10th St | | 2300 W Pike Blvd Ste 300 | | 5804 N 23rd St | | 426 W Caffery Ave | | 611 E Washington St | | 6770 W Expway Ste 301 | |
| CITY/STATE/ZIP | | McKinney, TX 75069 | | McAllen, TX 78504 | | Weslaco, TX 78596 | | McAllen, TX 78504 | | Pharr, TX 78577 | | Brownsville, TX 78520 | | Harlingen, TX 78552 | |
| PHONE | | 214-544-4000 | | 956-383-4300 | | 956-968-5402 | | 956-687-4000 | | 956-318-0555 | | 956-541-4235 | | 956-647-5122 | |
| FAX | | 214-544-4040 | | 956-383-4300 | | 956-969-9402 | | 956-687-4001 | | 956-318-1955 | | 956-992-1086 | | 956-647-5421 | |
| CONTACT | | Mari McGowan | | Ysmael D. Fonseca | | Ivan F. Perez | | Javier Villalobos | | Kevin O'Hanlon | | Anthony P. Troiani | | Leandra Costilla Ortiz | |
| 1 | Qualifications of personnel providing legal services to the College. (up to 25 points) | 25 | 20.42 | 20 | 18.14 | 25 | 22.28 | 20 | 21.42 | 25 | 22.71 | 15 | 16.57 | 23 | 20.42 |
| | | 17 | | 7 | | 18 | | 15 | | 20 | | 10 | | 18 | |
| | | 22 | | 20 | | 25 | | 25 | | 25 | | 15 | | 25 | |
| | | 21 | | 20 | | 23 | | 20 | | 24 | | 20 | | 23 | |
| | | 20 | | 20 | | 24 | | 23 | | 23 | | 23 | | 23 | |
| | | 18 | | 19 | | 20 | | 25 | | 20 | | 12 | | 13 | |
| | | 20 | | 21 | | 21 | | 22 | | 22 | | 21 | | 21 | |
| | | 2 | | Experience with Public Entities, including but not limited to Community Colleges. (up to 65 points) | | 50 | | 49.14 | | 60 | | 46.72 | | 60 | |
| 30 | 30 | | 50 | | 40 | 55 | 30 | | 45 | | | | | | |
| 62 | 53 | | 63 | | 65 | 65 | 50 | | 62 | | | | | | |
| 64 | 50 | | 62 | | 50 | 64 | 50 | | 64 | | | | | | |
| 60 | 55 | | 62 | | 63 | 61 | 62 | | 60 | | | | | | |
| 18 | 19 | | 20 | | 65 | 15 | 12 | | 20 | | | | | | |
| 60 | 60.1 | | 62 | | 62 | 60.3 | 60 | | 60 | | | | | | |
| 3 | References. (up to 10 points) | | 5 | | 5.85 | 8 | 7.01 | | 8 | 7.15 | 10 | | 9.04 | 8 | 7.74 |
| | | 6 | 3 | 8 | | 7 | | 8 | 3 | | 5 | | | | |
| | | 1 | 5 | 1 | | 10 | | 3 | 1 | | 2 | | | | |
| | | 9 | 7 | 10 | | 7 | | 10 | 7 | | 10 | | | | |
| | | 3 | 8 | 4 | | 10 | | 6 | 3 | | 6 | | | | |
| | | 8 | 9 | 10 | | 10 | | 10 | 10 | | 10 | | | | |
| | | 9 | 9.1 | 9.1 | | 9.3 | | 9.2 | 9 | | 9.1 | | | | |
| | | TOTAL EVALUATION POINTS | | 75.41 | | 71.87 | | 83.57 | | | 85.46 | | | 84.77 | |
| RANKING | | 5 | | 6 | | 3 | | 1 | | 2 | | 7 | | 4 | |

Deliberation and Action as Necessary Regarding Presidential Search Protocols

South Texas College has engaged the Association of Community College Trustees (ACCT) and Dr. William Holda to assist with the presidential search process.

Presidential Search Process

- February 23, 2021 - the Board of Trustees authorized the formation of the Search Committee, with Mr. Paul R. Rodriguez, South Texas College Trustee serving as the Search Committee Chair. The roster of the Search Committee is included in this packet.
- March 2 – 3, 2021 – Dr. Holda moderated a series of public forum sessions to hear from the stakeholders of South Texas College. ACCT also conducted an online survey open to the public, also seeking feedback.
- March 5, 2021 – The Search Committee reviewed a draft Presidential Profile based upon the feedback provided during public forums and via the online survey. The draft was revised based upon the insights of the Search Committee.
- March 9, 2021 – The Board of Trustees reviewed the Presidential Profile and authorized its publication, to publicly start the solicitation of candidates.
- April 16 – 17, 2021 – The Search Committee met to review the applications submitted by all candidates, and recommended candidates for interviews by the Search Committee.
- April 29 – 30, 2021 – the Search Committee conducted a first round of interviews, and recommended an unranked short list for consideration by the Board of Trustees.
- May 11, 2021 – the Board conducted a round of semi-finalist interviews, and identified two semi-finalists for invitation for further interviews.

The Board is now asked to act as necessary in preparation for interviews and next steps of the presidential steps.

Recommendation:

It is recommended that the Board of Trustees of South Texas College approve and authorize action as necessary related to the ongoing presidential search.

The Following Minute Order is proposed for consideration by the Board of Trustees:

The Board of Trustees of Trustees of South Texas College approves and authorizes action as necessary related to the ongoing presidential search.

Approval Recommended:

Ms. Rose Benavidez
Board Chair