



**SOUTH TEXAS
COLLEGE**

Board of Trustees

Special Board Meeting

Monday, August 12, 2024
5:00 p.m.

Pecan Campus
Ann Richards Administration
Building
Board Room
McAllen, Texas

Online Board Packet

**SOUTH TEXAS COLLEGE
BOARD OF TRUSTEES SPECIAL MEETING
Monday, August 12, 2024 @ 5:00 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:”

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>.

- I. Call Meeting to Order**
- II. Determination of Quorum**
- III. Public Comments**
- IV. Consideration of New Items**
 - 1. Review and Ratification of Activities Related to Emergency Repairs at Pecan Campus Physical Plant Building E Cooling Towers and Approval of Necessary Additional Repairs..... 3 - 5
- V. Consideration and Action on Executive Session Items**
 - 1. Update and Action as Necessary Regarding Pending Litigation on Cause No. CL-20-3895-D; (Texas Government Code 551.071, Consultation With Attorney) 6
 - 2. Update and Action as Necessary Regarding Pending Litigation on Cause No. CL-24-1722-J; (Texas Government Code 551.071, Consultation With Attorney) 7
- VI. Announcements**
 - A. Next Meetings:
 - Tuesday, August 28, 2024
 - 5:30 p.m. – Regular Board Meeting

Review and Ratification of Activities Related to Emergency Repairs at Pecan Campus Physical Plant Building E Cooling Towers and Approval of Necessary Additional Repairs

Purpose and Justification

Administration recommends Board ratification of activities related to the emergency repairs at the Pecan Campus Physical Plant Building E Cooling Towers, completed by Texas Chiller Systems, a Board and The Interlocal Purchasing System (TIPS) approved vendor, at a total amount of \$315,220.60 and the approval of necessary additional repairs needed from Texas Chiller Systems, at an estimated total amount of \$325,000.00.

Mr. George McCaleb, Director of Facilities Operations and Maintenance, will provide an update on the status of emergency repairs at the Pecan Campus Physical Plant Building E Cooling Towers.

These repairs were necessary due to several leaks in the underground cooling tower piping, which led to the loss of air condition cooling for the entire Pecan Campus from Friday, May 17, 2024 through Monday, May 20, 2024.

Administration engaged Texas Chiller Systems, a Board and The Interlocal Purchasing System (TIPS) approved vendor, to inspect and conduct emergency repairs to the leaks, as per South Texas College Board Policy #5210: Purchasing:

The President may authorize purchase of items in an emergency and subsequently report the action to the Board of Trustees.

If a College building or College equipment is destroyed or severely damaged, and the Board of Trustees determines that the time delay posed by the competitive bidding process would prevent or substantially impair the conduct of classes or other essential College activities, then contracts for the replacement or repair of such building or equipment may be made without resort to competitive bidding.

The underground cooling tower piping was installed in early 2016 as part of the expansion of the Physical Plant at the Pecan Campus.

Administration worked with Texas Chiller Systems on the following items:

- In assessing the damaged underground cooling tower piping
- Providing a temporary above-ground cooling tower piping from the chillers to the cooling towers to have continuous cooling for the Pecan Campus
- Completed a temporary above-ground cooling tower piping and making it operational

The emergency repairs are as follows:

Ratification of Activities		
Underground Cooling Tower Piping Repairs	Texas Chiller Systems	\$33,433.88
Temporary Above Ground Cooling Tower Piping	Texas Chiller Systems	\$281,786.72
Total		\$315,220.60

Funding Source

Funds for the repair and temporary above-ground piping expenditure are budgeted in the Facilities Maintenance budget for FY 2023 – 2024.

Insurance Status

The College’s Risk Management team has been in coordination with the insurance carrier. As of May 19, 2024, the situation has been transferred to the underwriter’s large claims unit, and an adjuster has been assigned. The deductible amount for the Pecan Campus Physical Plant Building E Cooling Towers is \$100,000.00.

Assessments Completed

The following steps were completed to determine the necessary additional repairs:

1	Assessment of Underground Cooling Tower Piping	Texas Chiller Systems contracted NOS Inspections, LTD for the assessment of the underground cooling tower piping. The underground 30” supply and return cooling tower piping was evaluated in several areas and the steel piping thickness was found to have deteriorated. The results of the latest findings of the underground cooling tower piping are common for additional leaks.
2	Testing of Soil	Facilities Operations and Maintenance have contracted with Terracon to conduct an analysis of the soil around the underground cooling tower piping. At this time, the results of the soil analysis are pending.

Additional Repairs

Facilities Operations and Maintenance is requesting to contract with Texas Chiller Systems for the installation of a permanent above ground cooling tower piping to prevent further damage and downtime for the cooling system for the Pecan Campus, an estimated total cost is as follows:

Additional Repairs		
Permanent Above Ground Cooling Tower Piping	Texas Chiller Systems	\$325,000.00
Total		\$325,000.00

Funding Source

Funds for the Permanent Above Ground Cooling Tower Piping expenditure are budgeted in the Facilities Maintenance budget for FY 2024 – 2025, pending Board approval of the budget.

Any recommendations for future options will be brought to the Facilities Committee for review prior to presentation to the Board.

Mary G. Del Paz, Vice President for Finance and Administrative Services and George McCaleb, Director of Operations and Maintenance, will be present at the meeting to address any questions.

The Facilities Committee will meet August 12, 2024 at 4:00 pm. Any recommendation from the Committee will be presented for Board consideration.

It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:

The Board of Trustees of South Texas College ratifies activities related to the emergency repairs at the Pecan Campus Physical Plant Building E Cooling Towers, completed by Texas Chiller Systems, a Board and The Interlocal Purchasing System (TIPS) approved vendor, at a total amount of \$315,220.60 and the approval of necessary additional repairs needed from Texas Chiller Systems, at an estimated total amount of \$325,000.00, as presented.

Approval Recommended:

Dr. Ricardo J. Solis
President

**Update and Action as Necessary Regarding Pending Litigation on
Cause No. CL-20-3895-D; (Texas Government Code 551.071,
Consultation With Attorney)**

Mr. Eduardo Garza from Esparza & Garza, L.L.P., will provide an update to the Board on pending legal action taken against the College.

It is recommended that the Board of Trustees of South Texas College approves and authorize the following Minute Order proposed for consideration:

The Board of Trustees of South Texas College approves and authorizes action as necessary regarding Cause NO. CL-20-3895-D.

Approval Recommended:

Dr. Ricardo J. Solis
President

**Update and Action as Necessary Regarding Pending Litigation on
Cause No. CL-24-1722-J; (Texas Government Code 551.071,
Consultation With Attorney)**

Mr. Eduardo Garza from Esparza & Garza, L.L.P., will provide an update to the Board on pending legal action taken against the College.

It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:

The Board of Trustees of South Texas College approves and authorizes action as necessary regarding Cause NO. CL-24-1722-J.

Approval Recommended:

**Dr. Ricardo J. Solis
President**