



Notice/Agenda of September 2024 Regular Board Meeting

The Board of Trustees College of the Mainland

The September 2024 Regular Board Meeting of the Board of Trustees of College of the Mainland will be held Monday, September 23, 2024, beginning at 1:30 PM in the

Doyle Family Administration Boardroom (A129)
1200 Amburn Road
Texas City, Texas 77591

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. The items listed in this notice may be considered in any order at the discretion of the Chair or Board and items listed for closed session discussion may be discussed and/or approved in open session and vice versa as permitted by law.

Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

1. **Call to Order**
2. **Pledge of Allegiance (American Flag), Texas Pledge & a Moment of Silence**
3. **Roll Call & Determination of Quorum**
4. **Minutes**
 - A. Consideration of and Possible Action to Approve the Full Board Minutes of Monday, August 26, 2024
5. **Comments from the Community**
 - A. Students
 - B. Employees
 - C. Other Citizens
6. **Constituent Leader Activity Reports**
 - A. Faculty Senate - Candice Edmonston, President
 - B. Professional Council - Brad Denison, Vice President
 - C. Student Government Association - Mario Garza, President
7. **Bond Update - Presented by LAN (Lockwood, Andrews & Newnam, Inc.)**
8. **Human Resources Items**
 - A. Appointment Nominations
 1. Consideration of and Possible Action to Approve the Appointment Nomination of Enedina Rivera to the Position of Dental Hygiene Clinic Specialist, Dental Hygiene Department.
 - B. Consideration of and Possible Acceptance of the Non-Contractual Positions Hiring Report as Written
 - C. Presidential Search

1. Consideration of and Possible Acceptance of the Presidential Search Committee and Search Timeline, Submitted by the Human Resources Department
9. **Policy**
 - A. Consideration of and Possible Action to Adopt the Proposed Revisions to Local Policies as Presented
 1. CC(LOCAL) - Annual Operating Budget
 2. CHA(Local) - Site Management: Security
 3. CS(Local) - Information Security
 4. DBA(Local) - Employment Requirements and Restrictions: Credentials and Records
 5. DBB(Local) - Employment Requirements and Restrictions: Medical Examinations and Communicable Diseases
 6. DC(Local) Employment Practices
 7. DH(Local) - Employee Standards of Conduct
 8. DK(Local) - Professional Development
 9. DMC(Local) - Termination of Employment: Reduction in Force
 10. EBA(Local) - Alternate Methods of Instruction: Distance Education
 11. GK(LOCAL) - Relations with Educational Accreditation Agencies
10. **Consideration of and Possible Action to Approve the Design Development for the New Library Classroom Building Project, as Presented and Attached**
11. **Consideration of and Possible Action to Approve Amendment #1 to Contract 23-24 for Architectural Services Awarded to Joiner Architects as Presented for a Not-to-Exceed Amount of \$13,500**
12. **Consideration of and Possible Action to Approve the Renewal of Contract 23-02 for Print Services Not-to-Exceed \$167,000 to be Paid from FY25 Operating and Ancillary Funds**
13. **Consideration of and Possible Action to Approve the Renewal of Contract 16-21 for the Ellucian Colleague Annual Software Maintenance and Services for an Amount Not-to-Exceed \$487,000 to be Paid from FY25 Operating Budget**
14. **Tax Rate Item(s)**
 - A. Consideration of and Possible Action to Adopt the Resolution for Adopting the 2024 Tax Rate as Presented
A Roll Call Vote is Required
15. **Financial Report(s)**
 - A. Consideration of and Possible Action to Accept the August 2024 Investment Report and August 2024 Financial Reports
 - B. Consideration of and Possible Action to Accept the August 2024 Investment Quarterly Report
16. **Consideration of and Possible action to Adopt the Resolution Nominating Donald Gartman to the Board of Directors of the Galveston Central Appraisal District**
17. **Board Report**
18. **President's Report**
 - A. Updates
 - B. Reminders/Announcements
 1. Board Meetings
October 2024 - Monday, October 28th
December 2024 - Monday, December 9th
January 2025 - Monday, January 27th
February 2025 - Monday, February 24th

2. Special Called BOT Meeting - Wednesday, October 9th, 3:00 p.m.
3. Hispanic Heritage Month Event(s)
 - a. ¡Loteria, Libros y Encanto! A Family Night - October 1st, 6:00 p.m. - 8:00 p.m., COM Conference Center
 - b. ¡Salsa y Salud! (Salsa making contest) - October 3rd, 12:30 p.m. - 1:30 p.m., COM Conference Center
 - c. Fiesta Comunidad: A Community Celebration - Saturday, October 12th, 10:00 a.m. - 2:00 p.m., COM, Parking Lot F
4. Groundbreaking Ceremony, Thursday, November 14th, 3:00 p.m. - 5:00 p.m., Public Service Careers/Corporate and Continuing Education Building Site(s)
5. COM Graduation, Abundant Life, December 7th, 10:00 a.m. and 2:00 p.m.
- C. Resignations and Retirement Report
- D. Miscellaneous Updates
19. **Adjournment to a Closed or Executive Session Pursuant to the Texas Government Code of the Open Meetings Act Section 551.072 - deliberation regarding real property**
20. **Consideration of and Possible Action on any Items Discussed in Closed Session**
21. **Consideration of and Possible Action to Approve the Third Amendment to the Lease Agreement between College of the Mainland and JMK5 Texas City, LLC**
22. **Consideration of and Possible Action to Approve the Second Amendment to the Lease Agreement between College of the Mainland and JMK5 Texas City, LLC**
23. **Adjourn**

**If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board reserves the right to conduct a closed meeting in accordance with the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapters D and E, including but not limited to the following provisions; 1)Section 551.071-consultation with attorney, 2)Section 551.072-deliberation regarding real property, 3) Section 551.073-deliberation regarding prospective gifts, 4)Section 551.074-deliberation regarding personnel matters, and/or complaints against school personnel, 5)Section 551.082-deliberation regarding student disciplinary matters and/or complaints against personnel. 6)Section 551.087-deliberation regarding economic development negotiations, and/or 7)Section 551.089 – deliberation regarding security devices or security audits. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.*

The notice for this meeting was posted in compliance with the Texas Open Meeting Act on, Thursday, September 18, 2024, 3:00 P.M.



Leanne Downton
Board Liaison

Administration

President Helen Brewer, Ph.D.
Vice President for Fiscal Affairs, David Wesse, Ph.D.
Vice President for Academic Affairs, Heather Rhodes, Ed.D.
Interim Vice President for Student Affairs, Michelle Brezina



PRESIDENT'S OFFICE

Call to Order

Call to Order on **(insert date)**
at **(insert time)**



PRESIDENT'S OFFICE

Pledge of Allegiance to the American Flag
Texas Pledge
Moment of Silence

The Texas State Flag Pledge
"Honor the Texas flag; I pledge
allegiance to thee, Texas, one state under
God, one and indivisible."



College of the Mainland
Board of Trustees
2023-2024

Mr. Don Gartman,
Board Chair
2538 Quaker Dr.
Texas City, 77590
409-739-2618
dgartman@com.edu

Mr. Alan L. Waters,
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Mrs. Dawn King,
Board Vice Chair
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Dr. Verna J. Henson,
Trustee
7306 Heron Ln.
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Mrs. Melissa Skipworth,
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Dr. Bill McGarvey,
Trustee
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Mr. Kyle L. Dickson,
Trustee
2514 Pilgrim Estate Dr.
Texas City, TX 77590
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dickson@murray-lobb.com



MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 23, 2024
Subject: Full Board Minutes

Presented for recommended acceptance to Board of Trustees on the same date.

MINUTE ORDER

Motion to be acted upon: "I move the Board of Trustees approve the Full Board Minutes of August 26, 2024."

PURPOSE

To ensure accuracy of the monthly minutes.

BACKGROUND

Minutes are brought forward every month for approval.

IMPLICATIONS

Financial: N/A

Strategic Goal #1: Strategic Goal #5: College of the Mainland will provide services/processes that enhance the integrity/safety/quality of the institution (including physical facilities) and that enhance the quality of the faculty and staff.

Human Resources: N/A

Attachments

1. Minutes of 8/26/24

**College of the Mainland Board of Trustees
Minutes of Monday, August 26, 2024
1:30 p.m., Doyle Family Administration Building**

Call to Order

Don Gartman called the meeting to order at 1:34 p.m.

Pledge of Allegiance (American Flag), Texas Pledge & a Moment of Silence

Roll Call & Determination of Quorum

Roll call indicated that all Trustees were present, except Alan Waters and Verna Henson.

Note: Verna Henson arrived at 1:39 p.m.

Minutes

Consideration of and Possible Action to Approve the Minutes of the July 19, 2024 Budget Workshop Meeting

Bill McGarvey moved the Board of Trustees approve the Budget Workshop minutes of July 19, 2024. Dawn King seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve the Full Board Minutes of Monday, July 22, 2024

Alan Waters moved the Board of Trustees approve the Full Board Minutes of Monday, July 22, 2024. Verna Henson seconded the motion; all voted in approval.

Comments from the Community

No comments this month.

Constituent Leader Activity Reports

Faculty Senate – Candice Edmonston, President, updated the Board on professional employee activities.

Student Government Association –Mario Garza, President, updated the Board on Student Government Association activities.

Introducing the Phoenix Business Accelerator, Presentation by Kristen Edwards, Economic Development Director, City of Texas City

Kristen Edwards, Economic Development Director of Texas City, presented an introduction of the Phoenix Business Accelerator.

Bond Update - Presented by LAN (Lockwood, Andrews & Newnam, Inc.)

C.W. Scheibe updated the Board on the bond projects.

Human Resources Items

Appointment Nominations

Consideration of and Possible Action to Approve the Appointment Nomination of Dr. José Cantu to the Position of Vice President for Student Affairs, Division of Academic and Student Affairs

Alan Waters moved the Board of Trustees approve the appointment of Dr. José Cantu to the position of Vice President for Student Affairs, Division of Academic and Student Affairs. Verna Henson seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve the Appointment Nomination of Dr. Tanya Ingram to the Position of Dean of Students, Division of Academic and Student Affairs

Bill McGarvey moved the Board of Trustees approve the appointment of Dr. Tanya Ingram to the position of Dean of Students, Division of Academic and Student Affairs. Alan Waters seconded the motion; all voted in approval.

Consideration of and Possible Acceptance of the Non-Contractual Positions Hiring Report as Written
Verna Henson moved the Board of Trustees accept the Non-Contractual Positions Hiring Report as written. Dawn King seconded the motion; all voted in approval.

Consideration of and Possible Acceptance of the Retirement Date of August 1, 2025 Submitted by Dr. Warren R. Nichols, Jr., President

Alan Waters moved the Board of Trustees accept the retirement date of August 1, 2025 submitted by Dr. Warren R. Nichols Jr., President. Kyle Dickson seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve Award of Contract 24-16 to RDW Group, Inc. for Website Design for an Amount Not-to-Exceed \$160,000 (\$80,000 to be Paid from Fund Balance and \$80,000 to be Paid from Marketing and Public Affairs)

Alan Waters moved the Board of Trustees approve award of contract 24-16 to RDW Group, Inc. for website design for an amount not-to-exceed \$160,000 (\$80,000 to be paid from Fund Balance and \$80,000 to be paid from Marketing and Public Affairs). Bill McGarvey seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve Contract 23-27 (Cannon Design) Amendment for Additional Services to Provide:

- 1. Design and Estimating Services for the Cooling Tower Replacement Project in the Central Utility Plant, through 100% Design Development Phase**
- 2. Full Design and Construction Services for Parking Lot D, and**
- 3. Full Design Services for Monticello Landscaping Enhancement for All Teams to Implement and Construction Services for the LCB Portion of the Monticello Enhancement, which is the North Frontage of Monticello.**

These additional Services will Become a Part of the Library Classroom Building Project. The Architect's Fee will be Increased by \$390,160, Increasing the Cannon Design Contract from \$7,585,089 to \$7,975,249
Bill McGarvey moved the Board of Trustees approve contract 23-27(Cannon Design) amendment for additional services to provide:

1) Design and estimating services for the cooling tower replacement project in the Central Utility Plant, through 100% design development phase; 2) Full design and construction services for Parking Lot D; and 3) Full design services for Monticello landscaping enhancement for all teams to implement and construction services for the LCB portion of the Monticello enhancement which is the north frontage of Monticello. These additional services will become a part of the Library Classroom Building project. The architect's fee will be increased by \$390,160, increasing the Cannon Design contract from \$7,585,089 to \$7,975,249. Verna Henson seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve the Guaranteed Maximum Price #1 (MEP) for Contract 23-30 for Durotech, Inc. for the Public Safety Careers Center Project for a Not-to-Exceed Amount of \$6,208,573 for the Purchase of All Electrical and Mechanical Equipment to be Paid with 2023 Bond Funds

Alan Waters moved the Board of Trustees approve the Guaranteed Maximum Price # 1 (MEP) for contract 23-30 for Durotech, Inc. for the Public Safety Careers Center Project for a not-to-exceed amount of \$6,208,573 for the purchase of all electrical and mechanical equipment to be paid with 2023 Bond Funds. Verna Henson seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve Contract 23-42 to Smith Seckman Reid, Inc. Facilities Commissioning Consultants for MEP Commissioning Services for the Library Classroom Building Project for a Not-to-Exceed Amount of \$200,000, which Includes a Time and Material Estimate of \$185,000 and a \$15,000 Owner Contingency for Unforeseen Conditions to be Paid with 2023 Bond Funds

Alan Waters moved the Board of Trustees approve contract 23-42 to Smith Seckman Reid, Inc. Facilities Commissioning Consultants for MEP commissioning services for the Library Classroom Building Project for a not-to-exceed amount of \$200,000, which includes a time and material estimate of \$185,000 and a \$15,000

owner contingency for unforeseen conditions to be paid with 2023 Bond Funds. Bill McGarvey seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve Contract 23-43 to Smith Seckman Reid, Inc. Consultants for Building Envelope Consulting and Commissioning Services for the Library Classroom Building Project for a Not-to-Exceed Amount of \$124,240, which Includes a Time and Material Estimate of \$109,240 and a \$15,000 Owner Contingency for Unforeseen Conditions to be Paid with 2023 Bond Funds

Bill McGarvey moved the Board of Trustees approve contract 23-43 to Smith Seckman Reid, Inc. Consultants for Building Envelope Consulting and Commissioning Services for the Library Classroom Building Project for a not-to-exceed amount of \$124,240, which includes a time and material estimate of \$109,240 and a \$15,000 owner contingency for unforeseen conditions to be paid with 2023 Bond Funds. Alan Waters seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve Award of Contract 23-44 to TADCO Roofing, LLC for the Construction Services to Reroof the Conference Center and Student Center Buildings for a Not-to-Exceed Amount of \$1,126,223 to be Paid with 2023 Bond Funds

Alan Waters moved the Board of Trustees approve award of contract 23-44 to TADCO Roofing, LLC for the construction services to reroof the Conference Center and Student Center buildings for a not-to-exceed amount of \$1,126,223 to be paid with 2023 Bond funds. Verna Henson seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve the Contract Amendment of Change Order 001 to Add the Scope of Parking Lot D and Associated Landscaping, Lighting and Security Cameras and Other Accessories as Designed by the Architect to Contract 23-34 CMAR Services (Vaughn Construction, LLC) for the Library Classroom Building. This Change Order Does Not Increase the Cost of Preconstruction Services. The Associated Cost of Work for this Additional Scope will be Added to the Project when the Guaranteed Maximum Price, Identifying this Additional Cost, is Submitted

Bill McGarvey moved the Board of Trustees approve the contract amendment of Change Order 001 to add the scope of Parking Lot D and associated landscaping, lighting and security cameras and other accessories as designed by the architect to contract 23-34 CMAR Services (Vaughn Construction, LLC) for the Library Classroom Building. This change order does not increase the cost of preconstruction services. The associated cost of work for this additional scope will be added to the project when the Guaranteed Maximum Price, identifying this additional cost, is submitted. Verna Henson seconded the motion; all voted in approval.

Consideration of and Possible Action to Adopt the College of the Mainland "Fiscal Analysis and Budget" as Presented by the Administration for Academic/Fiscal Year 2024-2025

Alan Waters moved the Board of Trustees adopt the College of the Mainland "Fiscal Analysis and Budget" as presented by the Administration for Academic/Fiscal Year 2024-2025. Verna Henson seconded the motion; all voted in approval.

Consideration of and Possible Action to Accept the Workers' Compensation Insurance Renewal Proposal from TASB Risk Management in the Amount of \$133,835

Kyle Dickson moved the Board of Trustees accept the Workers' Compensation Insurance Renewal Proposal from TASB Risk Management in the amount of \$133,835. Alan Waters seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve the Renewal of Contract 20-01 for Custodial & Maintenance Services with IQS for an Amount Not-to-Exceed \$1,273,277 to be Paid from FY25 Operating Budget

Bill McGarvey moved the Board of Trustees approve the renewal of contract 20-01 for custodial & maintenance services with IQS for an amount not-to-exceed \$1,273,277 to be paid from FY25 Operating Budget. Verna Henson seconded the motion; all voted in approval.

Consideration of and Possible Action to Approve the Renewal of Contract 23-15 for Grounds Maintenance and Landscaping Services with Beck Landscaping for an Amount Not-to-Exceed \$385,000 to be Paid from FY25 Operating Budget

Alan Waters moved the Board of Trustees approve the renewal of contract 23-15 for grounds maintenance & landscaping services with Beck Landscaping for an amount not-to-exceed \$385,000 to be paid from FY25 Operating Budget. Verna Henson seconded the motion; all voted in approval.

Tax Rate Item(s)

Consideration of and Possible Action to Propose a Maintenance and Operations Tax Rate of .1427/100 and an Interest and Sinking Rate of .1244/100 for a Total Rate of .2671/100 for the 2024 Tax Year

NOTE: Roll Call Vote Required

Verna Henson moved the Board of Trustees propose a maintenance and operations tax rate of .1427/100 and an interest and sinking rate of .1244/100 for a total rate of .2671/100 for the 2024 tax year. A roll call vote indicated that all members present voted in favor; the motion passed. **Note:** Melissa Skipworth was absent.

Consideration of and Possible Action on Tax Rate and Approval of the Date of September 23, 2024 to Adopt a Tax Rate for 2024

Bill McGarvey moved the Board of Trustees approve to set the date to adopt the 2024 tax rate on September 23, 2024. Alan Waters seconded the motion; all voted in approval.

Financial Report(s)

Consideration of and Possible Action to Accept the July 2024 Investment and Financial Reports

Alan Waters moved the Board of Trustees accept the July 2024 Investment Report and the July 2024 Financial Reports. Verna Henson seconded the motion; all voted in approval.

Consideration of and Possible Acceptance of the Presidential Search Firm Agreement, Submitted by the Association of Community College Trustees (ACCT)

Alan Waters moved the Board of Trustees accept the Presidential Search Firm Agreement, submitted by the Association of Community College Trustees (ACCT). Verna Henson seconded the motion; all voted in approval.

Board Report

No Board Report this month.

President's Report

Updates

Enrollment Update – Dr. Helen Brewer updated the Board on the enrollment numbers.

Reminders/Announcements

Board Meetings

September 2024 – Monday, September 23rd

October 2024 – Monday, October 28th

December 2024 – Monday, December 9th

January 2025 – Monday, January 27th

Hispanic Heritage Month Kickoff, Tuesday, September 10th, 12:30 p.m. – 1:30 p.m., LRC Breezeway

Constitution Day, Tuesday, September 17th, 12:30 p.m., Conference Center

Resignations and Retirement Report

Miscellaneous

Executive Session

Adjournment to a Closed or Executive Session Pursuant to the Texas Government Code of the Open Meetings Act

Section 551.076 – To consider the deployment, or specific occasions for implementation, of security personnel or devices.


Section 551.074 – For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee.

Kyle Dickson moved for adjournment. Dawn King seconded the motion; all voted in approval.

Adjournment at 3:09 p.m.



Melissa Skipworth, Secretary
Board of Trustees



Don Gartman, Chair
Board of Trustees

Comments from the Community

A citizen desiring to appear before the Board of Trustees shall complete a Public Comment Request Form indicating the topic about which they wish to speak which shall be filed with the Board Clerk ten (10) minutes prior to the start of the meeting. Time allotted each citizen or organization shall be limited to five minutes. The total time for hearing of citizens shall be no more than 60 minutes at any one meeting. Presentation of matters concerning a complaint or charge against a College District employee or officer will be heard in closed session unless the individual who is the subject of the change or complaint requests a public hearing.

We appreciate your concerns. If the matter(s) you raise are not included on the board agenda, state law, specifically the Texas Open Meetings Act, prohibits the Board from discussing, commenting on or taking action on these issues at this board meeting. Thank you.



PRESIDENT'S OFFICE

Constituents Leader Activity Reports

- A. Faculty Senate – Candice Edmonston, President
- B. Student Government Association – Mario Garza, President



PRESIDENT'S OFFICE

Constituents Leader Activity Reports

- A. Faculty Senate – Candice Edmonston, President
- B. Professional Council – Brad Denison, Vice President
- C. Student Government Association – Mario Garza, President

Bond Update

College of the Mainland, 2023 Bond Program
Board Meeting

September 23, 2024



Library Classroom Building (LCB)

Architect: Cannon Design

Contractor/CMAR: Vaughn Const

Completed Activities:

- Interior graphics workshop # 4 held August 29 and exterior graphics was presented to executive leadership Sept. 4.
- Design Development phase completed end of August. City has hired third party review firm; team is coordinating with them.
- Design Development drawings issued for estimating and review on Sept 6.
- Meeting to discuss impact of new IBC 2024 code with COM was held Sept. 11
- Bond 2023 – Local Participation event on Sept. 16

Ongoing/Upcoming Activities:

- Meeting to review Design Development Cost Estimate is scheduled for October 1.
- Design Development approval to be requested at Sept 23 BOT

Project Milestones:

- Design Phase: July 2023 – Feb 2025
- Construction Phase: Apr 2025 – Apr 2027
- Project is on Schedule

Project Cost:

- Total Project Budget: \$ 123,453,618
- Project Cost to Date: \$ 2,416,408.96
- Total Construction Cost: \$ 99,546,407
- Construction Cost to Date: \$ 0.00
- Project scope is aligned with current Budget



Public Safety Careers Center (PSC)

Architect: RDLR Architects

CMAR: Durotech, Inc.

Completed Activities:

- Drawings submitted for permit review
- Exterior Signage Meeting
- GMP # 2 Procurement – Advertising 9/7 & 9/14

Project Milestones:

- Design Phase: July 2023 – June 2024
- Bidding: Aug 2024 – Oct 2024
- Construction Phase: Oct 2024 – May 2026
- Project is on Schedule

Ongoing/Upcoming Activities:

- Burn Building – Santa Fe FD finalizing purchase of new property
- Submit Planning Development Application for Training Tower
- Procure professional service consultants (Building Envelope, MEP Commissioning, HVAC TAB)
- GMP # 2 Procurement – October BoT for Approval

Project Cost:

- Total Project Budget: \$34,189,359.65
- Project Cost to Date: \$1,432,378.30
- Total Construction Cost: \$25,870,000.00
- Construction Cost to Date: \$0.00
- Project is in Budget



Welding Building & Industrial Ed (WELD_IE)

Architect: Joiner Architects

CMAR: Pogue Construction

Completed Activities:

- Welding Building cleared out for demolition to begin.
- Exterior signage meeting

Project Milestones:

- Design Phase: July 2023 – Mar 2024
- CMAR Procurement: Aug 2023 – Oct 2023
- Construction Phase: June 2024 – Sep 2025
- Project is on Schedule

Ongoing/Upcoming Activities:

- Demolition/renovation of Welding Building
- Demolition ongoing in three classrooms in the IE Building
- Site lighting work (STEAM near lake and quad)
- Architect to design infrastructure for 12 additional welding booths in IE Building

Project Cost:

- Total Project Budget: \$ 15,715,720.67
- Project Cost to Date: \$ 1,452,065.86
- Total Construction Cost: \$ 12,372,216.00
- Construction Cost to Date: \$ 376,802.10
- Project is in Budget



Corporate & Continuing Ed Center (CCEC)

Architect: Kirksey Architecture

CMAR: Tellepsen

Completed Activities:

- Drawings submitted for permit review
- Exterior Signage Meeting
- GMP Procurement – Advertising 9/14 & 9/21

Project Milestones:

- Design Phase: Oct 2023 – Jul 2024
- Bidding: Aug 2024 – Oct 2024
- Construction Phase: Oct 2024- Nov 2025

Ongoing/Upcoming Activities:

- Procure professional service consultants (Building Envelope, MEP Commissioning, HVAC TAB)
- Procurement / GMP – Oct BoT Meeting for approval

Project Cost:

- Total Project Budget: \$15,652,505.57
- Project Cost to Date: \$ 555,106.85
- Total Construction Cost: \$13,000,000.00
- Construction Cost to Date: \$0.00
- Project is in Budget

Infrastructure – Parking lots A, B and C, and Deferred Maintenance – Underground Utilities

Completed Activities:

- Construction Permit acquired
- Broaddus Construction Contract executed. Bonds and Insurance executed.
- Communication regarding parking lot closures and contractor activities sent via Marketing
- Mobilization started July 2, 2024 -Construction trailer, fencing, etc.
- Pre-construction meeting held June 4, 2024
- Demo and utilities subcontractors – Pre-installation meeting held
- Concrete demolition at Parking Lot C – Complete

Project Milestones:

- Design Phase(Parking Lots):Completed Apr 2024
- GC Procurement (CSP): Apr 2024–Jun 2024
- Construction Permit Ready for Issued: June 17, 2024
- Construction Plumbing Permit Ready for Issued: July 30, 2024
- Construction Fire Line Permit Ready for Issued: Aug 14, 2024
- Phase 1 – Parking Lot C : July 2024 – Dec 2024
 - Fire Water Line installation Aug 2024 – Dec 2024
 - Sanitary & Storm Sewers Sep 2024 – Dec 2024
 - New Concrete Paving & Sidewalks Aug 2024 – Dec 2024

Ongoing/Upcoming Activities:

- Phase 1 – Parking Lot C and Underground Utilities
July 2, 2024 – Dec 15, 2024(On-going work on the stabilization, grading, underground installation of fire line, sanitary & sewer lines)
Phase 2 – Parking Lot B and Underground Utilities
Dec 16, 2024 - Apr 1, 2025
Phase 3 – Parking Lot A and Underground Utilities
Apr 2, 2025 – Sept 30, 2025

Project Cost:

- | | |
|------------------------------|-------------------|
| • Total Project Budget: | \$ 13,000,000.00* |
| • Project Cost to Date: | \$ 1,353,563.25 |
| • Total Construction Budget: | \$ 10,400,000.00 |
| • Construction Cost to Date: | \$ 942,376.18 |
| • Project is in Budget | |

* Combined TPC for both Parking lots and Deferred Maintenance- Utilities

Infrastructure – Parking lots A, B and C, and Deferred Maintenance – Underground Utilities

COM Parking Lots ABC
Broaddus Construction
Site Logistics Plan
Sep 11, 2024 Rev

PROJECT PHASES:

**Phase 1 - Parking Lot C and
Underground Utilities**
From 7/2/2024 through 12/15/2024

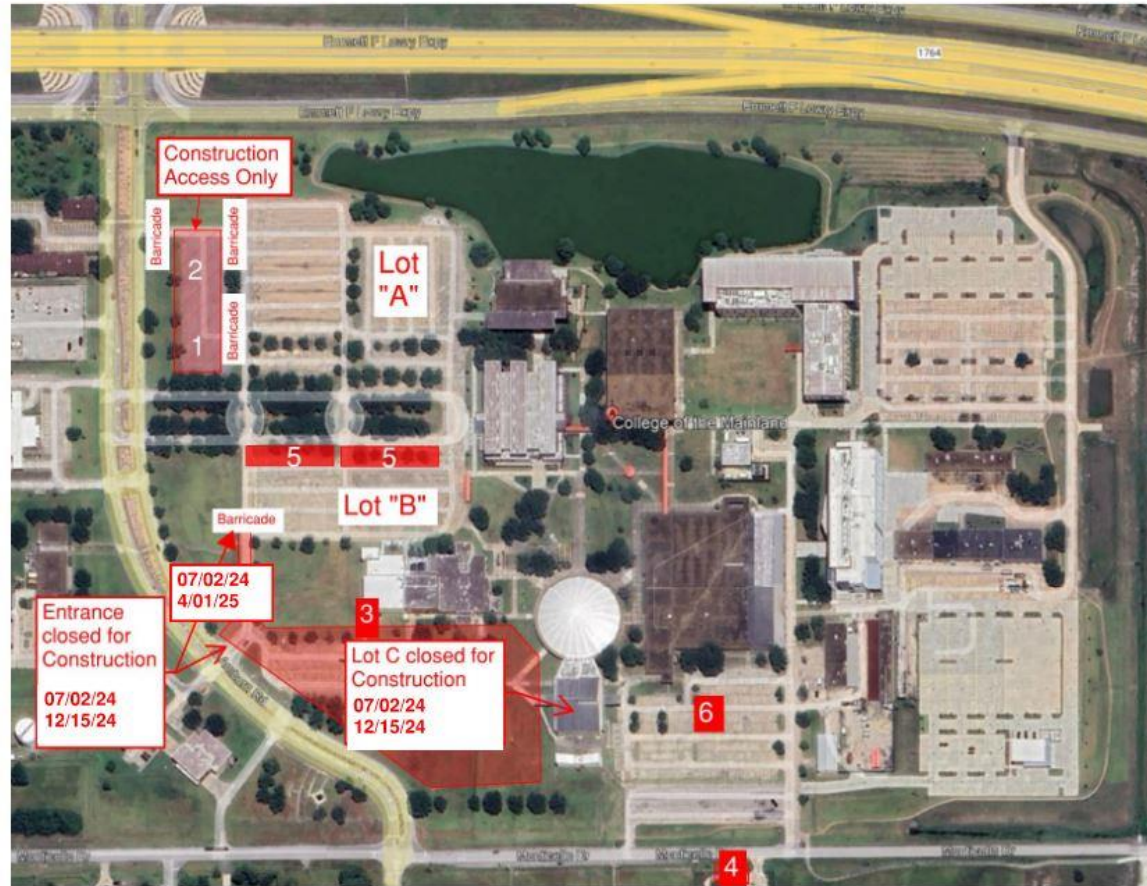
**Phase 2 - Parking Lot B and
Underground Utilities**
From 12/16/24 through 4/01/25

**Phase 3 - Parking Lot A and
Underground Utilities**
From 4/02/25 through 9/30/25

LEGEND:

- 1 - Construction Material Storage
From 07/02/24
To 09/12/25
- 2 - Construction parking only
From 07/02/24
To 09/12/25
- 3 - Construction Trailer
From 07/02/24
To 09/12/25
- 4 - Additional construction parking.
From 07/02/24
To 09/12/25
- 5 - Area to be closed for utility work
From TBD
To TBD
- 6 - Parking Lot D
Closed from 4/1/25
to 6/1/27

Overall Plan
Phase 1



Infrastructure – Deferred Maintenance – Buildings – Reroof of Student Ctr and Conf Ctr

A/E: Joiner Architects

Contractor: Tadco Roofing

Ongoing Activities:

Re-roof of Student Center and Conference Center:

- BOT approved Tadco as recommended Contractor on August 26
- Notice to Proceed
- Substantial Completion target – Mid Dec 2024

Project Milestones:

- Design Phase: Complete
- GC Procurement (CSP): Ongoing
- Construction Phase: Sept 2024 to Dec 2024

Project Cost:

- Total Project Budget: \$ 1,501,631*
- Project Cost to Date: \$ 28,800
- Total Construction Budget: \$ 1,126,223
- Construction Cost to Date: \$ 0.00
- Project is in Budget

- * Sub-project Budgets are part of the Infrastructure-deferred maintenance – buildings budget

Infrastructure – Deferred Maintenance – Buildings – Cooling Tower Replacement

A/E: Cannon/Cleary Zimmerman

Contractor: TBD

Ongoing Activities:

Cooling Tower Replacement:

- Cannon/CZ was approved at the August 26 BOT meeting to design through Design Development phase
- Initial design has begun; site meeting was held September 17.
- Replacement of the cooling tower will be scheduled based on best timing

Project Milestones:

- Design Phase: Complete
- GC Procurement (CSP): Ongoing
- Construction Phase: Sept to Dec 2024

Project Cost:

- Total Project Budget: \$ 2,400,000*
- Project Cost to Date: \$ 0.00
- Total Construction Budget: \$ 1,800,000
- Construction Cost to Date: \$ 0.00
- Project is in Budget

- * Sub-project Budgets are part of the Infrastructure-deferred maintenance – buildings budget

Campus Furniture Planning

A/E: Cannon Design Furniture Studio

Contractor: TBD

Completed Activities:

- Furniture Rodeo was held Sept. 4 and 5.
- Had very good participation from COM students and employees
- Several comments made about how this was very useful to ensure the new selections will work well for COM
- Furniture Rodeo results were presented to committee Sept. 12

Ongoing/Upcoming Activities:

- Furniture recommendations will be presented to COM executive leadership.

Project Milestones:

- Design Phase: April 2024 – Sept 2024
- Bid Package: Sept 2024 – Jan 2025
- Supplier Procurement (CSP): Jan 2025
- Construction Phase: Per project

Project Cost:

- Total Project Budget: \$ TBD
- Project Cost to Date: \$ 97,964.43
- Total Construction Cost: \$ TBD
from within overall FF&E budget of \$11,531,102.10
- Construction Cost to Date: \$ 0.00
- Project is in Budget



Questions





PRESIDENT'S OFFICE

MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 23, 2024
Subject: Recommendation – Dental Hygiene Clinic Specialist (New)

Presented for recommended approval to the Board of Trustees on September 23, 2024 and forwarded for recommended approval to the Board of Trustees on the same date.

MINUTE ORDER

Motion to be acted upon: “I move the Board of Trustees approve the appointment of Enedina Rivera to the position of Dental Hygiene Clinic Specialist, Dental Hygiene Department.”

PURPOSE

The Clinic Specialist for the Dental Hygiene program is assigned a range of responsibilities to ensure the daily operation of the back office of the dental hygiene clinic.

BACKGROUND

This is a new position approved by the Board of Trustees in the 2024-2025 budget.

IMPLICATIONS

Financial: \$59,726 from budget 11-0-0000-1324-5140.

Strategic Goal 5: College of the Mainland will provide services/processes that enhance the integrity/safety/quality of the institution (including physical facilities) and that enhance the quality of the faculty and staff.

ATTACHMENTS

1. Appointment Nomination

MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 23, 2024
Subject: Recommendation – Acceptance of Non-Contractual Positions Hiring Report

Presented for recommended acceptance to Board of Trustees on September 23, 2024.

MINUTE ORDER

Motion to be acted upon: “I move the Board of Trustees accept the *Non-Contractual Positions Hiring Report as written.*”

PURPOSE

The *Non-Contractual Positions Hiring Report* is being presented to the Board of Trustees for review and acceptance.

BACKGROUND

Notwithstanding Board policy DC (Local) which states that the Board delegates to the College President final authority to employ and dismiss non-contractual classified employees on an at-will basis, based on recommendations from the staff the persons listed on the attached Non-Contractual Positions Hiring Report is recommended for employment.

IMPLICATIONS

Financial:

Administrative Assistant IV - \$50,101 from budget 11-0-0000-3105-5160

Barber Faculty (FT Temporary Assignment) – \$61,700 from budget 11-0-0000-1301-5100

Success Coach - \$55,612 from budget 32-0-5220-4199-5140

Career Services Coordinator - \$51,763 from budget 32-0-5214-4199-5140

Strategic Goal #5: College of the Mainland will provide services/processes that enhance the integrity/safety/quality of the institution (including physical facilities) and that enhance the quality of the faculty and staff.

Attachments

Non-contractual Positions Hiring Report

	POSITION	DEPARTMENT	CLASS SUMMARY	POSITION STATUS	SELECTED CANDIDATE	SALARY	SALARY RANGE
1	Administrative Assistant IV	Science & Engineering	Provides a variety of administrative support duties in relation to the Department of Science and Engineering including Biology, Chemistry, Engineering, Geology, Physical Education, and Physics/Astronomy.	Replacing Julie Kellagher	Jennifer McManus	\$50,101	\$40,081 - \$50,101 - \$60,121
2	Barber Faculty (Full Time Temporary Assignment)	Human Services Careers	Responsible for providing instruction within the Huma Services Careers/Barber Program.	Replacing Andrea Cruz.	Michael Rodriguez	\$61,700	\$49,983 - \$65,720 - \$80,887
3	Success Coach	Student Success Center	This position will provide comprehensive support services for all students enrolled in corequisite Math courses, working closely with College of the Mainland students and faculty to increase success rates in these courses and support students throughout their academic journey. Responsibilities include tracking student success metrics such as retention and completion rates, offering personalized academic coaching, and connecting with students close to completion to determine what supports each student needs to succeed.	New Grant Funded position	Nicole Siragusa	\$55,612	\$47,781 - \$59,729 - \$71,672
4	Career Services Coordinator	Career Services	The Career Services Coordinator connects students to career services, provides support to students in career planning, and facilitates work based learning opportunities. This position engage with employers to develop internship, experiential learning and service learning.	New Grant Funded position	Emily Stovall	\$51,763	\$47,781 - \$59,729 - \$71,672
5							
6							
7							
8							



PRESIDENT'S OFFICE

MINUTE ORDER

To: Board of Trustees
From: Dr. Warren R. Nichols Jr., President
Date: September 23, 2024
Subject: Acceptance of the Presidential Search Committee and search timeline

Presented for recommended acceptance to the Board of Trustees on September 23, 2024 and forwarded for recommended acceptance to the Board of Trustees on the same date.

MINUTE ORDER

Motion to be acted upon: "I move the Board of Trustees accept the Presidential Search Committee and search timeline, submitted by the Human Resources Department."

PURPOSE

To assist with the Presidential search for the replacement of Dr. Warren R. Nichols Jr., President.

BACKGROUND

In order for the Board of Trustees to move forward with a Presidential search, an acceptance of the search committee and search timeline submitted by Human Resources is required.

FUNDING SOURCE:

N/A

ATTACHMENTS

1. Presidential Search Committee
2. Search timeline

Draft Presidential Search Committee

3 Board of Trustees:

Don Gartman, Board Chair

Kyle Dickson , Trustee

Dr. Bill McGarvey, Trustee

5 College of the Mainland:

Dr. David Wesse, Vice President for Fiscal Affairs

Candice Edmonston, Faculty Senate President

Sonia Kukuch, Classified Council President

Bradley Denison, Professional Council President

Paige Parrish, Dean of Continuing Education

3 Community:

Tim Culp, Community Member

Abel Garza, Community Member

Thomasina Allen, Community Member

2 Foundation:

Chris DeVries, Foundation Vice President

Summer Chapman, Foundation President

College of the Mainland, TX

Presidential Search Timeline

September 2024	Regular or called meeting of the Board of Trustee to approve the presidential search process in principle, review the timeline, and appoint the Presidential Search Committee.
October 8, 2024	ACCT Search Consultant facilitates a series of in-person open Public Forums (Administrators, Staff, Faculty, Students, Community members invited to attend) to solicit feedback to inform the development of the draft Presidential Profile. Presidential Search Announcement with electronic survey distributed (approximately 10 days prior to the forum date) to solicit feedback to assist with the development of the Presidential Profile.
October 9, 2024	Presidential Search Committee Meeting #1: Training and Orientation; Committee receives Draft Presidential Profile and reviews and edits the draft Presidential Profile. (Approximately a 2 – 3 hour meeting). The Board of Trustees to discuss, edit and finalize the Presidential Profile. (1-hour called meeting to occur after Search Committee Meeting #1).
Week of Oct. 14 2024	Presidential Profile is posted on com.edu and ACCT websites. ACCT and Search Consultant conduct targeted local, state-wide, and national one-to-one recruitment of highly competitive and diverse candidates. Advertisements placed.
January 22, 2025	Target Date for Receipt of Applications. Position open until filled.
Jan. 24. – Feb. 6, 2025	Presidential Search Committee members review and rate the confidential applications using ACCT’s secure web portal.
February 13, 2025	Presidential Search Committee Meeting #2: Presidential Search Committee meets to discuss and select approximately 7 – 9 confidential semifinalists. (5 – 6 hour meeting).
February 26 - 27, 2025	Search Committee Meeting #3: Presidential Search Committee meets for confidential semifinalist interviews. (Two-day Interview process via video or in-person). Search Committee deliberates and selects 3 - 4 finalists and forwards recommendations to the Board of Trustees).
Week of March 10, 2025	Finalists visit the College for tours, participate in public forums, meet with Direct Reports, etc. Finalists interview with the Board of Trustees. During deliberations, ACCT provides oral in-depth reference reports on final candidates.
Week of March 17, 2025	Board of Trustees meets to select a sole finalist. [Option: Board members visit #1 candidate’s institution.] Board negotiates contract and then announces the sole finalist. Board waits 21 days to vote formally.
April 2025	Board meeting and formal vote: New President of College of the Mainland is announced (21 days after the announcement of the sole finalist)
July 1, 2025	Start date for next President of College of the Mainland or as agreed upon by the president-Elect and the Board of Trustees.



MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 23, 2024
Subject: Recommendation to adopt revisions to COM Local Policies

AGENDA ITEM DESCRIPTION:

Discussion and possible action on the proposed revisions to COM Local Policies as described in the September Policy Update included below.

Presented and recommended for approval to the Board of Trustees on September 23, 2024.

PROPOSED MOTION:

Suggested motion: *“I move the Board of Trustees adopt the proposed revisions to local policies as presented.”*

ATTACHMENTS Draft/Final

1. CC (Local) *Annual Operating Budget*
2. CHA (Local) *Site Management: Security*
3. CS (Local) *Information Security*
4. DBA (Local) *Employment Requirements and Restrictions: Credentials and Records*
5. DBB (Local) *Employment Requirements and Restrictions: Medical Examinations and Communicable Diseases*
6. DC(Local) *Employment Practices*
7. DH (Local) *Employee Standards of Conduct*
8. DK (Local) *Professional Development*
9. DMC (Local) *Termination of Employment: Reduction in Force*
10. EBA (Local) *Alternate Methods of Instruction: Distance Education*
11. GK (Local) *Relations with Educational Accreditation Agencies*



SEMPTEMBER 2024 LOCAL POLICY UPDATE

PERSONNEL POLICIES - LAW ENFORCEMENT

CHA(LOCAL) *Site Management: Security.* Revised to reflect legislative changes to law enforcement employment practices.

DBA(LOCAL) *Employment Requirements and Restrictions: Credentials and Records.* Revised to reflect legislative changes to the management of law enforcement personnel files.

DBB(LOCAL) *Employment Requirements and Restrictions: Medical Examinations and Communicable Diseases.* Legislative changes to law enforcement employment practices relating to medical and psychological examination of peace officer or telecommunicator are included.

DC(LOCAL) *Employment Practices.* New recommended local policy language addresses the application of SB 1445 to the Employment of Certain Law Enforcement Personnel.

DH(LOCAL) *Employee Standards of Conduct.* New recommended local policy language addresses the application of SB 1445 to investigations of Misconduct by Certain Law Enforcement Personnel.

INFORMATION TECHNOLOGY

CS(LOCAL) *Information Security.* Policy updated to reflect changes in the Administrative Code requiring an Information Security Assessment and removing the Monthly Reports requirement.

ACCREDITATION

The following policies were revised to reflect the Coordinating Board rules allowing the college to select an accreditor other than SACSCOC.

CC(LOCAL) *Annual Operating Budget*

DK(LOCAL) *Professional Development*

DMC(LOCAL) *Termination of Employment: Reduction in Force*

EBA(LOCAL) *Alternate Methods of Instruction: Distance Education*

GK(LOCAL) *Relations with Educational*

The Office of the General Counsel is available to answer any questions regarding these changes along with other policy or regulation inquiries. Please contact cbrasher1@com.edu for assistance.

For more information and to read the entire texts of these and other policies visit:

<https://pol.tasb.org/Home/Index/497>

Budget Planning

Budget planning shall be an integral part of overall program planning so that the budget effectively reflects the College District's programs and activities and provides the resources to implement them. In the planning process, general educational goals and specific program goals shall be considered and shall be consistent with the College District's strategic plan and supported by the facilities master plan.

Long-Term Financial Planning

The budget shall be developed to support the College District's long- and near-term financial goals for the academic year stated in fiscal terms. The following principles shall be adhered to in developing the annual budget:

1. In preparing and passing the budget, the administration and Board shall strive to distribute funds in a manner that is aligned with the College District's strategic plan to the maximum extent possible. The budget shall reflect an equitable allocation of resources among the College District's many services and functions supporting the goals of the strategic and facilities master plans.
2. Multi-year capital investments in infrastructure, technology, and major equipment demands shall be supported with a priority given to projects emphasizing security and safety. Investment in capital projects thereafter shall be prioritized on a cost-benefit basis.
3. The budget shall identify sufficient sources of funds to ensure a fiscally balanced budget.
4. The budget shall reasonably provide for contingencies to meet unforeseen demands.
5. The administration shall provide the Board with key indicators to assist the Board in its deliberations.

Budget Preparation

The College President shall supervise the development of a budget calendar and budget preparation that ensures input from all levels of operation throughout the budget process before presenting the recommended budget to the Board. The budget shall conform to Coordinating Board requirements and meet the standards of the ~~Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~. College District's accreditor [see GK].

Budget Adoption

Upon adoption by the Board, the budget provides authority to expend funds for the purposes indicated and in accordance with state law, Board policy, and the College District's approved purchasing procedures. The expenditure of funds shall be under the direction of the College President or designee who shall ensure that funds are expended in accordance with the adopted budget.

Budget Amendments Upon recommendation by the College President, Board approval shall be required to authorize fund-to-fund budget transfers and amendments to the budget. Budget transfers within a fund shall require approval by the College President or designee.

Fund Balance The College District strives to maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees because of temporary revenue shortfalls or unpredicted one-time expenditures. The College District's administration, for financial management purposes, does not consider all financial liabilities in calculating its unrestricted fund balance. For example, the College District's net pension liability is not a legal obligation, and the Texas Retirement System (TRS) does not have recourse to collect the College District's net pension liability. The Governmental Accounting Standards Board (GASB 68) requires the College District to book this pseudo-liability. The College District administration uses cash reserves less current liabilities to assess the College District's financial health and ability to meet short-term financial obligations. The College District's annual budgets shall maintain, at the beginning of each fiscal year, unrestricted and unallocated cash reserves of at least 16.7 percent of budgeted total annual expenses plus total accounts payable.

Cash Reserves If unrestricted cash falls below this level, the College President shall present a corrective plan that addresses the shortfall to the Board within a time period acceptable to the Board.

Cash reserve funds may fall below the policy level, when deemed necessary by the Board, in order to make necessary or beneficial use of the reserve, with the understanding that the reserve shall be addressed during the following budgetary cycle(s).

Budget Planning

Budget planning shall be an integral part of overall program planning so that the budget effectively reflects the College District's programs and activities and provides the resources to implement them. In the planning process, general educational goals and specific program goals shall be considered and shall be consistent with the College District's strategic plan and supported by the facilities master plan.

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ANNUAL OPERATING BUDGET

CC
(LOCAL)

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**College District
Police Department**

To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a College District police department and shall employ and commission peace officers.

Jurisdiction

The jurisdiction of College District peace officers shall include all counties in which property is owned, leased, rented, or otherwise under the control of the College District.

Police Authority

While within the jurisdiction set out in this policy, peace officers employed and commissioned by the College District shall have all the powers, privileges, and immunities of peace officers. Subject to limitations in law, College District peace officers shall have the authority to:

1. Protect the safety and welfare of any person in the jurisdiction of the College District and protect the property of the College District.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, College District police officers may serve search warrants in connection with College District-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.
4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Enforce College District policies, rules, and regulations on College District property or at College District functions.
6. Investigate violations of College District policies, rules, and regulations as requested by the ~~College President~~College President and participate in hearings concerning alleged violations.
7. Carry weapons as directed by the chief of police and approved by the ~~College President~~College President.
8. Carry out all other duties as directed by the chief of police or ~~College President~~College President.

Temporary
Assignment

College District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state and federal laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.

Employment of
Peace Officers and
Telecommunicators

For additional provisions regarding the employment of peace officers and telecommunicators, see DC.

**Limitations on
Outside Employment**

No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police or College President or designee.

**Relationship with
Outside Agencies**

The College District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. The chief of police and the College President or designee shall review the memorandum of understanding at least once every year. The memorandum of understanding shall be approved by the Board.

Use of Force

The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.

By Drone

The College District shall not use force by means of a drone.

High-Speed Pursuit

Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.

Officer Training

All College District officers shall receive at least the minimum amount of education and training required by law.

Peace Officer
Medical and
Psychological
Examinations
Leave

For provisions regarding the fitness-for-duty examination of a peace officer or telecommunicator, see DBB.

For provisions regarding mental health leave for peace officers and telecommunicators and quarantine leave for peace officers, see DEC.

Complaints

Complaints against a College District police officer shall be in writing on a form provided by the College District and shall be signed by the person making the complaint. In accordance with law, the College District shall provide to the police officer a copy of

**Misconduct
Investigations**

the complaint. [See Complaint Against Peace Officer at
CHA(LEGAL)]

Appeals regarding this complaint process shall be filed in
accordance with DGBA, FLD, or GB, as appropriate.

For provisions regarding the investigation of allegations of
misconduct by peace officers and telecommunicators, see DH.

Personnel Files

For provisions regarding personnel files maintained with respect to
peace officers and telecommunicators, see DBA.

**Department
Regulations Manual**

To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the College President or designee shall review the manual annually and make any appropriate revisions.

Racial Profiling

The chief of police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Peace officers employed by the College District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.

Complaints

~~Complaints against a College District police officer shall be in writing on a form provided by the College District and shall be signed by the person making the complaint. In accordance with law, the College District shall provide to the police officer a copy of the complaint. [See Complaint Against Peace Officer at CHA(LEGAL)]~~

~~Appeals regarding this complaint process shall be filed in accordance with DGBA, FLD, or GB, as appropriate.~~

**Key Distribution and
Security**

Distribution of the institution's keys shall be made based on an employee's need for access to campus facilities and approval of the College President or designee.

Responsibility

Responsibility for the security of keys lies with the person to whom they are issued. Under no circumstances shall campus keys be loaned or given to anyone who is not authorized access under this policy. Campus keys are not to be copied or distributed except under the conditions of this policy.

The loss of campus keys must be immediately reported to the police department. Keys shall be replaced after a waiting period of five working days from the date of report.

Duty keys, when assigned, shall be secured at the end of the shift.

All campus keys issued to a person must be returned to the police department upon the employee's separation from employment.

All locks and hardware used to secure doors and College District property shall be issued by the College District. Locks not so issued shall be removed, except for personal lockers.

**College District
Identification Card**

For the purposes of enhancing security, verifying status, and facilitating access to College District facilities or services, the College District shall issue all current members of the College District a valid ~~college~~College District photo identification card.

A College District-issued photo identification card must be shown upon request by any College District employee.

Weapons Prohibited

The College District prohibits the possession or exhibition of prohibited weapons or ammunition, as defined by law, on College District property or while representing the College District at off-site activities sponsored by the College District. [See FLBF(LEGAL) and GFA(LEGAL)]

Exception

Peace officers employed by the College District and those from other agencies who are on College District property for official law enforcement purposes shall be exempt from this prohibition.

Additionally, no violation of this policy occurs when the use, possession, or display of an otherwise prohibited weapon takes place as a part of an approved College District course or activity, either -on or off campus, that is supervised by proper authorities and involves the use of firearms, ammunition, or dangerous chemicals. For any authorized course or activity, the firearms must be unloaded and transported in a carrying case or tote bag.

**College District
Police Department**

To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a College District police department and shall employ and commission peace officers.

Jurisdiction

The jurisdiction of College District peace officers shall include all counties in which property is owned, leased, rented, or otherwise under the control of the College District.

Police Authority

While within the jurisdiction set out in this policy, peace officers employed and commissioned by the College District shall have all the powers, privileges, and immunities of peace officers. Subject to limitations in law, College District peace officers shall have the authority to:

1. Protect the safety and welfare of any person in the jurisdiction of the College District and protect the property of the College District.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, College District police officers may serve search warrants in connection with College District-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.
4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Enforce College District policies, rules, and regulations on College District property or at College District functions.
6. Investigate violations of College District policies, rules, and regulations as requested by the College President and participate in hearings concerning alleged violations.
7. Carry weapons as directed by the chief of police and approved by the College President.
8. Carry out all other duties as directed by the chief of police or College President.

SITE MANAGEMENT
SECURITY

CHA
(LOCAL)

Temporary Assignment	College District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state and federal laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.
Employment of Peace Officers and Telecommunicators	For additional provisions regarding the employment of peace officers and telecommunicators, see DC.
Limitations on Outside Employment	No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police or College President or designee.
Relationship with Outside Agencies	The College District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. The chief of police and the College President or designee shall review the memorandum of understanding at least once every year. The memorandum of understanding shall be approved by the Board.
Use of Force	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
By Drone	The College District shall not use force by means of a drone.
High-Speed Pursuit	Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.
Officer Training	All College District officers shall receive at least the minimum amount of education and training required by law.
Medical and Psychological Examinations	For provisions regarding the fitness-for-duty examination of a peace officer or telecommunicator, see DBB.
Leave	For provisions regarding mental health leave for peace officers and telecommunicators and quarantine leave for peace officers, see DEC.
Complaints	Complaints against a College District police officer shall be in writing on a form provided by the College District and shall be signed by the person making the complaint. In accordance with law, the College District shall provide to the police officer a copy of

the complaint. [See Complaint Against Peace Officer at
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accordance with DGBA, FLD, or GB, as appropriate.

**Misconduct
Investigations**

For provisions regarding the investigation of allegations of
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under the conditions of this policy.

The loss of campus keys must be immediately reported to the
police department. Keys shall be replaced after a waiting period of
five working days from the date of report.

Duty keys, when assigned, shall be secured at the end of the shift.

All campus keys issued to a person must be returned to the police
department upon the employee's separation from employment.

All locks and hardware used to secure doors and College District
property shall be issued by the College District. Locks not so
issued shall be removed, except for personal lockers.

**College District
Identification Card**

For the purposes of enhancing security, verifying status, and
facilitating access to College District facilities or services, the

College District shall issue all current members of the College District a valid College District photo identification card.

A College District-issued photo identification card must be shown upon request by any College District employee.

Weapons Prohibited

The College District prohibits the possession or exhibition of prohibited weapons or ammunition, as defined by law, on College District property or while representing the College District at off-site activities sponsored by the College District. [See FLBF(LEGAL) and GFA(LEGAL)]

Exception

Peace officers employed by the College District and those from other agencies who are on College District property for official law enforcement purposes shall be exempt from this prohibition.

Additionally, no violation of this policy occurs when the use, possession, or display of an otherwise prohibited weapon takes place as a part of an approved College District course or activity, either on or off campus, that is supervised by proper authorities and involves the use of firearms, ammunition, or dangerous chemicals. For any authorized course or activity, the firearms must be unloaded and transported in a carrying case or tote bag.

The College President is responsible for the security of the College District's information resources. The College President or designee shall develop procedures for ensuring the College District's compliance with applicable law.

Information Security Officer

The College President or designee shall designate an information security officer (ISO) who is authorized to administer the information security requirements under law. The College President or designee must notify the Department of Information Resources (DIR) of the individual designated to serve as the ISO.

Information Security Program

The College President or designee shall annually review and approve an information security program designed in accordance with law by the ISO to address the security of the information and information resources owned, leased, or under the custodianship of the College District against unauthorized or accidental modification, destruction, or disclosure. The program shall include procedures for risk assessment and for information security awareness education for employees when hired and an ongoing program for all users.

The information security program must be submitted biennially for review by an individual designated by the College President and who is independent of the program to determine if the program complies with the mandatory security controls defined by DIR and any controls developed by the College District in accordance with law.

College District Website and Mobile Application Security

The College President or designee shall adopt procedures addressing the privacy and security of the College District's website and mobile applications and submit the procedures to DIR for review.

The procedures must require the developer of a website or application for the College District that processes confidential information to submit information regarding the preservation of the confidentiality of the information. The College District must subject the website or application to a vulnerability and penetration test before deployment.

Covered Social Media Applications

The College President or designee shall adopt procedures prohibiting the installation or use of a covered application, as defined by law, on a device owned or leased by the College District and requiring the removal of any covered applications from the device.

Exception

The procedures shall permit the installation and use of a covered application for purposes of law enforcement and the development and implementation of information security measures. The

procedures must address risk mitigation measures during the permitted use of the covered application and the documentation of those measures.

Reports

~~Information Security
Plan~~

Effectiveness of
Policies ~~and,~~
Procedures, ~~and~~
Practices

~~The College District shall submit a biennial information security plan to DIR in accordance with law.~~

The ISO shall report annually to the College President on the effectiveness of the College District's information security policies, procedures, and practices in accordance with law and administrative procedures.

Biennial Information
Security Plan

The College District shall submit a biennial information security plan to DIR in accordance with law.

Information Security
Assessment

In accordance with law, at least every two years, the College District shall submit the results of its information security assessment to DIR and, if requested, the office of the governor, lieutenant governor, and speaker of the house of representatives.

Security Incidents
*By the College
District*

The College District shall assess the significance of a security incident and report ~~urgent incidents~~ to DIR and law enforcement in accordance with law and, if applicable, DIR requirements.

Generally

Upon discovering or receiving notification of a breach of system security or a security incident, as defined by law, the College District shall disclose the breach or incident to affected persons or entities in accordance with the time frames established by law.

Security Breach
Notification

The College District shall give notice by using one or more of the following methods:

1. Written notice.
2. Electronic mail, if the College District has electronic mail addresses for the affected persons.
3. Conspicuous posting on the College District's website.
4. Publication through broadcast media.

~~Monthly Reports~~

~~The College District must provide summary reports of security incidents monthly to DIR in accordance with the deadlines, form, and manner specified by law and DIR.~~

*By Vendors and
Third Parties*

The College District shall include in any vendor or third-party contract the requirement that the vendor or third party report information security incidents to the College District in accordance with law and administrative procedures.

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EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CREDENTIALS AND RECORDS

DBA
(LOCAL)

**Social Security
Number**

The College District shall not use an employee's social security number as an employee identifier, except for tax purposes. In accordance with law, the College District shall keep an employee's social security number confidential.

Credentials

To qualify for employment and compensation in a position requiring a college degree or credit hours, the College District shall accept only degrees and credits earned at institutions that are recognized by regional accrediting agencies (e.g., Southern Association of Colleges and Schools Commission on Colleges [SACSCOC]), or through accrediting agencies approved by the Council of Higher Education Accreditation (CHEA). Official transcripts shall be required to validate any and all degrees used in the credentialing process.

The chief academic officer shall be responsible for ensuring all faculty members recommended for hire meet the minimum requirements for teaching the courses. [See DBA(EXHIBIT)-A]

The chief human resources officer shall be responsible for ensuring all non-faculty members recommended for hire meet the minimum requirements for employment for the position.

The human resources department shall validate the credentials as a routine part of the employment process. This validation shall be completed prior to candidates being recommended to the College President for hire and taken to the Board for approval.

**International
Transcripts**

Faculty members considered for employment at the College District whose transcripts are from international institutions of higher education shall be required to have their transcripts translated and evaluated for equivalency by a service member of the National Association of Credentials Evaluation Services (NACES).

The applicant shall pay for the cost of the translation and equivalency.

**Teaching
Qualifications**

Faculty members shall not be allowed to teach until the appropriate "faculty teaching credentials" form has been approved by the chief academic officer. [See DBA(EXHIBIT)-B]

Personnel Records

All personnel records shall be kept in the human resources department. The chief human resources officer shall be responsible for ensuring accurate retention and shall be the authorized repository for files.

Employee files shall include, but are not limited to, the following:

1. Employment applications;

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CREDENTIALS AND RECORDS

DBA
(LOCAL)

2. Official transcripts;
3. Appointment nominations;
4. Personnel action forms;
5. Applicable employment contracts; and
6. Applicable disciplinary records.

In addition, faculty employee files shall contain a faculty credentials form, and if applicable, a statement of qualifications.

Law Enforcement
Personnel Files

The College President or designee and the College District police department shall develop regulations, in accordance with law, for the compilation and retention of, and access to, personnel files maintained with respect to peace officers and telecommunicators.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CREDENTIALS AND RECORDS

DBA
(LOCAL)

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EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

DBB
(LOCAL)

**Examinations During
Employment**

~~The College President~~The College President or designee may require an employee to undergo a medical examination if information received from the employee, the employee's supervisor, or other sources indicates the employee has a physical or mental impairment that:

1. Interferes with the employee's ability to perform essential job functions; or
2. Poses a direct threat to the health or safety of the employee or others. A communicable or other infectious disease may constitute a direct threat.

The College District may designate the physician to perform the examination. If the College District designates the physician, the College District shall pay the cost of the examination. The College District may place the employee on paid administrative leave while awaiting results of the examination and evaluating the results.

[See DAA for information on disabilities and reasonable accommodation]

Other Requirements

Employees with communicable diseases shall follow recommendations of public health officials regarding contact with students and other employees. Food service workers shall comply with health requirements established by city, county, and state health authorities. [See DBA]

**Medical and
Psychological
Examination of a
Peace Officer or
Telecommunicator**

The College President or designee and the College District police department shall develop regulations, in accordance with law, addressing the fitness-for-duty examination of a peace officer or telecommunicator who is licensed, or a person for whom the College District police department seeks a license, under Occupations Code Chapter 1701. The regulations must address:

1. The criteria for requiring an examination;
2. The provision of notice to the license holder or applicant that includes the reasons for the examination;
3. The examination procedures;
4. The determination of the license holder's or applicant's duty status during and following the examination;
5. Appeals of the application or interpretation of the regulations; and
6. The submission of a report to the Texas Commission on Law Enforcement (TCOLE):

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

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(LOCAL)

- a. If the license holder or applicant refuses to submit to the examination; or
- b. Absent the successful completion of a treatment program, if the license holder or applicant fails the examination.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

DBB
(LOCAL)

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EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

DBB
(LOCAL)

- b. Absent the successful completion of a treatment program, if the license holder or applicant fails the examination.

Posting Vacancies

~~The College President~~The College President or designee shall establish guidelines for advertising employment opportunities and posting notices of vacancies. These guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates.

Eligibility for Internal Positions

Current College District employees may apply for any vacancy for which they have appropriate qualifications; however, an employee must occupy a position for at least 12 months before applying for another internal position, unless approved by the College President.

Applications

All applicants shall complete the online application provided by the College District. Information on applications shall be confirmed before a position is offered.

Employment of Contractual Personnel

The ~~College President~~College President has sole authority to make recommendations to the Board regarding the selection of contractual professional personnel.

The Board retains final authority for employment of contractual personnel. [See DCA]

Employment of Noncontractual Personnel

The Board delegates to the ~~College President~~College President final authority to employ and dismiss noncontractual classified employees on an at-will basis. [See DCC]

Federally Funded Positions

Federally funded positions shall be governed by the terms and conditions of the federal grant or funding agreement. These positions shall be noncontractual positions.

Employment of Certain Law Enforcement Personnel

The College President or designee and the College District police department shall develop regulations, in accordance with law, for the employment of peace officers and telecommunicators. The regulations shall address:

1. The investigation of the applicant's background;
2. Medical and psychological examination and drug screening of the applicant;
3. The applicant's qualification to carry a firearm, if applicable;
4. A provisional hiring period applicable upon employment; and
5. The submission of any required forms to the Texas Commission on Law Enforcement (TCOLE).

Criminal History Background Checks

"Conviction" means a finding of guilt or acceptance by the court of a plea of guilty or no contest (nolo contendere).

Definitions

Process

“Security-sensitive positions” means positions that are described in Government Code 411.094 and Education Code 51.215. [See DC(LEGAL)]

In accordance with law, the College District shall require criminal history background checks on all volunteers and applicants for employment, including employees under consideration for internal transfer or promotion.

Upon request, each volunteer and applicant for a security-sensitive position, including employees under consideration for internal transfer or promotion, shall be required to provide a complete set of fingerprints and other identifying information in order for the individual’s criminal history to be checked. The College District may deny employment, transfer, promotion, or approval to volunteer if the individual fails to provide the requested information for the criminal history check. [See DC(LEGAL)]

In accordance with law, the College District police chief shall be responsible for checking the criminal history record for an applicant in the College District police department, and the College District’s human resources director shall be responsible for checking the criminal history record for all other applicants.

The College District shall not employ a person or enlist a volunteer in a security-sensitive position if the individual has been convicted (including a probated sentence or deferred adjudication) of a felony or misdemeanor involving any type of sexual contact with a child or child abuse, including but not limited to, indecency with a child, injury to a child, or endangerment of a child.

The College District reserves the right to refuse to enlist a volunteer or employ a person in a security-sensitive position if the individual has been convicted (including a probated sentence or deferred adjudication) of any felony or a misdemeanor involving moral turpitude. Moral turpitude includes, but is not limited to:

1. Dishonesty, fraud, deceit, theft, or misrepresentation;
2. Deliberate violence;
3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;

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5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
6. Acts constituting abuse under the Texas Family Code.

**Individualized
Assessment**

The College District shall perform an individualized assessment of criminal history record information when determining a person's eligibility for employment in a specific position. The College District shall take into account a variety of factors, including the following:

1. The nature of the offense;
2. The age of the person when the crime was committed;
3. The date of the offense and how much time has elapsed;
4. The adjudication of the offense (e.g., whether the person was found guilty by a trier of fact, pled guilty, entered a no contest plea, or received deferred adjudication);
5. The nature and responsibilities of the job sought;
6. The accuracy of the person's disclosure of his or her criminal history during the selection process;
7. The effect of the conduct on the overall educational environment; and
8. Any further information provided by the person concerning his or her criminal history record.

**Consent for Drug
and Alcohol Testing**

Any applicant or employee requested to submit to drug and/or alcohol testing must sign a consent form, included in the employment application, prior to being tested. Such consent will allow the laboratory to send the results to the College District to use in evaluating the applicant or employee for initial or continued employment.

Notice to Applicants

All positions shall require a criminal history background check. Some positions shall require pre-employment drug testing. Applicants shall be notified of these requirements through the human resources department.

**Application
Requirements**

Before being considered for a position, an applicant must fully and truthfully complete an employment application and sign it by checking the signature box at the bottom of the online application, which provides the College District written consent to perform a criminal history background check and pre-employment drug testing, if appropriate. The applicant shall be required to disclose any prior conviction on the consent to perform background check

form, as defined herein, or pending charges for any criminal offense other than a traffic ticket.

The College District shall terminate the employment process for any applicant who refuses to sign the consent form for the pre-employment criminal history background check and drug test.

Discrepancies in Criminal History Background Check

The College District shall have the right to deny or terminate employment or other relationships with a volunteer, applicant for employment, or employee if the individual fails to fully disclose his or her complete adult criminal history record as required, including any convictions where the applicant was tried as an adult before the age of 17.

Confidentiality

All information collected under these procedures shall be used for the exclusive purpose of evaluating the individual for employment or other relationship with the College District. The information shall remain confidential and shall not be released or otherwise disclosed except to persons involved in gathering and reviewing the information and as required by law. Any College District employee who releases information or causes information to be released in violation of this policy shall be subject to disciplinary action, up to and including termination.

Inaccurate or Incomplete Results

An applicant, employee, or volunteer who believes the results from his or her criminal history background check are inaccurate or incomplete shall be responsible for coordinating and following the procedures established by the reporting entity. The College District shall not be obligated to hold a position or an offer open.

Posting Vacancies	The College President or designee shall establish guidelines for advertising employment opportunities and posting notices of vacancies. These guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates.
Eligibility for Internal Positions	Current College District employees may apply for any vacancy for which they have appropriate qualifications; however, an employee must occupy a position for at least 12 months before applying for another internal position, unless approved by the College President.
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Confidentiality

All information collected under these procedures shall be used for the exclusive purpose of evaluating the individual for employment or other relationship with the College District. The information shall remain confidential and shall not be released or otherwise disclosed except to persons involved in gathering and reviewing the information and as required by law. Any College District employee who releases information or causes information to be released in violation of this policy shall be subject to disciplinary action, up to and including termination.

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An applicant, employee, or volunteer who believes the results from his or her criminal history background check are inaccurate or incomplete shall be responsible for coordinating and following the procedures established by the reporting entity. The College District shall not be obligated to hold a position or an offer open.

Employee Ethics and Conduct

College District employees shall affirm the inherent worth and dignity of all persons and the right of all persons to learn. Learning best occurs in an environment devoted to the pursuit of truth, excellence, and liberty, which flourish where both freedom and responsibility are esteemed. In order to more adequately express the affirmation of personal professional responsibilities, College District employees shall hold themselves and each other accountable to the following Code of Professional Conduct and Ethics:

1. We shall treat all persons with respect, dignity, and justice, discriminating against no one on any arbitrary basis such as ethnicity, creed, gender, disability, social station, or age.
2. We shall strive to help each student realize the student's full potential as a learner, scholar, and human being.
3. We shall, by example and action, encourage and defend the unfettered pursuit of truth by both colleagues* and the students supporting the free exchange of ideas, observing the highest standards of academic honesty and integrity, and seeking always an attitude of scholarly objectivity and tolerance of other viewpoints.
4. We, recognizing the necessity of many roles in the educational enterprise, shall work in such a manner so as to enhance cooperation and collegiality among students, faculty, administrators, and nonacademic personnel.
5. We shall recognize and preserve the confidential nature of professional relationships, neither disclosing nor encouraging the disclosure of information or rumor that might damage, embarrass, or violate the privacy of any other person.
6. We shall maintain competence through continued professional development, demonstrate that competence through consistently adequate preparation and performance, and seek to enhance that competence by accepting and appropriating constructive criticism and evaluation.
7. We shall exercise the highest professional standards and make the most judicious and effective use of the College District's time and resources.
8. We, recognizing the needs and rights of others as embodied in the institution, shall fulfill the employment agreement both in spirit and in fact, give reasonable notice upon resignation, and neither accept tasks for which we are not qualified nor assign tasks to unqualified persons.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

9. We shall support the goals and ideals of the institution and act in public and private affairs in such a manner as to bring credit to the institution.
10. We shall not engage in sexual harassment of students or colleagues and shall adhere to the College District's policies that prohibit sexual misconduct.
11. We shall observe the stated policies and procedures of the College District, reserving the right to seek revision in a judicious and appropriate manner.
12. We shall participate in the governance of the College District by accepting a fair share of committee and institutional responsibilities.
13. We shall support the right of all to academic freedom and due process and shall defend and assist any individual accused of wrongdoing, incompetence, or other serious offense so long as the individual's innocence may be reasonably maintained.
14. We shall not support a colleague or an individual who is known to be persistently unethical or professionally incompetent.
15. We shall accept all the rights and responsibilities of citizenship, including participation in the formulation of public policy, always avoiding use of the privileges of one's public position for private or partisan advantage.

*For purposes of this policy, the term "colleague" shall refer to administrators, teachers, nonacademic personnel, and any other persons employed by the College District in the educational enterprise. [Reference: TCCTA, 1997]

All College District employees shall perform their duties in accordance with state and federal law, College District policy, and ethical standards.

All College District personnel shall recognize and respect the rights of students, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the College District.

All College District employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

Violations

All College District employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or

EMPLOYEE STANDARDS OF CONDUCT

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standards attendant to their status as College District employees. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCC, DIAA, and DM series]

**Misconduct by
Certain Law
Enforcement
Personnel**

The College President or designee and the College District police department shall develop regulations, in accordance with law, addressing the investigation of allegations of misconduct by peace officers and telecommunicators.

**Faculty Code of
Professional Ethics**

The faculty may propose a code of professional ethics provided it is reviewed and approved by the Board to ensure consistency with College District policies and applicable laws.

**Consensual
Relationships**

Because of the potential for abuse or the appearance of abuse and the inherent differential in authority, the College District prohibits any faculty member or employee from engaging in a romantic and/or sexual relationship with any student for whom the faculty member or employee has, or should reasonably expect to have in the future, academic or other responsibility (instructional, evaluative, formal advising, counseling, or supervisory).

Likewise, because of the potential for abuse or the appearance of abuse and the inherent differential in authority, the College District prohibits any faculty member or employee from engaging in a romantic and/or sexual relationship with any employee whom that person supervises or evaluates in any way.

**Pre-existing
Relationships**

Exceptions to these prohibitions may be made in cases of pre-existing relationships or where the prohibition restricts educational opportunities or induces economic hardship for the student or subordinate. The pre-existing relationship must be disclosed promptly by the faculty member or supervisory employee to the head of the employee's unit or to the human resources department so that appropriate arrangements can be made. [See DH(REGULATION)]

**Safe Harbor
Provision**

A consensual relationship, which began prior to the adoption of this policy and which, as a consequence of the adoption of this policy, becomes a prohibited relationship must be reported immediately so that appropriate arrangements can be made. However, disciplinary action will not be taken against employees engaged in pre-existing relationships that were not prohibited prior to the adoption of this policy.

In keeping with this College District policy, if charges of sexual harassment are made, the existence of a consensual relationship in any of the contexts stated above shall not be a defense in any proceeding brought by the College District.

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(LOCAL)

Individuals who fail to report or otherwise violate this provision are subject to disciplinary action up to and including termination.

This provision is intended to be an addition to existing College District rules and regulations and does not alter or modify any existing College District rule or regulation.

Electronic Media

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), electronic forums (chat rooms), video-sharing websites, editorial comments posted on the internet, and social network sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and web-based applications.

Record Retention

An employee shall comply with the College District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CIA and GCB]

Personal Use

Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media violates state or federal law or College District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

Safety Requirements

All employees shall adhere to College District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

Tobacco and E-cigarettes

An employee shall not use tobacco products or e-cigarettes on College District property, in College District vehicles, or at College District-related activities, unless authorized by the College President or designee. [See FLBD]

An employee shall not give or sell tobacco products or e-cigarettes to a person in violation of law.

Exception

Tobacco and e-cigarette use is permitted in private vehicles on College District property.

Alcohol and Drugs

A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.

Employees shall be prohibited from using, possessing, controlling, manufacturing, transmitting, distributing, dispensing, selling, or being under the influence of any of the following substances while conducting College District business or while on College District

EMPLOYEE STANDARDS OF CONDUCT

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property, in College District vehicles, or at College District-related activities, whether during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any performance-enhancing substance, including steroids.
5. Any designer drug.
6. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances shall also be prohibited under this policy.

An employee need not be legally intoxicated to be considered "under the influence" of alcohol or a controlled substance.

Exceptions

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, controls, sells, transmits, distributes, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use;
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian;
4. Cultivates, possesses, transports, or sells hemp as authorized by law; or
5. Possesses, sells, or distributes Dextromethorphan.

With the prior consent of the Board or the College President, the alcohol provisions may be waived with respect to a specific location on College District property or a specific event that is sponsored by the College District.

EMPLOYEE STANDARDS OF CONDUCT

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(LOCAL)

State law shall be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages.

Paraphernalia

The use, possession, control, manufacture, transmission, distribution, dispensation, or sale of paraphernalia related to any prohibited substance is prohibited.

Notice

Each employee shall be given a copy of the College District's notice regarding a drug-free workplace. [See DI(EXHIBIT)]

Arrests, Indictments, Convictions, and Other Adjudications

An employee shall notify the employee's immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or offense involving moral turpitude.

Moral Turpitude

Moral turpitude includes but is not limited to:

1. Dishonesty, fraud, deceit, theft, or misrepresentation;
2. Deliberate violence;
3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
6. Acts constituting abuse under the Texas Family Code.

Professional Image

All employees shall project a professional image to students, parents, visitors, and community members by dressing in a manner appropriate to their working environment, type of work performed, and occasion. Dress and grooming standards shall enhance the image the College District exhibits for the community it serves. Each College District employee shall wear and appropriately display the employee's nametag at all College District events that include the public, including but not limited to, an employment fair, student recruitment or registration, or when representing the College District off campus.

Each supervisor shall be responsible for monitoring compliance with this policy for each employee in the employee's department or division. Violations of this policy shall be immediately addressed

EMPLOYEE STANDARDS OF CONDUCT

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(LOCAL)

with the employee in an appropriate manner. A supervisor may suggest that the employee dress more appropriately in the future or may request that the employee leave the workplace temporarily to change attire, depending upon the violation. An employee who continues to violate this policy shall be subject to disciplinary action.

At a minimum, dressing in a professional manner shall mean wearing clothing that is neat, clean, in good repair, fits properly, and is appropriate for the employee's work assignment. Sexually suggestive clothing, including revealing or tight-fitting garments, shall not be considered acceptable. Clothing or headgear adorned with racial slurs; lewd, obscene or derogatory words, statements, or pictures; or clothing with unprofessional symbols, phrases, or slogans, including clothing that advertises tobacco, alcohol products, sexual innuendo, or any controlled substance, shall be prohibited. For safety and health reasons, shoes shall be worn on campus at all times.

Employee Ethics and Conduct

College District employees shall affirm the inherent worth and dignity of all persons and the right of all persons to learn. Learning best occurs in an environment devoted to the pursuit of truth, excellence, and liberty, which flourish where both freedom and responsibility are esteemed. In order to more adequately express the affirmation of personal professional responsibilities, College District employees shall hold themselves and each other accountable to the following Code of Professional Conduct and Ethics:

1. We shall treat all persons with respect, dignity, and justice, discriminating against no one on any arbitrary basis such as ethnicity, creed, gender, disability, social station, or age.
2. We shall strive to help each student realize the student's full potential as a learner, scholar, and human being.
3. We shall, by example and action, encourage and defend the unfettered pursuit of truth by both colleagues* and the students supporting the free exchange of ideas, observing the highest standards of academic honesty and integrity, and seeking always an attitude of scholarly objectivity and tolerance of other viewpoints.
4. We, recognizing the necessity of many roles in the educational enterprise, shall work in such a manner so as to enhance cooperation and collegiality among students, faculty, administrators, and nonacademic personnel.
5. We shall recognize and preserve the confidential nature of professional relationships, neither disclosing nor encouraging the disclosure of information or rumor that might damage, embarrass, or violate the privacy of any other person.
6. We shall maintain competence through continued professional development, demonstrate that competence through consistently adequate preparation and performance, and seek to enhance that competence by accepting and appropriating constructive criticism and evaluation.
7. We shall exercise the highest professional standards and make the most judicious and effective use of the College District's time and resources.
8. We, recognizing the needs and rights of others as embodied in the institution, shall fulfill the employment agreement both in spirit and in fact, give reasonable notice upon resignation, and neither accept tasks for which we are not qualified nor assign tasks to unqualified persons.

EMPLOYEE STANDARDS OF CONDUCT

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12. We shall participate in the governance of the College District by accepting a fair share of committee and institutional responsibilities.
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14. We shall not support a colleague or an individual who is known to be persistently unethical or professionally incompetent.
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All College District employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

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All College District employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or

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**Pre-existing
Relationships**

Exceptions to these prohibitions may be made in cases of pre-existing relationships or where the prohibition restricts educational opportunities or induces economic hardship for the student or subordinate. The pre-existing relationship must be disclosed promptly by the faculty member or supervisory employee to the head of the employee's unit or to the human resources department so that appropriate arrangements can be made. [See DH(REGULATION)]

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EMPLOYEE STANDARDS OF CONDUCT

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This provision is intended to be an addition to existing College District rules and regulations and does not alter or modify any existing College District rule or regulation.

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Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), electronic forums (chat rooms), video-sharing websites, editorial comments posted on the internet, and social network sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and web-based applications.

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An employee shall not use tobacco products or e-cigarettes on College District property, in College District vehicles, or at College District-related activities, unless authorized by the College President or designee. [See FLBD]

An employee shall not give or sell tobacco products or e-cigarettes to a person in violation of law.

Exception

Tobacco and e-cigarette use is permitted in private vehicles on College District property.

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A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.

Employees shall be prohibited from using, possessing, controlling, manufacturing, transmitting, distributing, dispensing, selling, or being under the influence of any of the following substances while conducting College District business or while on College District

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

property, in College District vehicles, or at College District-related activities, whether during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any performance-enhancing substance, including steroids.
5. Any designer drug.
6. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances shall also be prohibited under this policy.

An employee need not be legally intoxicated to be considered "under the influence" of alcohol or a controlled substance.

Exceptions

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, controls, sells, transmits, distributes, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use;
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian;
4. Cultivates, possesses, transports, or sells hemp as authorized by law; or
5. Possesses, sells, or distributes Dextromethorphan.

With the prior consent of the Board or the College President, the alcohol provisions may be waived with respect to a specific location on College District property or a specific event that is sponsored by the College District.

EMPLOYEE STANDARDS OF CONDUCT

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1. Dishonesty, fraud, deceit, theft, or misrepresentation;
2. Deliberate violence;
3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
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Each supervisor shall be responsible for monitoring compliance with this policy for each employee in the employee's department or division. Violations of this policy shall be immediately addressed

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(LOCAL)

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At a minimum, dressing in a professional manner shall mean wearing clothing that is neat, clean, in good repair, fits properly, and is appropriate for the employee's work assignment. Sexually suggestive clothing, including revealing or tight-fitting garments, shall not be considered acceptable. Clothing or headgear adorned with racial slurs; lewd, obscene or derogatory words, statements, or pictures; or clothing with unprofessional symbols, phrases, or slogans, including clothing that advertises tobacco, alcohol products, sexual innuendo, or any controlled substance, shall be prohibited. For safety and health reasons, shoes shall be worn on campus at all times.

PROFESSIONAL DEVELOPMENT

DK
(LOCAL)

Professional Development

The College District provides and supports professional development for all employees.

Each employee shall meet the professional development standards described by the ~~Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~ College District's accreditor [see GK] as well as any professional development required of the employee by state or federal law or administrative regulations.

Professional Development Plan

The College District requires that each benefits-eligible employee prepare a written annual professional development plan as a component of the individual performance evaluation process. Completed professional development activities and the use of those activities to improve performance shall also be documented as a component of the individual performance evaluation process. [See DLA]

Cybersecurity Training

The ~~College President~~ College President or designee shall determine, from the list of cybersecurity training programs certified by the Department of Information Resources (DIR) and published to DIR's website, the cybersecurity training program to be used in the College District. ~~The College President~~ The College President shall verify and report to DIR, in the form required by DIR, the compliance of each employee required to complete the program. ~~The College President~~ The College President may remove access to the College District's computer systems and databases for noncompliance with training requirements as appropriate.

~~The College President~~ The College President shall periodically require an internal review of the College District to ensure compliance with the cybersecurity training requirements.

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The College President shall periodically require an internal review of the College District to ensure compliance with the cybersecurity training requirements.

TERMINATION OF EMPLOYMENT
REDUCTION IN FORCE

DMC
(LOCAL)

Definitions

Definitions used in this policy are as follows:

1. "Reduction in force (RIF)" means the dismissal of an instructor, professor, administrator, or other professional employee before the end of a contract term for reasons of financial exigency or program change. Nonrenewal of an employee's term contract is not a "reduction in force" as used in this policy.
2. "Financial exigency" means any decline in the Board's financial resources brought about by decline in enrollment, cuts in funding, decline in tax revenues, or any other actions or events that create a need for the College District to reduce financial expenditures for personnel.
3. "Program change" means any elimination, curtailment, or reorganization of a curriculum offering, program, or College District operation because of a lack of student response to particular course offerings, legislative revisions to program funding, or a reorganization or consolidation of two or more divisions or departments.

General Grounds for Dismissal

All contracts and tenure documents shall, unless excepted by the Board, contain a provision that a reduction in force may take place when the Board determines that a financial exigency or program change requires that the contract or tenure of one or more teachers, administrators, or other professional employees be terminated. Such a determination constitutes the necessary cause for dismissal.

Employment Areas

A reduction in force may be implemented in one, several, or all employment areas. Employment areas shall be defined as:

1. Administration.
2. Associate degree programs.
3. Certificate degree programs.
4. Remedial and other programs.
5. Academic support programs, such as library or computer programs.
6. Counseling and support programs.
7. Other noninstructional professional staff.

Criteria for Decisions

Using the following criteria, the ~~College President~~College President shall determine which particular employees shall be RIFed and shall submit the recommendation to the Board:

TERMINATION OF EMPLOYMENT
REDUCTION IN FORCE

DMC
(LOCAL)

1. Certification: Appropriate degree certificate and/or endorsement for current assignment required by the ~~Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~ College District's accreditor [see GK] or the Coordinating Board.
2. Performance: Employee's effectiveness as reflected by the most recent written evaluations and/or other appraisal documentation.
3. Professional Background: Professional education and work experience related to the current assignment.
4. Seniority: Years of service in the College District.

These criteria are listed in order of importance. ~~The College President~~ The College President shall apply them sequentially to the selected employment areas until the number of staff reductions necessary have been identified, i.e., if all necessary reductions can be accomplished by applying the certification criteria, it is not necessary to apply the performance or subsequent criteria.

Board Action

After considering the ~~College President~~ College President's recommendation, the Board shall determine which employees shall be dismissed. The employee shall be given a statement of the reasons and conditions requiring such dismissal and shall, upon request, be given a hearing in accordance with the policy for termination during his or her contract. [See DMAA]

Appeals

Appeals of a dismissal due to a reduction in force shall be handled through the hearing afforded under DMAA, rather than the grievance policy.

Exception

Appeals of a dismissal due to a reduction in force of a former foster child entitled to an employment preference shall be handled through the hearing afforded under DC. [See DC(LEGAL)]

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REDUCTION IN FORCE

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Exception

Appeals of a dismissal due to a reduction in force of a former foster child entitled to an employment preference shall be handled through the hearing afforded under DC. [See DC(LEGAL)]

The College District shall offer distance education courses and programs in accordance with:

- Applicable law;
- Coordinating Board regulations and guidelines, including the Principles of Good Practice for Distance Education;
- Principles, policies, and guidelines of the ~~Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~; and College District's accreditor [see GK]; and
- College District policies and procedures.

The College President shall develop procedures to implement this policy.

ALTERNATE METHODS OF INSTRUCTION
DISTANCE EDUCATION

EBA
(LOCAL)

The College District shall offer distance education courses and programs in accordance with:

- Applicable law;
- Coordinating Board regulations and guidelines, including the Principles of Good Practice for Distance Education;
- Principles, policies, and guidelines of the College District's accreditor [see GK]; and
- College District policies and procedures.

The College President shall develop procedures to implement this policy.

Guiding Principles

The College District shall maintain accreditation with the ~~Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)~~. Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). The College District shall maintain other national and state accreditations as required for specific programs.

The College District shall follow the most recent accrediting standards described in the [Principles of Accreditation: Foundation for Quality Enhancement](#)¹.

Substantive Changes

The College District is responsible for complying with the substantive change policy set forth by SACSCOC, available at Substantive Change Policy and Procedures (Exhibit A). All member institutions are responsible for following the policy by informing SACSCOC of changes in accord with the stated procedures and, when required, seeking approval prior to initiating that change.

Definition

A substantive change is a significant modification or expansion of the nature and scope of an accredited institution. Substantive change includes high-impact, high-risk changes and changes that can impact the quality of educational programs and services. SACSCOC accredits an entire institution. Accreditation extends to all programs and services of an institution wherever located and however delivered.

Scope

Under federal regulations, substantive changes include:

- Substantially changing the established mission or objectives of an institution or its programs.
- Changing the legal status, form of control, or ownership of an institution.
- Changing the governance of an institution.
- Merging/consolidating two or more institutions or entities.
- Acquiring another institution or any program or location of another institution.
- Relocating an institution or an off-campus instructional site of an institution (including a branch campus).
- Offering courses or programs at a higher or lower degree level than currently authorized.
- Adding graduate programs at an institution previously offering only undergraduate programs (including degrees, diplomas, certificates, and other for-credit credentials).

RELATIONS WITH EDUCATIONAL ACCREDITATION AGENCIES

GK
(LOCAL)

- Changing the way an institution measures student progress, whether in clock hours or credit-hours; semesters, trimesters, or quarters; or time-based or non-time-based methods or measures.
- Adding a program that is a significant departure from the existing programs, or method of delivery, from those offered when the institution was last evaluated.
- Initiating programs by distance education or correspondence courses.
- Adding an additional method of delivery to a currently offered program.
- Entering into a cooperative academic arrangement.
- Entering into a written arrangement under 34 C.F.R. 668.5 under which an institution or organization not certified to participate in the Title IV Higher Education Act (HEA) programs offers less than 25 percent (notification) or 25-50 percent (approval) of one or more of the accredited institution's educational programs.
- Substantially increasing or decreasing the number of clock hours or credit hours awarded or competencies demonstrated, or an increase in the level of credential awarded, for successful completion of one or more programs.
- Adding competency-based education programs.
- Adding each competency-based education program by direct assessment.
- Adding programs with completion pathways that recognize and accommodate a student's prior or existing knowledge or competency.
- Awarding dual or joint academic awards.
- Re-opening a previously closed program or off-campus instructional site.
- Adding a new off-campus instructional site/additional location including a branch campus.
- Adding a permanent location at a site at which an institution is conducting a teach-out program for students of another institution that has ceased operating before all students have completed their program of study.

- Closing an institution, a program, a method of delivery, an off-campus instructional site, or a program at an off-campus instructional site.

SACSCOC does not accredit individual programs, locations, or portions of an institution. However, some new programs, locations, and other institutional changes are subject to notification and/or approval as defined in the Substantive Change Policy and Procedures.

¹ Principles of Accreditation: Foundation for Quality Enhancement:
<https://sacscoc.org/app/uploads/2019/08/2018PrinciplesOfAcreditation.pdf>

RELATIONS WITH EDUCATIONAL ACCREDITATION AGENCIES

GK
(LOCAL)

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- Relocating an institution or an off-campus instructional site of an institution (including a branch campus).
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RELATIONS WITH EDUCATIONAL ACCREDITATION AGENCIES

GK
(LOCAL)

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- Adding each competency-based education program by direct assessment.
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¹ Principles of Accreditation: Foundation for Quality Enhancement:
<https://sacscoc.org/app/uploads/2019/08/2018PrinciplesOfAcreditation.pdf>



PRESIDENT'S OFFICE

MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 23, 2024
Subject: Agenda Item for COM Board of Trustees

AGENDA ITEM DESCRIPTION:

Approval of Design Development for the new Library Classroom Building project.

FUNDING SOURCE:

2023 Bond

PURPOSE

Approve the Design Development phase for the new Library Classroom Building project, allowing Cannon Design to proceed to the Construction Document Phase.

PROPOSED MOTION:

“I move the Board of Trustees approve the Design Development for the new Library Classroom Building project, as presented and attached. “

BACKGROUND:

Cannon Design began design for the new Library Classroom Building project on August 8, 2023. Cannon Design received approval at the March 2024 Board of Trustees meeting for Schematic Design. Cannon Design presented Design Development to the 2023 Bond Steering Committee on September 9, 2024. LAN and the Bond Steering Committee recommend approval of the Design Development phase authorizing Cannon Design to proceed to the next phase of design, Construction Documents.

Attachments:

1. LAN Summary/Cover Letter
2. Design Development Presentation



**Lockwood, Andrews
& Newnam, Inc.**
A LEO A DALY COMPANY

To: Dr. Warren Nichols, President, College of the Mainland (COM)

From: Lockwood, Andrews & Newnam (LAN)

Date: September 23, 2024

Re: Approval of Library Classroom Building Design Development

Background: College of the Mainland (COM) has worked with Cannon Design for five Design Development workshops to further develop the identified program needs into the design development format.

Recommendation: LAN recommends the approval of Design Development for the Library Classroom Building, as presented and attached. We recommend this for the September 23, 2024 Board Meeting.

A handwritten signature in blue ink, appearing to read 'P Drnevich'.

Paula J. Drnevich, AIA, LEED AP, REFP
Program Manager, LAN
pjdrnevich@lan-inc.com
mobile: (281) 384.8233

Library + Classroom Building

Board of Trustees Meeting

September 23, 2024



CANNONDESIGN



**Lockwood, Andrews
& Newnam, Inc.**
A LEO A DALY COMPANY



Objective

1. Design Development Phase Approval.
2. Approval to move into the Construction Documents Phase

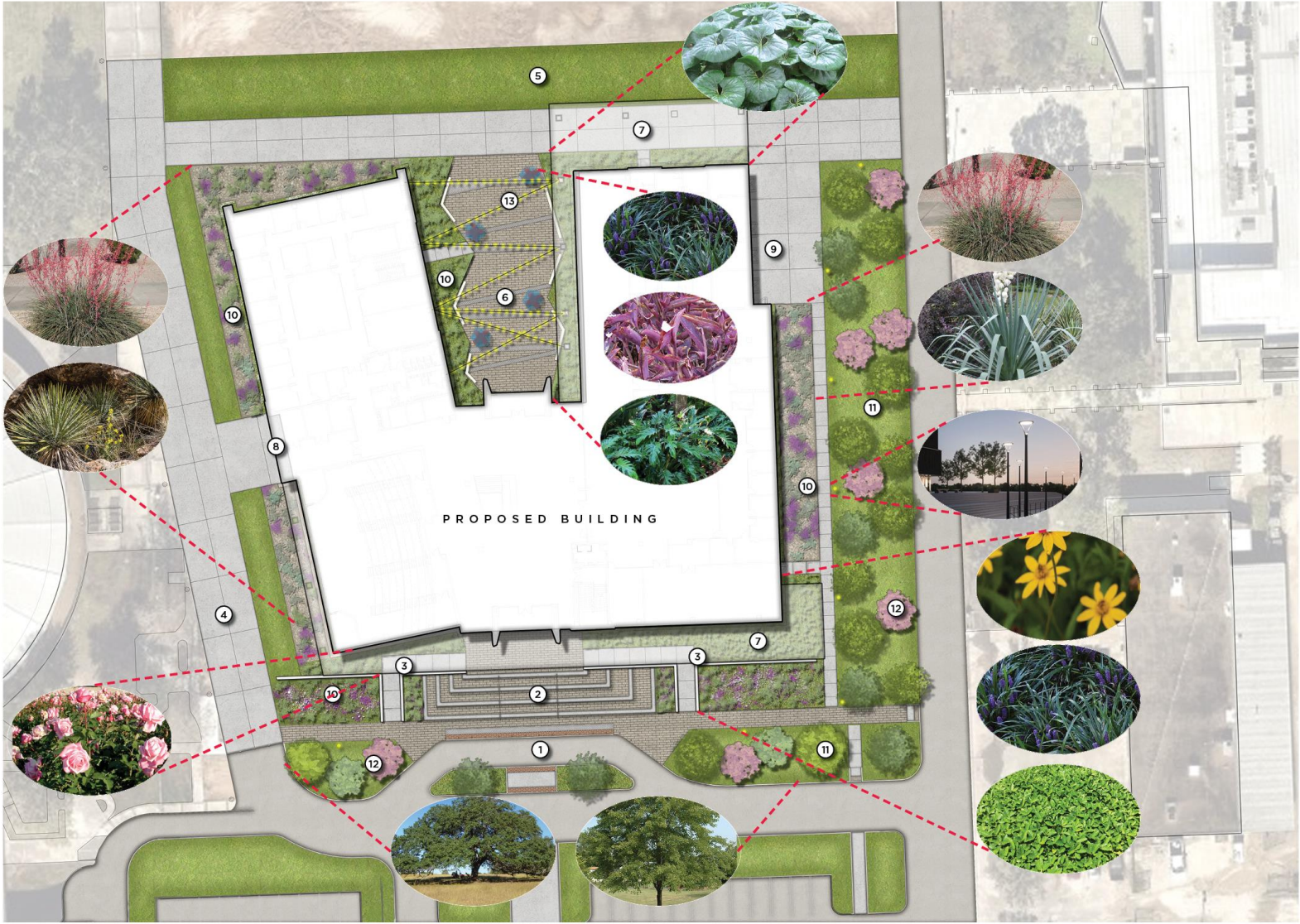
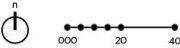
Agenda

- Final Design Development Review
- Review Reconciled Design Development Cost Estimate

Planting Site Plan

LEGEND

- ① DROP OFF
- ② ENTRY STEPS
- ③ ACCESSIBLE ENTRY
- ④ AERIAL APP. FIRE LANE
- ⑤ AERIAL APP. FIRE LANE (GRASS)
- ⑥ COURTYARD
- ⑦ BUILDING OVERHANG
- ⑧ LOADING/SERVICE DRIVE
- ⑨ LIBRARY AND UTILITY ACCESS
- ⑩ SHRUBS & GROUNDCOVER
- ⑪ SHADE TREES
- ⑫ ORNAMENTAL TREES
- ⑬ CATENARY LIGHTS



Aerial



South Approach



Southwest Corner



Southeast Corner



Northeast Corner



Northwest Corner



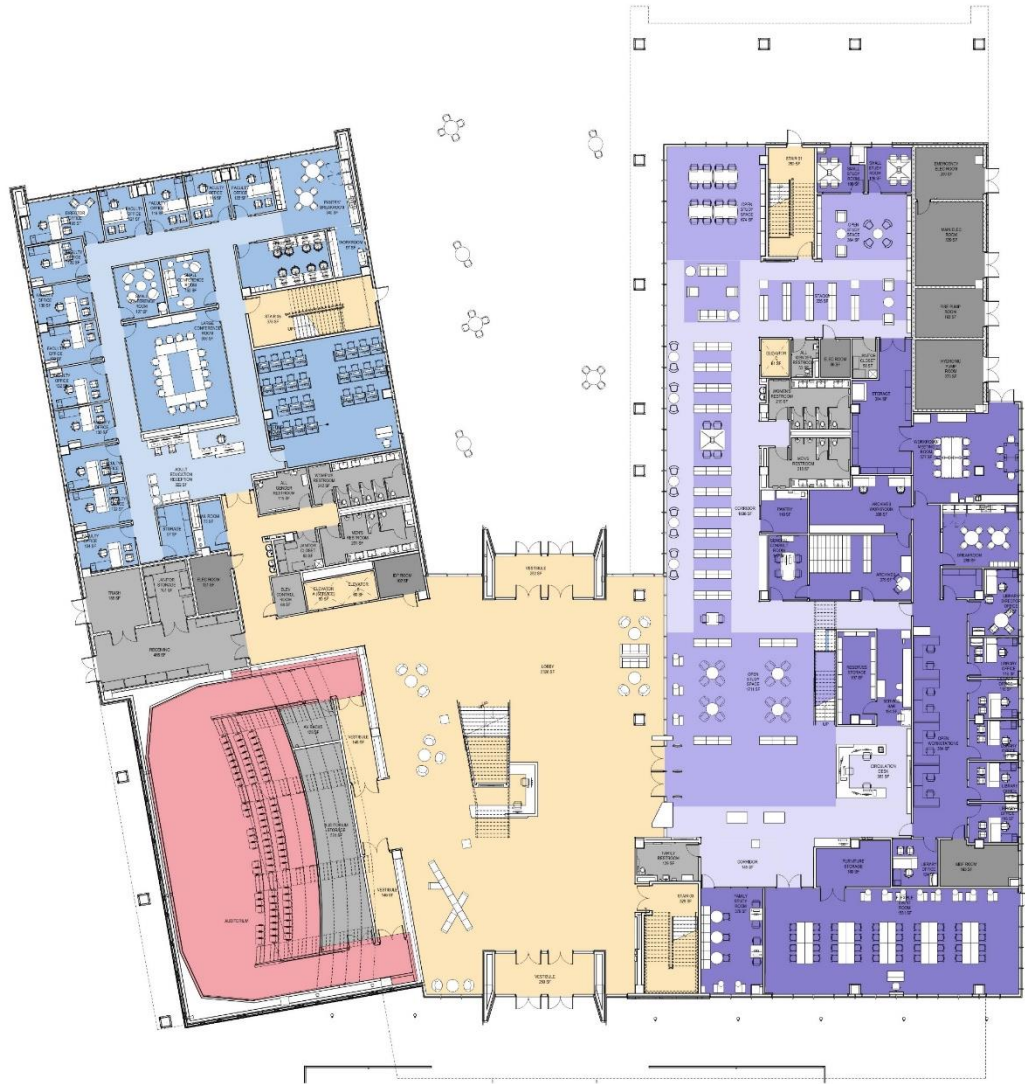
Courtyard



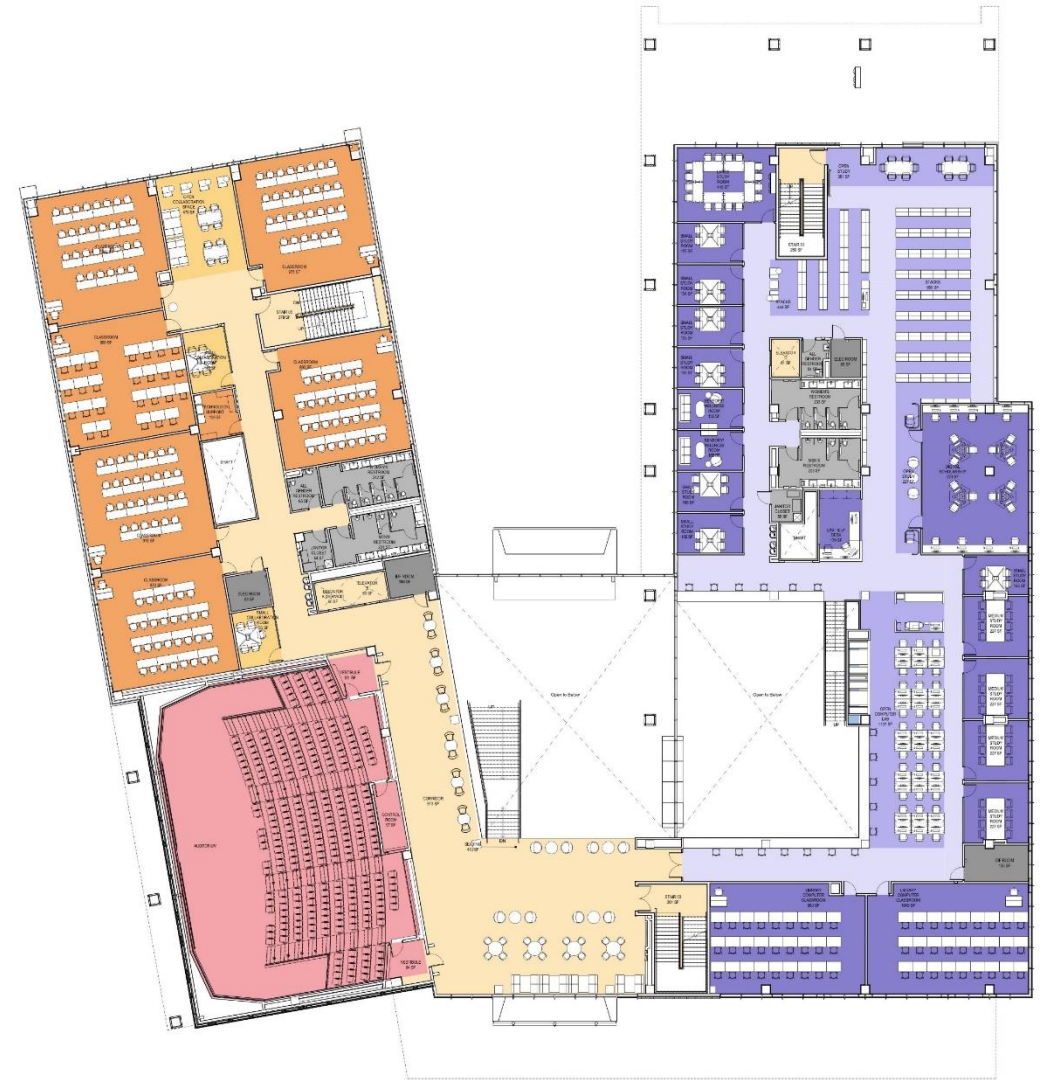
Courtyard Aerial



Floor Plans



LEVEL 01



LEVEL 02

Floor Plans



LEVEL 03



LEVEL 04

Reception Desk Design Update



Reception Desk Design Update



Lobby



LIBRARY

COM
College of Management

Second Floor Lobby



We asked the Texas City community...
What does COM mean to you?

Auditorium Design Update.



Auditorium Design Update



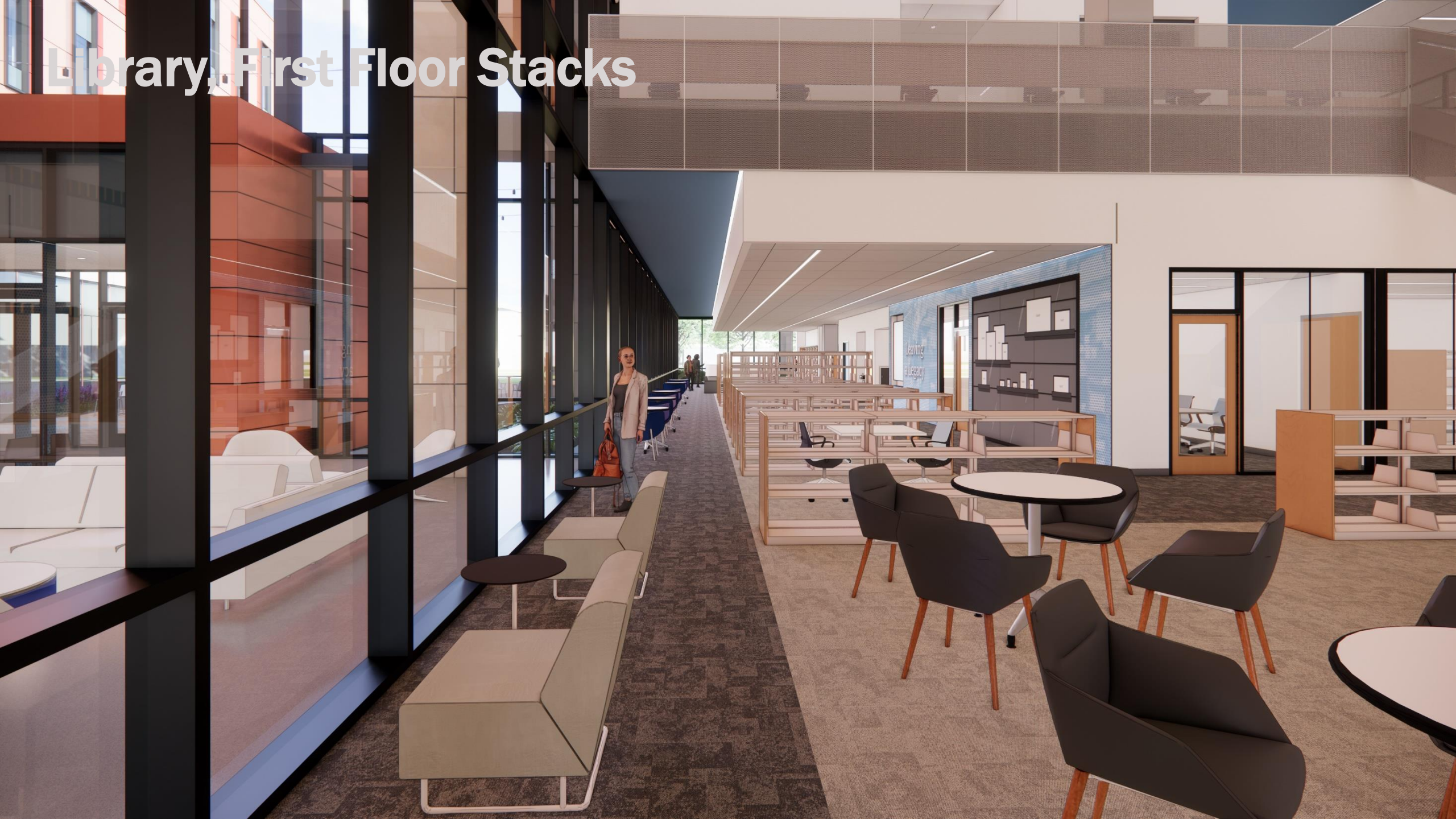
Library, Entry and Reading Room



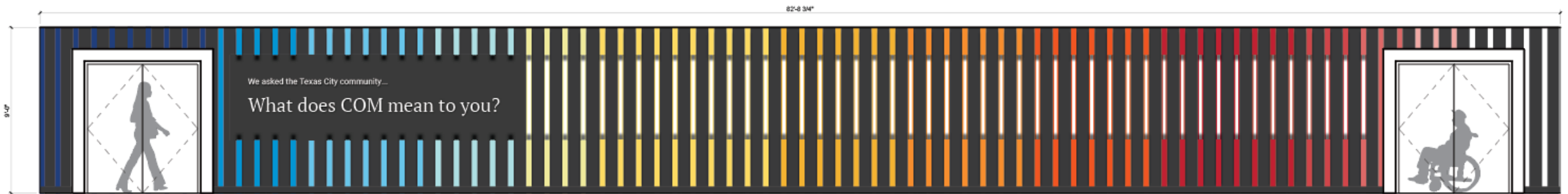
Reading is essential for those who
seek to rise above the ordinary.
JIM ROHN

CIRCULATION DESK

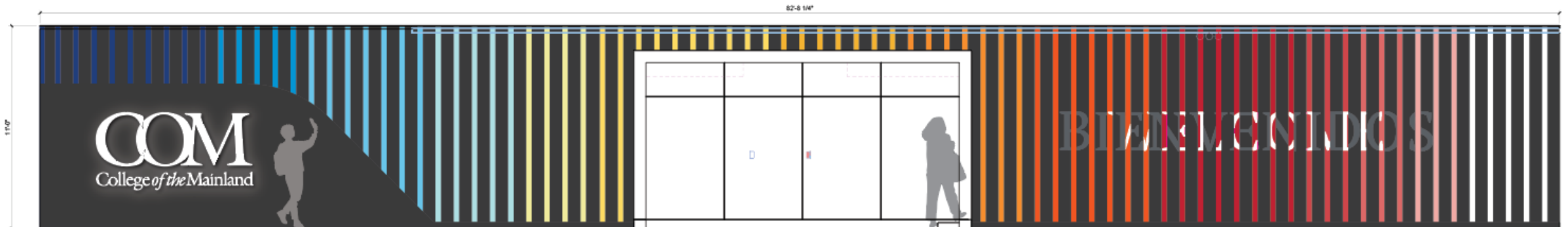
Library, First Floor Stacks



Auditorium Exterior Feature



2 AUDITORIUM WALL LEVEL 02 - EGD USE
3/8" = 1'-0"



1 AUDITORIUM WALL LEVEL 01 - EGD USE
3/8" = 1'-0"

Cost Estimate Update

Estimate Overview

Design Development

	Vaughn	Cost Consultant	Variance from Cost Consultant	Variance from Target Budget
Reconciled SD Estimate + VE	\$99,994,158	\$98,332,368	1.69%	0.45%
Initial DD Estimate	\$98,262,087	\$	%	-1.31%
Reconciled DD Estimate	TBD	TBD	TBD	TBD



PRESIDENT'S OFFICE

MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 23, 2024
Subject: Agenda Item for COM Board of Trustees

AGENDA ITEM DESCRIPTION:

Approval of Contract Amendment #1 to Contract #23-24 for Architectural Services awarded to Joiner Architects

FUNDING SOURCE:

2023 Bond

PURPOSE

Increase the scope of the Contract to provide additional design services to add the infrastructure for twelve (12) additional welding booths in the Industrial Education Building.

PROPOSED MOTION:

“I move the Board of Trustees approve Amendment # 1 as presented for a not-to-exceed amount of \$13,500.”

BACKGROUND:

The Construction Documents were approved by the COM Board of Trustees on April 15, 2024. Due to the anticipated future demand, COM requested the infrastructure for future welding booths as part of the Industrial Education Building Renovation Project. Joiner submitted a proposal for \$13,500.00 for the added design scope. The proposed Amendment #1 will include infrastructure design services for twelve (12) welding booths. The Board approved award of Contract 23-24 on July 24, 2023 for an amount of \$700,000.00 plus reimbursables. The added scope will increase the contract amount from \$700,000 to \$713,500 plus reimbursables. Pogue Construction will perform the work as part of the WELD_IE Project. Any increase in the Cost of Work associated with the Change will be funded using the Owner's Contingency Allowance included in Pogue Construction's contract and will not require a Change Order to the Construction Contract.

Attachments:

1. LAN Cover Letter
2. AIA Document G802 Contract Amendment # 1
3. Proposal – Joiner Architects for Additional Design Services



**Lockwood, Andrews
& Newnam, Inc.**
A LEO A DALY COMPANY

To: Dr. Warren Nichols, President, College of the Mainland (COM)

From: Lockwood, Andrews & Newnam (LAN)

Date: September 11, 2024

Re: Change Order 001 to Contract # 23-24 for Joiner Architects to Design the Infrastructure for Additional Welding Booths in the Industrial Education Building

Background: The Construction Documents were approved by the COM Board of Trustees on April 15, 2024. Due to the anticipated future demand, COM requested the infrastructure for future welding booths be completed as part of the Industrial Education Building Renovation Project. Joiner submitted a proposal for \$13,500.00 for the added design scope. Contract # 23-24 will increase from \$725,000 to \$738,500.

LAN has reviewed the proposal and recommends COM approve Change Order 001 to Contract # 23-24 for \$13,500.00.

A handwritten signature in blue ink that reads "C.W. Scheibe".

C.W. Scheibe, CCM, PMP
Program Manager, LAN
cwscheibe@lan-inc.com
mobile: (972) 890-3002



AIA® Document G802® – 2017

Amendment to the Professional Services Agreement

PROJECT: *(name and address)*
College of the Mainland Industrial
Education Building Renovation

AGREEMENT INFORMATION:
Date: July 25, 2023

AMENDMENT INFORMATION:
Amendment Number: 001

Date: August 27, 2024

OWNER: *(name and address)*
College of the Mainland
1200 Amburn Road
Texas City, Texas 77591

ARCHITECT: *(name and address)*
Joiner Architects, Inc.
700 Rockmead Drive, Suite 265
Kingwood, Texas 77339

The Owner and Architect amend the Agreement as follows:
Welding infrastructure revisions at the Industrial Education Building

The Architect's compensation and schedule shall be adjusted as follows:

Compensation Adjustment:
Increase Architectural fee - \$13,500.00

Schedule Adjustment:
N/A

SIGNATURES:

Joiner Architects, Inc.

ARCHITECT *(Firm name)*

College of the Mainland

OWNER *(Firm name)*



SIGNATURE

SIGNATURE

JAY COOPER, PRINTER

PRINTED NAME AND TITLE

PRINTED NAME AND TITLE

8.27.24

DATE

DATE



PRESIDENT'S OFFICE

MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 23, 2024
Subject: Renew Contract 23-02:
Print Services

AGENDA ITEM DESCRIPTION:

Approval of Contract 23-02 Renewal for Print Services with Slate Group & LP Printing

FUNDING SOURCE:

To be paid from FY25 Operating Funds

PURPOSE:

The purpose is to continue to provide the annual print service solutions to support campus wide traditional print and digital materials.

PROPOSED MOTION: *"I move the Board of Trustees approve the renewal of contract 23-02 for print services not-to-exceed \$167,000.00 to be paid from FY25 operating and ancillary funds."*

BACKGROUND:

On August 22, 2022, the Board of Trustees approved the subject contract award based on competitive proposal offers. The initial contract period began September 1, 2022 – August 31, 2024, with (2) two annual renewal options. The estimated cost for the first annual renewal period is based on historical expenditures. Therefore, it is the recommendation of administration to renew the subject contract for a not-to-exceed amount of \$167,000.00 beginning September 1, 2024 - August 31, 2025.

The remaining annual renewal option value will be evaluated based on future print services needs and brought forward as a recommendation for Board approval prior to execution of the renewal.



MINUTE ORDER

To: Board of Trustees

From: Dr. Warren Nichols, President

Date: September 23, 2024

Subject: Renew Contract 16-21:
Ellucian Colleague Software Maintenance

AGENDA ITEM DESCRIPTION:

Approval of contract 16-21 for Software Maintenance & Services with Ellucian

FUNDING SOURCE:

FY25 Operating Budget 11-0-0000-3516-5325

PURPOSE

The purpose is to continue the annual maintenance of Ellucian Colleague administrative software to ensure that the college stays current on the essential requirements and technological advances that continue to evolve and require solutions.

PROPOSED MOTION:

"I move the Board of Trustees approve the renewal of contract 16-21 for the Ellucian Colleague Annual Software Maintenance and services for an amount not to exceed \$487,000.00 to be paid from FY25 Operating Budget."

BACKGROUND

In 2004 the Board of Trustees approved Ellucian Colleague as our Enterprise Resource Planning (ERP) system. Colleague focuses on our key business areas - enrollment and student services; financial management; financial aid; and human resources. Ellucian (formerly named Datatel). The annual renewal is \$477,982.00 beginning September 1, 2024, to August 31, 2025. It is the recommendation of administration to include contingency funds for as needed services that may arise throughout the renewal period. The total renewal including contingency is not-to-exceed \$487,000.00

ATTACHMENT

Ellucian Maintenance Renewal Invoice 2024-2025

Bill To:
 College Of The Mainland
 Ronald LeVick
 1200 N Amburn Rd
 Texas City, TX 77591-2435
 USA

Invoice Number:	90420692
Invoice Date:	07/03/2024
Invoice Due Date:	09/01/2024
Customer Number:	102631
SAP Order Number:	58638
Invoice Amount:	USD 477,982.00

Remittance Information

Remit To:
 Ellucian Company LLC
 62578 Collections Center Drive
 Chicago, IL 60693-0625
 USA

Tax Summary

Total Taxable:	USD 0.00
Total Non Taxable:	USD 477,982.00
Total Tax:	USD 0.00

ACH Information:

Bank of America
 100 West 33rd Street
 New York, NY 10001
 ABA# 071000039
 Beneficiary Name: Ellucian Company LLC
 Account # 81880-91099
 Email: electronic-payment-info@ellucian.com

Please reference invoice number on all payment remittance.

Questions or concerns regarding this invoice? Contact accountsreceivable@ellucian.com

Invoice Details

Description	Unit Price	Tax Rate	Tax	Total
Annual Maintenance Renewal From 09/01/2024 to 08/31/2025				
CORE	75,035.00	0%	0.00	75,035.00
STUDENT	114,072.00	0%	0.00	114,072.00
FINANCE	60,601.00	0%	0.00	60,601.00
HUMAN RESOURCES	49,545.00	0%	0.00	49,545.00
WORKFLOW				
AL HR WORKFLOW DEFINITION TOOL	5,180.00	0%	0.00	5,180.00
PER USER	45,144.00	0%	0.00	45,144.00
APPLICATION DEVELOPMENT ENVIRONMENT	55,360.00	0%	0.00	55,360.00
REPORTING				
AL HR REPORTING DATAMARTS ANNUAL LICENSE	1,988.00	0%	0.00	1,988.00
AL ST REPORTING DATAMARTS ANNUAL LICENSE	1,988.00	0%	0.00	1,988.00

Description	Unit Price	Tax Rate	Tax	Total
AL ST REPORTING APPLICATIONS ANN LIC	994.00	0%	0.00	994.00
AL FIN REPORTING APPLICATIONS ANN LIC	994.00	0%	0.00	994.00
AL FIN REPORTING DATAMARTS ANN LIC	1,988.00	0%	0.00	1,988.00
AL HR REPORTING APPLICATIONS ANN LIC	994.00	0%	0.00	994.00
OTHER				
MT Ellucian Maint Advantage	21,308.00	0%	0.00	21,308.00
MT ECOMMERCE OFFICIAL PAYMENTS	2,737.00	0%	0.00	2,737.00
AL EDI SPEEDE	6,574.00	0%	0.00	6,574.00
PARTNER				
MT APPLICATION SERVER 0-100 PARTNER	15,694.00	0%	0.00	15,694.00
MT RDBMS AE USERS PARTNER	17,786.00	0%	0.00	17,786.00

SUBTOTAL	USD 477,982.00
Tax	USD 0.00
TOTAL	USD 477,982.00

**** A late fee will be imposed on past due payments per your contract. ****



MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 23, 2024
Subject: Adoption of Tax Rate for 2024

AGENDA ITEM DESCRIPTION:

Discussion and possible action to adopt a tax rate for 2024.

PURPOSE

Per policy CAI (Legal), state law requires the Board of Trustees to set a property tax rate each year. The purpose is to set a maintenance and operations (M&O) tax rate that provides the college with sufficient revenues to fund the 2024-2025 approved budget and an interest and sinking tax rate to sustain the debt service payments on voter-approved bonds.

FUNDING SOURCE:

N/A

PROPOSED MOTION:

Suggested motion: "I move the Board of Trustees adopt the Resolution for Adopting the 2024 Tax Rate Adoption as presented."

BACKGROUND

The tax rate is calculated by the Galveston County Tax Assessor-Collector utilizing the Tax Calculation Worksheet. The proposed rate presented for adoption is .1427/100 (0.001427) of property value for maintenance and operations and .1244/100 (0.001244) for interest and sinking for a total tax rate of .2671/100 (0.002671). A tax rate notice was published in the Galveston Daily News on September 17, 2024, by the request of the Galveston County Tax Assessor-Collector

ATTACHMENTS

1. Notice of Public Hearing on Tax Increase
2. Proposed Ad Valorem Taxes for 2024, Fiscal Year 2024-2025
3. 2024 Tax Rate Calculation Worksheet
4. Tax Rate Adoption Resolution

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of \$0.267100 per \$100 valuation has been proposed by the governing body of College of the Mainland.

PROPOSED TAX RATE	\$0.267100 per \$100
NO-NEW-REVENUE TAX RATE	\$0.263573 per \$100
VOTER-APPROVAL TAX RATE	\$0.278591 per \$100

The no-new-revenue tax rate is the tax rate for the 2024 tax year that will raise the same amount of property tax revenue for College of the Mainland from the same properties in both the 2023 tax year and the 2024 tax year. The voter-approval rate is the highest tax rate that College of the Mainland may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that College of the Mainland is proposing to increase property taxes for the 2024 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 23, 2024 at 1:30 PM at College of the Mainland, Doyle Family Administration Building A129, 1200 Amburn Road, Texas City, Texas 77591.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, College of the Mainland is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the Board of Trustees of College of the Mainland at their offices or by attending the public hearing mentioned above.

YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED AS FOLLOWS:

Property tax amount= (tax rate) x (taxable value of your property)/100

FOR the proposal: Board Chair, Donald G. Gartman Kyle L. Dickson Dawn King
Dr. Bill McGarvey Dr. Vema J. Henson Alan L. Waters

ABSENT: Melissa Skipworth

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property. The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state. The following table compares the taxes imposed on the average residence homestead by College of the Mainland last year to the taxes proposed to be imposed on the average residence homestead by College of the Mainland this year.

	2023	2024	Change
Total tax rate (per \$100 of value)	\$0.268500	\$0.267100	decrease of -0.001400 per \$100, or -0.52%
Average homestead taxable value	\$195,172	\$210,679	increase of 7.95%
Tax on average homestead	\$524.04	\$562.72	increase of 38.68, or 7.38%
Total tax levy on all properties	\$43,475,278	\$44,738,054	increase of 1,262,776, or 2.90%

For assistance with tax calculations, please contact the tax assessor for College of the Mainland at 877-766-2284 or galcotax@co.galveston.tx.us or visit www.galcotax.com for more information.

College of the Mainland
2024-2025 Budget
Proposed Ad Valorem Taxes Calendar Year 2025

	Proposed 2025 M&O Rate	Proposed 2025 I&S Rate	Proposed 2025 Total Tax Rate
Certified Adjusted Taxable Value	16,351,452,029	16,749,552,373	
Tax Rate	0.1427	0.1244	0.2671
 College Revenues	 23,345,043	 20,836,538	 44,181,581
 Sample Home Value	 200,000	 200,000	 200,000
Less 20% Exemptions	(40,000)	(40,000)	(40,000)
Taxable Value	160,000	160,000	160,000
Ad Valorem Tax	228.32	199.04	427.36

2024 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

College of the Mainland

409-935-8261

Taxing Unit Name

Phone (area code and number)

1200 Amburn Road, Texas City, Texas 77591

www.com.edu

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	Prior year total taxable value. Enter the amount of the prior year taxable value on the prior year tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). ¹	\$ 18,807,381,973
2.	Prior year tax ceilings. Counties, cities and junior college districts. Enter the prior year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision last year or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$ 1,996,373,107
3.	Preliminary prior year adjusted taxable value. Subtract Line 2 from Line 1.	\$ 16,811,008,866
4.	Prior year total adopted tax rate.	\$ 0.268500 /\$100
5.	Prior year taxable value lost because court appeals of ARB decisions reduced the prior year's appraised value. A. Original prior year ARB values: \$ 546,751,759 B. Prior year values resulting from final court decisions: -\$ 468,286,575 C. Prior year value loss. Subtract B from A. ³	\$ 78,465,184
6.	Prior year taxable value subject to an appeal under Chapter 42, as of July 25. A. Prior year ARB certified value: \$ 0 B. Prior year disputed value: -\$ 0 C. Prior year undisputed value. Subtract B from A. ⁴	\$ 0
7.	Prior year Chapter 42 related adjusted values. Add Line 5C and Line 6C.	\$ 78,465,184

¹ Tex. Tax Code §26.012(14)
² Tex. Tax Code §26.012(14)
³ Tex. Tax Code §26.012(13)
⁴ Tex. Tax Code §26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 16,889,474,050
9.	Prior year taxable value of property in territory the taxing unit deannexed after Jan. 1, 2024. Enter the prior year value of property in deannexed territory. ⁵	\$ 0
10.	<p>Prior year taxable value lost because property first qualified for an exemption in the current year. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freepport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in the current year does not create a new exemption or reduce taxable value.</p> <p>A. Absolute exemptions. Use prior year market value: \$ 35,264,010</p> <p>B. Partial exemptions. Current year exemption amount or current year percentage exemption times prior year value: + \$ 102,660,492</p> <p>C. Value loss. Add A and B. ⁶</p>	\$ 137,924,502
11.	<p>Prior year taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in the current year. Use only properties that qualified for the first time in the current year; do not use properties that qualified in the prior year.</p> <p>A. Prior year market value: \$ 2,567,346</p> <p>B. Current year productivity or special appraised value: - \$ 7,840</p> <p>C. Value loss. Subtract B from A. ⁷</p>	\$ 2,559,506
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$ 140,484,008
13.	Prior year captured value of property in a TIF. Enter the total value of the prior year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the prior year taxes were deposited into the tax increment fund. ⁸ If the taxing unit has no captured appraised value in line 18D, enter 0.	\$ 805,809,850
14.	Prior year total value. Subtract Line 12 and Line 13 from Line 8.	\$ 15,943,180,192
15.	Adjusted prior year total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$ 42,807,438
16.	Taxes refunded for years preceding the prior tax year. Enter the amount of taxes refunded by the taxing unit for tax years preceding the prior tax year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for the prior tax year. This line applies only to tax years preceding the prior tax year. ⁹	\$ 290,640
17.	Adjusted prior year levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$ 43,098,078
18.	<p>Total current year taxable value on the current year certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. ¹¹</p> <p>A. Certified values: \$ 19,267,390,396</p> <p>B. Counties: Include railroad rolling stock values certified by the Comptroller's office: + \$ _____</p> <p>C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - \$ 0</p> <p>D. Tax increment financing: Deduct the current year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the current year taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. ¹² - \$ 983,038,266</p> <p>E. Total current year value. Add A and B, then subtract C and D.</p>	\$ 18,284,352,130

⁵ Tex. Tax Code §26.012(15)
⁶ Tex. Tax Code §26.012(15)
⁷ Tex. Tax Code §26.012(15)
⁸ Tex. Tax Code §26.03(c)
⁹ Tex. Tax Code §26.012(13)
¹⁰ Tex. Tax Code §26.012(13)
¹¹ Tex. Tax Code §26.012, 26.04(c-2)
¹² Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	<p>Total value of properties under protest or not included on certified appraisal roll. ¹³</p> <p>A. Current year taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴..... \$ <u>938,025,918</u></p> <p>B. Current year value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵..... + \$ <u>0</u></p> <p>C. Total value under protest or not certified. Add A and B. \$ <u>938,025,918</u></p>	
20.	<p>Current year tax ceilings. Counties, cities and junior colleges enter current year total taxable value of homesteads with tax ceilings. These include the home- steads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling pro- vision in the prior year or a previous year for homeowners age 65 or older or disabled, use this step. ¹⁶</p>	\$ <u>2,472,825,675</u>
21.	<p>Current year total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷</p>	\$ <u>16,749,552,373</u>
22.	<p>Total current year taxable value of properties in territory annexed after Jan. 1, of the prior year. Include both real and personal property. Enter the current year value of property in territory annexed. ¹⁸</p>	\$ <u>0</u>
23.	<p>Total current year taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in the prior year. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, of the prior year and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for the current year. ¹⁹</p>	\$ <u>398,100,344</u>
24.	<p>Total adjustments to the current year taxable value. Add Lines 22 and 23.</p>	\$ <u>398,100,344</u>
25.	<p>Adjusted current year taxable value. Subtract Line 24 from Line 21.</p>	\$ <u>16,351,452,029</u>
26.	<p>Current year NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰</p>	\$ <u>0.263573</u> /\$100
27.	<p>COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the current year county NNR tax rate. ²¹</p>	\$ _____ /\$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

- Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
- Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	<p>Prior year M&O tax rate. Enter the prior year M&O tax rate.</p>	\$ <u>0.144100</u> /\$100
29.	<p>Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i>.</p>	\$ <u>16,889,474,050</u>

¹³ Tex. Tax Code §26.01(c) and (d)
¹⁴ Tex. Tax Code §26.01(c)
¹⁵ Tex. Tax Code §26.01(d)
¹⁶ Tex. Tax Code §26.012(6)(B)
¹⁷ Tex. Tax Code §26.012(6)
¹⁸ Tex. Tax Code §26.012(17)
¹⁹ Tex. Tax Code §26.012(17)
²⁰ Tex. Tax Code §26.04(c)
²¹ Tex. Tax Code §26.04(d)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
30.	Total prior year M&O levy. Multiply Line 28 by Line 29 and divide by \$100	\$ 24,337,732
31.	<p>Adjusted prior year levy for calculating NNR M&O rate.</p> <p>A. M&O taxes refunded for years preceding the prior tax year. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2023. This line applies only to tax years preceding the prior tax year..... + \$ 166,546</p> <p>B. Prior year taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no current year captured appraised value in Line 18D, enter 0..... - \$ 1,159,235</p> <p>C. Prior year transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0. +/- \$ 0</p> <p>D. Prior year M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function..... \$ -992,689</p> <p>E. Add Line 30 to 31D.</p>	\$ 23,345,043
32.	Adjusted current year taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 16,351,452,029
33.	Current year NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100.	\$ 0.142770 /\$100
34.	<p>Rate adjustment for state criminal justice mandate.²³</p> <p>A. Current year state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. \$ 0</p> <p>B. Prior year state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies..... - \$ 0</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ 0.000000 /\$100</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0.</p>	\$ 0.000000 /\$100
35.	<p>Rate adjustment for indigent health care expenditures.²⁴</p> <p>A. Current year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state assistance received for the same purpose. \$ 0</p> <p>B. Prior year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state assistance received for the same purpose..... - \$ 0</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ 0.000000 /\$100</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0.</p>	\$ 0.000000 /\$100

²³ [Reserved for expansion]
²⁴ Tex. Tax Code §26.044
²⁵ Tex. Tax Code §26.0441

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
36.	<p>Rate adjustment for county indigent defense compensation. ²⁵</p> <p>A. Current year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state grants received by the county for the same purpose. \$ 0</p> <p>B. Prior year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state grants received by the county for the same purpose. \$ 0</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100</p> <p>D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100</p> <p>E. Enter the lesser of C and D. If not applicable, enter 0.</p>	\$ 0.000000 /\$100
37.	<p>Rate adjustment for county hospital expenditures. ²⁶</p> <p>A. Current year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year. \$ 0</p> <p>B. Prior year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023. \$ 0</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100</p> <p>D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100</p> <p>E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.</p>	\$ 0.000000 /\$100
38.	<p>Rate adjustment for defunding municipality. This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information.</p> <p>A. Amount appropriated for public safety in the prior year. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year. \$ 0</p> <p>B. Expenditures for public safety in the prior year. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year. \$ 0</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0.</p>	\$ 0.000000 /\$100
39.	<p>Adjusted current year NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.</p>	\$ 0.142770 /\$100
40.	<p>Adjustment for prior year sales tax specifically to reduce property taxes. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in the prior year should complete this line. These entities will deduct the sales tax gain rate for the current year in Section 3. Other taxing units, enter zero.</p> <p>A. Enter the amount of additional sales tax collected and spent on M&O expenses in the prior year, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent. \$ 0</p> <p>B. Divide Line 40A by Line 32 and multiply by \$100. \$ 0.000000 /\$100</p> <p>C. Add Line 40B to Line 39.</p>	\$ 0.142770 /\$100
41.	<p>Current year voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below.</p> <p>Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08.</p> <p>- or -</p> <p>Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.</p>	\$ 0.154191 /\$100

²⁵ Tex. Tax Code §26.0442
²⁶ Tex. Tax Code §26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D41.	<p>Disaster Line 41 (D41): Current year voter-approval M&O rate for taxing unit affected by disaster declaration. If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of</p> <p>1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or</p> <p>2) the third tax year after the tax year in which the disaster occurred</p> <p>If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08.²⁷ If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).</p>	<p>\$ 0.000000 /\$100</p>
42.	<p>Total current year debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that:</p> <p>(1) are paid by property taxes,</p> <p>(2) are secured by property taxes,</p> <p>(3) are scheduled for payment over a period longer than one year, and</p> <p>(4) are not classified in the taxing unit's budget as M&O expenses.</p> <p>A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here.²⁸</p> <p>Enter debt amount \$ 22,600,200</p> <p>B. Subtract unencumbered fund amount used to reduce total debt. - \$ 0</p> <p>C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none) - \$ 0</p> <p>D. Subtract amount paid from other resources - \$ 0</p> <p>E. Adjusted debt. Subtract B, C and D from A.</p>	<p>\$ 22,600,200</p>
43.	<p>Certified prior year excess debt collections. Enter the amount certified by the collector.²⁹</p>	<p>\$ 1,801,167</p>
44.	<p>Adjusted current year debt. Subtract Line 43 from Line 42E.</p>	<p>\$ 20,799,033</p>
45.	<p>Current year anticipated collection rate.</p> <p>A. Enter the current year anticipated collection rate certified by the collector.³⁰ 99.82 %</p> <p>B. Enter the prior year actual collection rate..... 99.82 %</p> <p>C. Enter the 2022 actual collection rate. 99.84 %</p> <p>D. Enter the 2021 actual collection rate. 99.67 %</p> <p>E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%.³¹</p>	<p>99.82 %</p>
46.	<p>Current year debt adjusted for collections. Divide Line 44 by Line 45E.</p>	<p>\$ 20,836,538</p>
47.	<p>Current year total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i>.</p>	<p>\$ 16,749,552,373</p>
48.	<p>Current year debt rate. Divide Line 46 by Line 47 and multiply by \$100.</p>	<p>\$ 0.124400 /\$100</p>
49.	<p>Current year voter-approval tax rate. Add Lines 41 and 48.</p>	<p>\$ 0.278591 /\$100</p>
D49.	<p>Disaster Line 49 (D49): Current year voter-approval tax rate for taxing unit affected by disaster declaration. Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.</p>	<p>\$ 0.000000 /\$100</p>

²⁷ Tex. Tax Code §26.042(a)
²⁸ Tex. Tax Code §26.012(7)
²⁹ Tex. Tax Code §26.012(10) and 26.04(b)
³⁰ Tex. Tax Code §26.04(b)
³¹ Tex. Tax Code §§26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
50.	COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the current year county voter-approval tax rate.	\$ 0.000000 /\$100

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	Taxable Sales. For taxing units that adopted the sales tax in November of the prior tax year or May of the current tax year, enter the Comptroller's estimate of taxable sales for the previous four quarters. ³² Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November of the prior year, enter 0.	\$ 0
52.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ³³ Taxing units that adopted the sales tax in November of the prior tax year or in May of the current tax year. Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ³⁴ - or - Taxing units that adopted the sales tax before November of the prior year. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$ 0
53.	Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 16,749,552,373
54.	Sales tax adjustment rate. Divide Line 52 by Line 53 and multiply by \$100.	\$ 0.000000 /\$100
55.	Current year NNR tax rate, unadjusted for sales tax. ³⁵ Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.263573 /\$100
56.	Current year NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November the prior tax year or in May of the current tax year. Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November of the prior tax year.	\$ 0.263573 /\$100
57.	Current year voter-approval tax rate, unadjusted for sales tax. ³⁶ Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.278591 /\$100
58.	Current year voter-approval tax rate, adjusted for sales tax. Subtract Line 54 from Line 57.	\$ 0.278591 /\$100

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸	\$ 0
60.	Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 16,749,552,373
61.	Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100.	\$ 0.000000 /\$100

³² Tex. Tax Code §26.041(d)

³³ Tex. Tax Code §26.041(i)

³⁴ Tex. Tax Code §26.041(d)

³⁵ Tex. Tax Code §26.04(c)

³⁶ Tex. Tax Code §26.04(c)

³⁷ Tex. Tax Code §26.045(d)

³⁸ Tex. Tax Code §26.045(i)

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
62.	Current year voter-approval tax rate, adjusted for pollution control. Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$ 0.278591 /\$100

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the sum of the prior 3 years Foregone Revenue Amounts divided by the current taxable value.³⁹ The Foregone Revenue Amount for each year is equal to that year's adopted tax rate subtracted from that year's voter-approval tax rate adjusted to remove the unused increment rate multiplied by that year's current total value.⁴⁰ In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the portion of the unused increment rate that was used must be backed out of the calculation for that year.

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year in which a taxing unit affected by a disaster declaration calculates the tax rate under Tax Code Section 26.042;⁴¹
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);⁴² or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.⁴³

Individual components can be negative, but the overall rate will be the greater of zero or the calculated rate.

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴⁴

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	Year 3 Foregone Revenue Amount. Subtract the 2023 unused increment rate and 2023 actual tax rate from the 2023 voter-approval tax rate. Multiply the result by the 2023 current total value A. Voter-approval tax rate (Line 67) B. Unused increment rate (Line 66) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2023 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100	\$ 0.280042 /\$100 \$ 0.000000 /\$100 \$ 0.280042 /\$100 \$ 0.268500 /\$100 \$ 0.011542 /\$100 \$ 15,818,862,790 \$ 1,825.813
64.	Year 2 Foregone Revenue Amount. Subtract the 2022 unused increment rate and 2022 actual tax rate from the 2022 voter-approval tax rate. Multiply the result by the 2022 current total value A. Voter-approval tax rate (Line 67) B. Unused increment rate (Line 66) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2022 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100	\$ 0.272916 /\$100 \$ 0.000000 /\$100 \$ 0.272916 /\$100 \$ 0.267620 /\$100 \$ 0.005296 /\$100 \$ 14,750,319,229 \$ 781.176
65.	Year 1 Foregone Revenue Amount. Subtract the 2021 unused increment rate and 2021 actual tax rate from the 2021 voter-approval tax rate. Multiply the result by the 2021 current total value A. Voter-approval tax rate (Line 67) B. Unused increment rate (Line 66) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2021 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100	\$ 0.278019 /\$100 \$ 0.000000 /\$100 \$ 0.278019 /\$100 \$ 0.267700 /\$100 \$ 0.010319 /\$100 \$ 12,949,818,665 \$ 1,336.291
66.	Total Foregone Revenue Amount. Add Lines 63G, 64G and 65G	\$ 0 /\$100
67.	2024 Unused Increment Rate. Divide Line 66 by Line 21 of the <i>No-New-Revenue Rate Worksheet</i> . Multiply the result by 100	\$ 0.000000 /\$100
68.	Total 2024 voter-approval tax rate, including the unused increment rate. Add Line 67 to one of the following lines (as applicable): Line 49, Line 50 (counties), Line 58 (taxing units with additional sales tax) or Line 62 (taxing units with pollution)	\$ 0.278591 /\$100

³⁹ Tex. Tax Code §26.013(b)
⁴⁰ Tex. Tax Code §26.013(a)(1-a), (1-b), and (2)
⁴¹ Tex. Tax Code §26.04(c)(2)(A) and 26.042(a)
⁴² Tex. Tax Code §26.0501(a) and (c)
⁴³ Tex. Local Gov't Code §120.007(d)
⁴⁴ Tex. Local Gov't Code §120.007(d)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴⁴ This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴⁵

Line	De Minimis Rate Worksheet	Amount/Rate
69.	Adjusted current year NNR M&O tax rate. Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i> .	0.142770
70.	Current year total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 16,749,552,373
71.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 70 and multiply by \$100.	\$ 0.002985 /\$100
72.	Current year debt rate. Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.124400 /\$100
73.	De minimis rate. Add Lines 69, 71 and 72.	\$ 0.000000 /\$100

SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.⁴⁶

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.⁴⁹

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago. This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
74.	2023 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.268500 /\$100
75.	Adjusted 2023 voter-approval tax rate. Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2023 and the taxing unit calculated its 2023 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2023 worksheet due to a disaster, complete the applicable sections or lines of <i>Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> . - or - If a disaster occurred prior to 2023 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2023, complete form 50-856-a, <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2023 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the years following the disaster. ⁵⁰ Enter the final adjusted 2023 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2023 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	\$ 0.000000 /\$100
76.	Increase in 2023 tax rate due to disaster. Subtract Line 75 from Line 74.	\$ 0.000000 /\$100
77.	Adjusted 2023 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 15,943,180,192
78.	Emergency revenue. Multiply Line 76 by Line 77 and divide by \$100.	\$ 0
79.	Adjusted 2023 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 16,351,452,029
80.	Emergency revenue rate. Divide Line 78 by Line 79 and multiply by \$100. ⁵¹	\$ 0.000000 /\$100

⁴³ Tex. Tax Code §26.04(c)(2)(B)

⁴⁴ Tex. Tax Code §26.012(B-a)

⁴⁵ Tex. Tax Code §26.063(a)(1)

⁴⁶ Tex. Tax Code §26.042(b)

⁴⁷ Tex. Tax Code §26.042(f)

⁴⁸ Tex. Tax Code §26.42(c)

⁴⁹ Tex. Tax Code §26.42(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
81.	Current year voter-approval tax rate, adjusted for emergency revenue. Subtract Line 80 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 68 (taxing units with the unused increment rate).	\$ 0.278591 /\$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. \$ 0.263573 /\$100
 As applicable, enter the current year NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).
 Indicate the line number used: 26

Voter-approval tax rate. \$ 0.278591 /\$100
 As applicable, enter the current year voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 68 (adjusted for unused increment), or Line 81 (adjusted for emergency revenue).
 Indicate the line number used: 49

De minimis rate. \$ 0.000000 /\$100
 If applicable, enter the current year de minimis rate from Line 73.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit’s certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code.⁵²

print here ▶ Cheryl E Johnson, PCC, CTOP
 Printed Name of Taxing Unit Representative

sign here ▶ _____ Date

⁵² Tex. Tax Code §§26.04(c-2) and (d-2)

**RESOLUTION AND ORDER OF THE BOARD OF TRUSTEES
OF COLLEGE OF THE MAINLAND
IN GALVESTON COUNTY, TEXAS FOR THE ADOPTION OF THE TAX RATE AND
LEVYING AD VALOREM TAXES FOR THE YEAR 2024, FOR THE SUPPORT,
MAINTENANCE, AND DEBT SERVICE OF COLLEGE OF THE MAINLAND**

WHEREAS, College of the Mainland has been duly organized in accordance with the laws of the State of Texas; and

WHEREAS, it is necessary that ad valorem taxes be levied for the support, maintenance, and debt service of College of the Mainland for the fiscal year 2024-2025 and tax year 2024; and

WHEREAS, The Galveston County Tax Assessor using the Truth in Taxation form calculated a maintenance and operations rate of \$0.1427, on each one hundred dollars (\$100) of valuation and an interest and sinking rate of .1244 on each one hundred dollars (\$100) of valuation as required by Section 26.04 of the Tax Code; and

WHEREAS, the Board of Trustees of College of the Mainland in Galveston County, Texas, has determined that the amount of money needed by the College District to maintain the same amount of tax revenues for maintenance and operations and an additional amount for interest and sinking, will require a tax levy at the rate of \$0.2671 on each one hundred dollars (\$100) of valuation; and

WHEREAS, the Board of Trustees of College of the Mainland has previously adopted and approved a budget for the 2024-2025 fiscal year in compliance with state law; and

WHEREAS, the Board of Trustees of College of the Mainland has complied with all the procedural requirements for the setting of the 2024 ad valorem tax rate as specified by the Tax Code and Education Code,

NOW, THEREFORE BE IT ORDAINED AND ORDERED by the Board of Trustees of COLLEGE OF THE MAINLAND that we do hereby levy or adopt the rate on \$100 evaluation for this community college district for the tax year 2024 as follows:

<u>\$0.1427</u>	for the purpose of maintenance and operation
<u>\$0.1244</u>	for the payment of principal and interest on debt of this college district
<u>\$0.2671</u>	Total tax rate

BE IT FURTHER ORDERED that, upon the adoption of this Resolution and Order, the Secretary of the Board of Trustees of College of the Mainland shall certify a copy of this Resolution and Order and forward to both the Assessor and Collector of Taxes.

This Resolution and Order shall take effect from and immediately upon its adoption.

PASSED, APPROVED AND ADOPTED THIS 23rd day of September 2024.

Don Gartman
Board Chairman, Board of Trustees

Melissa Skipworth
Secretary, Board of Trustees

August 2024

Monthly Financial Report

Cash Situation

(in millions)

Gross cash balance at the end of month:	\$23.6
Less pending I&S liability:	(\$0)
Net unrestricted cash:	<u>\$23.6</u>
Minimum required cash :	\$8.2
Excess cash above minimum:	\$15.4

Unaudited Operations

Year to Date *(in millions)*

Revenues

Budget: \$42.0

Actual: \$43.2

(103% earned at 100% of year)

Expense

Budget: \$42.0

Actual: \$41.4

(99% Spent at 100% of year)



MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 12, 2024
Subject: Monthly Investment & Financial Reports

AGENDA ITEM DESCRIPTION:

Consideration of and possible acceptance of the August 2024 Investment and Financial Reports.

PURPOSE

To report to the Board of Trustees the year-to-date revenues and expenses for the college, comparison of revenues and expenses to budget, and the college's current cash balance.

FUNDING SOURCE:

N/A

PROPOSED MOTION:

Suggested motion: "I move the Board of Trustees accept the August 2024 Investment Report and the August 2024 Financial Reports."

BACKGROUND

The investment officer shall prepare and submit to the Board a written report of investment transactions for all funds covered by the PFIA under Education Code 51.0032 and Government Code 2256.023.

In accordance with COM policy CDA (LOCAL) – Periodic financial reports shall be submitted to the Board outlining the progress of the budget to that date and reporting on the status of all District funds and District accounts.

ATTACHMENTS

1. August 2024 Investment Discussion & Report
2. August 2024 Revenue & Expense Summary
3. August 2024 Expense by Division Report



INVESTMENT REPORT
For the Month Ended August 2024

Investment discussion:

College of the Mainland earned \$218,333 for the month of August on its short-term investments in TexPool & Logic for a total of \$2,692,802 investment interest earned fiscal year to date. The College earned an additional \$4 fiscal year to date, from interest-bearing checking accounts. In total, the College earned \$2,692,806 interest for the fiscal year to date period ending June TexPool - \$1,536,162, Logic - \$1,156,640 and TFB - \$4.

Investments in the TexPool & Logic investment pools remain more profitable than the fixed rate certificate of deposits purchased at our depository bank. In addition, the investment pool provides more efficient liquidity than certificates of deposit, which are restricted to specific term lengths. Therefore, all investment funds remain in TexPool, Logic and interest earning checking accounts.

Investment Compliance Statement:

We provide reasonable assurance that the attached listing constitutes all investments currently owned by the College of the Mainland District as of the date indicated and that all these investments and investing procedures conform to the "Public Funds Investment Act" as amended by House Bill 2459 of the 74th Texas Legislature.

Furthermore, these same investments are in compliance with College of the Mainland's investment policy and strategy as adopted by the College of the Mainland's Board of Trustees.

A handwritten signature in blue ink, appearing to read 'David Wesse', positioned above a horizontal line.

David Wesse
Vice President of Fiscal Affairs
College of the Mainland

A handwritten signature in blue ink, appearing to read 'Trudy Trochesset', positioned above a horizontal line.

Trudy Trochesset
Controller
College of the Mainland



TexPool Investments for August 2024

Investment	COM Fund	Balance Beginning of Month	Increases	Decreases	Interest Earned	Balance End of Month	Average Balance	Annualized Average Interest Rate
Operating	11	\$ 34,075,086	\$ -	\$ 10,655,000	129,812	23,549,898	28,065,235	5.550%
Moody	41	29,305	-	-	132	29,437	29,314	5.395%
Totals		\$ 34,104,391	\$ -	\$ 10,655,000	\$ 129,944	\$ 23,579,335	\$ 28,094,549	

Note: For the above listed investments in TexPool, book value is equivalent to market value.
There was no accrued interest as of August 2024

Logic (Hilltop Securities) Investments for August 2024

Investment	COM Fund	Balance Beginning of Month	Increases	Decreases	Interest Earned	Balance End of Month	Average Balance	Annualized Average Interest Rate
COM Bond 2020	45	\$ 2,351,782	\$ -	\$ -	10,741	2,362,523	2,351,782	5.378%
COM Pre Bond 2023	46	\$ 17,404,658	\$ -	\$ 1,234,499	77,648	16,247,807	17,001,337	5.378%
Totals		\$ 19,756,440	\$ -	\$ 1,234,499	\$ 88,389	\$ 18,610,329	\$ 19,353,119	
Totals		\$ 53,860,831	\$ -	\$ 11,889,499	\$ 218,333	\$ 42,189,664	\$ 47,447,668	



August 2024 - Revenue and Expense Summary

Unrestricted Fund (Unaudited)

Summary of Revenue

	<u>Current Actual</u>	<u>2023-24 Budget</u>	<u>Budget Remaining</u>	<u>Budget Pct.YTD</u>	<u>Prior Year to Actual</u>	<u>Curr. vs Prior Year to Year</u>
Operating revenue						
Tuition-credit	(6,121,698)	(5,927,997)	193,701	103%	(5,238,281)	(883,416)
Tuition-non-credit	(442,242)	(1,176,000)	(733,758)	38%	(519,125)	76,883
Exemptions and waivers	1,455,583	1,248,000	(207,583)	117%	1,276,765	178,818
Registration fees	(2,308,645)	(2,095,017)	213,628	110%	(2,436,024)	127,380
Other fees	(205,266)	(154,000)	51,266	133%	(200,587)	(4,678)
Grant revenue	(145,552)	(152,000)	(6,448)	96%	(161,263)	15,711
Sales and service revenue	(59,245)	(995,000)	(935,755)	6%	(66,210)	6,965
Miscellaneous revenue	(530,487)	(269,000)	261,487	197%	(986,790)	456,303
TPEG transfer in/out	0	465,000	465,000	0%	0	0
<u>Totals for Operating revenue</u>	<u>(8,357,552)</u>	<u>(9,056,014)</u>	<u>(698,462)</u>	<u>92%</u>	<u>(8,331,516)</u>	<u>(26,036)</u>
Non-operating revenue						
State appropriation-Academic	(7,738,496)	(7,738,496)	0	100%	(6,649,121)	(1,089,375)
Property tax revenue	(24,692,985)	(25,032,183)	(339,198)	99%	(23,763,027)	(929,957)
Interest revenue	(1,534,637)	(469,000)	1,065,637	327%	(1,256,926)	(277,711)
FTZ reimbursement	(883,022)	(534,307)	348,715	165%	(547,722)	(335,301)
Renew & replace transfer out	0	830,000	830,000	0%	0	0
<u>Totals for Non-operating revenue</u>	<u>(34,849,140)</u>	<u>(32,943,986)</u>	<u>1,905,154)</u>	<u>106%</u>	<u>(32,216,796)</u>	<u>(2,632,343)</u>
<u>Total Revenue</u>	<u>(43,206,691)</u>	<u>(42,000,000)</u>	<u>1,206,691)</u>	<u>103%</u>	<u>(40,548,312)</u>	<u>(2,658,379)</u>



August 2024 - Revenue and Expense Summary

Unrestricted Fund (Unaudited)

Summary of Expense	Current <u>Actual</u>	2023-24 <u>Budget</u>	Budget <u>Remaining</u>	Budget <u>Pct.YTD</u>	Prior Year to <u>Actual</u>	Curr. vs Prior <u>Year to Year</u>
Salary and wages						
Faculty full-time	7,707,377	7,963,058	255,681	97%	7,388,799	318,579
Admin full-time	1,731,698	1,802,001	70,303	96%	1,761,602	(29,904)
Professional full-time	8,171,939	8,384,070	212,131	97%	7,632,708	539,232
Classified full-time	4,025,686	4,227,727	202,041	95%	3,616,712	408,974
Part-time	3,579,455	3,728,556	149,101	96%	3,559,419	20,036
Salary increase	0	1,017,724	1,017,724	0%	0	0
Vacancy savings	0	(1,587,628)	(1,587,628)	0%	0	0
<u>Totals for Salary and wages</u>	<u>25,216,155</u>	<u>25,535,508</u>	<u>319,353</u>	<u>99%</u>	<u>23,959,238</u>	<u>1,256,917</u>
Benefits						
Benefits	4,678,704	4,411,113	(267,591)	106%	3,221,888	1,456,816
<u>Totals for Benefits</u>	<u>4,678,704</u>	<u>4,411,113</u>	<u>(267,591)</u>	<u>106%</u>	<u>3,221,888</u>	<u>1,456,816</u>
Operating expenses						
Contract services	4,046,069	4,102,556	56,488	99%	3,410,474	635,595
Legal	17,146	37,458	20,311	46%	5,360	11,786
Operations	618,305	650,314	32,009	95%	593,979	24,326
Utilities and Rent	2,200,329	2,561,813	361,484	86%	2,162,208	38,121
Postage, printing, and supplies	1,080,963	1,445,092	364,129	75%	1,061,413	19,549
Bank fees	120,347	90,100	(30,247)	134%	90,281	30,066
Capital outlay & leases	117,695	118,475	780	99%	79,323	38,371
Insurance	2,602,944	2,557,423	(45,521)	102%	2,445,512	157,431
Public rel, marketing and advert	194,353	226,596	32,244	86%	210,083	(15,731)
Misc.	533,998	573,202	39,204	93%	574,968	(40,969)
Reimbursement from Others	0	(309,649)	(309,649)	0%	0	0
<u>Totals for Operating expenses</u>	<u>11,532,147</u>	<u>12,053,379</u>	<u>521,232</u>	<u>96%</u>	<u>10,633,601</u>	<u>898,546</u>



August 2024 - Revenue and Expense Summary

Unrestricted Fund (Unaudited)

<u>Total Expense</u>	<u>41,427,006</u>	<u>42,000,000</u>	<u>572,994</u>	<u>99%</u>	<u>37,814,727</u>	<u>3,612,278</u>
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August 2024 - Revenue and Expense Summary

Unrestricted Fund (Unaudited)

Summary of Fund Bal

	<u>Current Actual</u>	<u>2023-24 Budget</u>	<u>Budget Remaining</u>	<u>Budget Pct.YTD</u>	<u>Prior Year to Actual</u>	<u>Curr. vs Prior Year to Year</u>
Salary and wages						
Faculty full-time	0	0	0	0%	134,247	(134,247)
Part-time	99,845	0	(99,845)	0%	0	99,845
<u>Totals for Salary and wages</u>	<u>99,845</u>	<u>0</u>	<u>(99,845)</u>	<u>0%</u>	<u>134,247</u>	<u>(34,402)</u>
Benefits						
Benefits	12,094	0	(12,094)	0%	1,212,531	(1,200,437)
<u>Totals for Benefits</u>	<u>12,094</u>	<u>0</u>	<u>(12,094)</u>	<u>0%</u>	<u>1,212,531</u>	<u>(1,200,437)</u>
Operating expenses						
Contract services	990,609	0	(990,609)	0%	998,419	(7,810)
Legal	40,000	0	(40,000)	0%	5,619	34,381
Operations	33,961	0	(33,961)	0%	1,000	32,961
Utilities and Rent	3,190	0	(3,190)	0%	0	3,190
Postage, printing, and supplies	631,410	0	(631,410)	0%	489,845	141,565
Capital outlay & leases	453,954	0	(453,954)	0%	2,700,587	(2,246,633)
Public rel, marketing and advert	15,981	0	(15,981)	0%	169,821	(153,840)
Misc.	9,580	0	(9,580)	0%	25,069	(15,489)
<u>Totals for Operating expenses</u>	<u>2,178,684</u>	<u>0</u>	<u>(2,178,684)</u>	<u>0%</u>	<u>4,390,360</u>	<u>(2,211,676)</u>
<u>Total Fund Bal</u>	<u>2,290,622</u>	<u>0</u>	<u>(2,290,622)</u>	<u>0%</u>	<u>5,737,138</u>	<u>(3,446,515)</u>



August 2024 - Expense by Division Report

Unrestricted Fund (Unaudited)

	<u>Current Actual</u>	<u>2023-24 Budget</u>	<u>Budget Remaining</u>	<u>Budget Pct.YTD</u>	<u>Prior Year to Actual</u>	<u>Curr. vs Prior Year to Year</u>
<u>Expense by Division</u>						
<u>Summary for President</u>						
Board of Trustees	2,300	19,700	17,400	12%	139	2,161
Campus Police	691,008	788,580	97,572	88%	651,964	39,044
EVP-Academic & Student	118,147	8,304	(109,843)	1423%	0	118,147
Gen Institution	453,914	361,512	(92,402)	126%	478,954	(25,040)
Information Technology Serv	2,292,858	2,435,884	143,026	94%	2,211,442	81,416
Internal Audit	172,866	150,000	(22,866)	115%	149,974	22,893
OPEAR	391,187	475,802	84,615	82%	364,904	26,283
Presidents Office	775,427	636,430	(138,996)	122%	637,558	137,869
Self Study SACS	500	10,237	9,737	5%	14,825	(14,325)
Staff Attorney	299,546	316,254	16,708	95%	153,749	145,797
Totals for President	<u>5,197,753</u>	<u>5,202,703</u>	<u>4,950</u>	<u>100%</u>	<u>4,663,509</u>	<u>534,244</u>
<u>Summary for VP Fiscal Affairs</u>						
Central Mail	118,107	131,256	13,149	90%	122,778	(4,671)
Custodial Services	1,338,077	1,420,738	82,661	94%	285,380	1,052,697
Facilities	4,641,338	4,698,624	57,286	99%	5,414,584	(773,246)
Financial Services	922,170	936,387	14,218	98%	930,571	(8,401)
Grounds	477,634	472,879	(4,755)	101%	134,980	342,654
Human Resources	717,928	642,300	(75,627)	112%	726,581	(8,654)
Purchasing	352,494	344,407	(8,087)	102%	339,461	13,033
Records Mgmt	16,520	20,952	4,432	79%	22,797	(6,277)
Reimbursement	0	(309,649)	(309,649)	0%	0	0
Salary Savings	0	(1,587,628)	(1,587,628)	0%	0	0
Staff Benefits	1,180,285	2,342,860	1,162,575	50%	4,650	1,175,635
Tax Admin	359,217	232,631	(126,586)	154%	308,524	50,693



August 2024 - Expense by Division Report

Unrestricted Fund (Unaudited)

	<u>Current Actual</u>	<u>2023-24 Budget</u>	<u>Budget Remaining</u>	<u>Budget Pct.YTD</u>	<u>Prior Year to Actual</u>	<u>Curr. vs Prior Year to Year</u>
Utilities	1,071,225	1,195,000	123,775	90%	1,027,418	43,807
Vehicle Operations	126,633	114,847	(11,786)	110%	115,636	10,997
VP College & Fin Svcs	280,264	217,687	(62,577)	129%	221,878	58,386
<u>Totals for VP Fiscal Affairs</u>	<u>11,601,890</u>	<u>10,873,290</u>	<u>(728,600)</u>	<u>107%</u>	<u>9,655,238</u>	<u>1,946,653</u>
<u>Summary for VP Institutional Advancement</u>						
COM Foundation Dept	100,231	123,152	22,921	81%	109,333	(9,102)
Marketing and Communications	934,053	972,773	38,720	96%	854,835	79,218
VP Institutional Advancement	576,300	606,793	30,494	95%	630,591	(54,292)
<u>Totals for VP Institutional Advancement</u>	<u>1,610,584</u>	<u>1,702,719</u>	<u>92,135</u>	<u>95%</u>	<u>1,594,760</u>	<u>15,824</u>
<u>Summary for VP Instruction</u>						
Acad Succ Re/Wr	1,061,104	1,127,211	66,107	94%	1,094,551	(33,447)
Academic Planning	166,125	185,427	19,302	90%	0	166,125
Accting-Credit	116,037	112,387	(3,650)	103%	116,024	13
Adm-C.I.D.T.	82,878	80,763	(2,115)	103%	64,041	18,837
Adm-Cont Ed	410,374	409,307	(1,067)	100%	468,434	(58,060)
Adm-Ind Tech	8,513	8,470	(43)	101%	8,498	15
Adm-Instruct	42,446	77,068	34,622	55%	67,785	(25,339)
Adm-Math	10,771	9,426	(1,344)	114%	0	10,771
Adm-Perf & Vis Arts	64,932	70,275	5,343	92%	58,349	6,583
Adm-Pub Svc Ed	120,393	130,194	9,801	92%	118,498	1,895
Adm-Science	62,355	82,390	20,035	76%	58,732	3,623
Adm-Soc Sci	78,852	83,889	5,037	94%	75,651	3,201
Adult Education	242,448	234,835	(7,614)	103%	201,549	40,900
Allied Health Admin	14,284	12,592	(1,692)	113%	11,297	2,987
Allied Health CE	90,105	222,566	132,462	40%	105,871	(15,766)
Art	286,728	271,392	(15,336)	106%	279,402	7,326
Art Gallery	20,389	26,803	6,414	76%	774	19,615



August 2024 - Expense by Division Report

Unrestricted Fund (Unaudited)

	<u>Current</u> <u>Actual</u>	<u>2023-24</u> <u>Budget</u>	<u>Budget</u> <u>Remaining</u>	<u>Budget</u> <u>Pct.YTD</u>	<u>Prior Year to</u> <u>Actual</u>	<u>Curr. vs Prior</u> <u>Year to Year</u>
Biol & Nutrition	907,279	863,652	(43,626)	105%	840,098	67,181
Bus Ed-NonCR	0	0	0	0%	2,100	(2,100)
C.I.S.	116,557	106,802	(9,755)	109%	106,697	9,860
CE-CAN Program	23,222	34,253	11,031	68%	39,757	(16,535)
CE-CPR	0	0	0	0%	6,421	(6,421)
CE-Dental	0	5,756	5,756	0%	10,863	(10,863)
Chemistry	212,667	203,820	(8,848)	104%	204,643	8,025
Child Develop	100,906	93,942	(6,964)	107%	83,820	17,086
Cmnty Theater	367,253	309,255	(57,998)	119%	370,965	(3,712)
Collegiate H.S.-CR	174,971	166,202	(8,769)	105%	165,632	9,338
Cosmetology	785,770	773,518	(12,252)	102%	751,633	34,137
Criminal Justice	1,774,500	1,899,468	124,967	93%	89,357	1,685,143
Culinary Arts	102,860	131,074	28,214	78%	0	102,860
Dean Cont Ed	216,920	215,195	(1,725)	101%	158,992	57,928
Dean Gen Ed	309,003	411,639	102,636	75%	218,123	90,880
Dean of Instruction-Workforce	13,087	860	(12,228)	1522%	0	13,087
Dental Hygiene	155,224	186,296	31,072	83%	88,105	67,119
Distance Ed	422,999	425,538	2,539	99%	377,952	45,047
Drafting	7,324	74,654	67,330	10%	92,589	(85,265)
Dual Credit Dept	181,586	182,752	1,165	99%	162,656	18,930
Economics	93,740	89,062	(4,678)	105%	103,524	(9,785)
EMS-Credit	250,392	289,513	39,122	86%	342,397	(92,006)
Engineering	39,182	9,876	(29,306)	397%	20,325	18,857
Fire Tech	443,939	451,525	7,586	98%	368,742	75,197
Firearms Acad	41,280	42,920	1,640	96%	83,593	(42,313)
Foreign Lang	79,375	74,311	(5,064)	107%	89,217	(9,841)
Gen Bus-Credit	325,263	354,881	29,618	92%	294,512	30,750
Geology	118,844	117,783	(1,061)	101%	94,127	24,717



August 2024 - Expense by Division Report

Unrestricted Fund (Unaudited)

	<u>Current</u> <u>Actual</u>	<u>2023-24</u> <u>Budget</u>	<u>Budget</u> <u>Remaining</u>	<u>Budget</u> <u>Pct.YTD</u>	<u>Prior Year to</u> <u>Actual</u>	<u>Curr. vs Prior</u> <u>Year to Year</u>
Government	433,157	415,203	(17,954)	104%	417,290	15,867
Graphic Arts	159,393	143,902	(15,491)	111%	161,121	(1,728)
Health and PE Credit	166,803	158,256	(8,546)	105%	177,824	(11,021)
Health Info Mgmt	251,346	247,669	(3,677)	101%	236,448	14,898
Hist & Geog	426,505	353,848	(72,657)	121%	370,826	55,679
Humanities	205,455	231,868	26,413	89%	225,331	(19,875)
Instr Tech Department	287,127	267,492	(19,635)	107%	247,679	39,448
Instr Tech Lab Mgrs	4,086	36,874	32,788	11%	33,735	(29,649)
Law Enforcement	200,593	306,352	105,759	65%	88,192	112,402
Law Enforcemnt-NonCR	70,413	33,214	(37,199)	212%	85,179	(14,765)
LC Ctr Admin	35,697	22,084	(13,613)	162%	3,904	31,793
Library	792,927	772,931	(19,996)	103%	755,174	37,754
Management	0	0	0	0%	20,499	(20,499)
Massage Therapy	3,574	7,400	3,826	48%	20,305	(16,731)
Math	950,931	911,657	(39,273)	104%	919,244	31,686
Medical Assistant	99,019	106,671	7,652	93%	93,232	5,787
Music	252,557	306,436	53,879	82%	341,484	(88,927)
Networking	93,388	106,015	12,627	88%	110,072	(16,684)
Nursing Administration	477,382	565,273	87,892	84%	2,161,263	(1,683,881)
Nursing-AD	0	0	0	0%	629	(629)
Nursing-VN	0	0	0	0%	0	0
Pharmacy Tech	102,616	101,390	(1,226)	101%	99,879	2,737
Philosophy	60,996	34,984	(26,011)	174%	67,749	(6,753)
Physics	116,351	104,888	(11,462)	111%	138,961	(22,611)
Process Tech	563,923	594,449	30,526	95%	506,550	57,373
Prof Develop Acad	850	9,000	8,150	9%	366	484
Program Development	90,693	100,016	9,323	91%	229,569	(138,876)
Psychology	440,934	422,505	(18,429)	104%	415,273	25,660



August 2024 - Expense by Division Report

Unrestricted Fund (Unaudited)

	<u>Current Actual</u>	<u>2023-24 Budget</u>	<u>Budget Remaining</u>	<u>Budget Pct.YTD</u>	<u>Prior Year to Actual</u>	<u>Curr. vs Prior Year to Year</u>
QEP	12,752	691	(12,061)	1845%	0	12,752
Radiography	171,985	324,884	152,899	53%	7,049	164,936
Safety-CR	85,720	84,632	(1,088)	101%	115,786	(30,065)
Senior Adult Dept	282,552	279,733	(2,819)	101%	276,425	6,127
Social Science Non CR	49,805	24,002	(25,804)	208%	42,593	7,212
Sociology	96,737	84,682	(12,055)	114%	32,811	63,926
Speaking,Reading,Writing	546,771	634,699	87,928	86%	406,584	140,187
Theater Arts-Credit	159,132	204,766	45,634	78%	102,914	56,218
Thermal Tech-NonCR	99,383	176,701	77,319	56%	154,539	(55,156)
VP Instruction	349,289	371,870	22,580	94%	407,934	(58,644)
Welding-Cred	483,863	551,636	67,774	88%	496,181	(12,318)
<u>Totals for VP Instruction</u>	<u>18,767,578</u>	<u>19,758,213</u>	<u>990,635</u>	<u>95%</u>	<u>17,866,888</u>	<u>900,690</u>
<u>Summary for VP Student Services</u>						
Admissions	423,610	415,822	(7,789)	102%	341,823	81,788
Advise Center	632,981	619,926	(13,055)	102%	629,403	3,577
Career & Placement	95,033	124,535	29,502	76%	88,621	6,412
Enrollment Mgmt	62,791	61,056	(1,734)	103%	89,653	(26,862)
Facilities & Student Recreat	116,748	126,436	9,689	92%	106,943	9,805
Judicial Affairs	206,198	227,462	21,264	91%	226,922	(20,724)
Multicultural Department	26,667	32,500	5,833	82%	17,728	8,939
Recruitment	692,697	623,768	(68,928)	111%	672,808	19,889
Stu Financial Svcs	581,045	626,929	45,883	93%	624,891	(43,846)
Stu Organizations	344,065	341,912	(2,153)	101%	350,514	(6,448)
Student Graduation	59,590	57,364	(2,225)	104%	63,733	(4,143)
Svcs-Disab Students	50,227	47,954	(2,273)	105%	43,238	6,989
Testing	328,098	343,058	14,960	96%	329,589	(1,492)
Veteran Affairs	198,769	193,549	(5,220)	103%	158,510	40,259



August 2024 - Expense by Division Report

Unrestricted Fund (Unaudited)

	<u>Current Actual</u>	<u>2023-24 Budget</u>	<u>Budget Remaining</u>	<u>Budget Pct.YTD</u>	<u>Prior Year to Actual</u>	<u>Curr. vs Prior Year to Year</u>
VP Student Services	430,682	620,804	190,122	69%	289,958	140,724
<u>Totals for VP Student Services</u>	<u>4,249,200</u>	<u>4,463,075</u>	<u>213,875</u>	<u>95%</u>	<u>4,034,333</u>	<u>214,867</u>
<u>Totals for Expense</u>	<u>41,427,006</u>	<u>42,000,000</u>	<u>572,994</u>	<u>99%</u>	<u>37,814,727</u>	<u>3,612,278</u>

Fund Bal by Division

Summary for VP Fiscal Affairs

Fund Balance - Academic Support	0	0	0	0%	34,291	(34,291)
Fund Balance - Institutional Support	1,066,692	0	(1,066,692)	0%	2,120,246	(1,053,554)
Fund Balance - Instruction	581,093	0	(581,093)	0%	360,770	220,323
Fund Balance - Oper & Maint	316,382	0	(316,382)	0%	3,030,763	(2,714,381)
Fund Balance - Public Service	0	0	0	0%	2,287	(2,287)
Fund Balance - Student Services	326,455	0	(326,455)	0%	188,782	137,673
<u>Totals for VP Fiscal Affairs</u>	<u>2,290,622</u>	<u>0</u>	<u>(2,290,622)</u>	<u>0%</u>	<u>5,737,138</u>	<u>(3,446,515)</u>
<u>Totals for Fund Bal</u>	<u>2,290,622</u>	<u>0</u>	<u>(2,290,622)</u>	<u>0%</u>	<u>5,737,138</u>	<u>(3,446,515)</u>
<u>Totals for Report</u>	<u>43,717,628</u>	<u>42,000,000</u>	<u>(1,717,628)</u>		<u>43,551,865</u>	<u>165,763</u>



MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 12, 2024
Subject: August 2024 Quarterly Investment Report

AGENDA ITEM DESCRIPTION:

Consideration of and possible acceptance of the August 2024 Quarterly Investment Report.

PURPOSE

To report to the Board of Trustees the College's current cash balance. To report to the Board of Trustees the quarterly investments for the College.

FUNDING SOURCE:

N/A

PROPOSED MOTION:

Suggested motion: "I move the Board of Trustees accept the August 2024 Investment Quarterly Report."

BACKGROUND

The investment officer shall prepare and submit to the Board a written report of investment transactions for all funds covered by the PFIA under Education Code 51.0032 and Government Code 2256.023.

In accordance with COM policy CDA (LOCAL) – Periodic financial reports shall be submitted to the Board outlining the progress of the budget to that date and reporting on the status of all District funds and District accounts.

ATTACHMENTS

1. August 2024 Quarterly Investment Report



Quarterly Summary of Investments

Quarter Ending	COM Fund	Type	Beginning Book Balance	Beginning Market Value	Deposits	Withdrawals	Ending Book Balance	Ending Market Value
August 2024	11	TexPool-Operating	\$ 36,754,714	\$ 36,754,714	\$ 2,450,183	\$ 15,655,000	\$ 23,549,898	\$ 23,549,898
	41	TexPool-Moody	29,046	29,046	391	-	29,437	29,437
	45	Logic - Bond 2020	2,330,677	2,330,677	31,845	-	2,362,522	2,362,522
	46	Logic- Pre Bond 2023	18,564,278	18,564,278	241,484	2,557,955	16,247,807	16,247,807
Total investments all funds for quarter:			<u>\$ 57,678,716</u>	<u>\$ 57,678,716</u>	<u>\$ 2,723,903</u>	<u>\$ 18,212,955</u>	<u>\$ 42,189,664</u>	<u>\$ 42,189,664</u>

I certify that the attached listing constitutes all investments currently owned by the College of the Mainland District as of the date indicated and all of these investments and investing procedures conform to the "Public Funds Investment Act" as amended by House Bill 2459 of the 74th Texas Legislature. Furthermore, these same investments are in compliance with the College of the Mainland's Investment Policy and Strategy as adopted by the College of the Mainland's Board of Trustees.

David Wesse
Vice President of Fiscal Affairs

Trudy Trocheset
Controller



MINUTE ORDER

To: Board of Trustees

From: Dr. Warren Nichols, President

Date: September 23, 2024

Subject: Resolution Nominating Candidate for Election to Galveston Central Appraisal District (GCAD)

AGENDA ITEM DESCRIPTION:

Discussion and possible action to adopt a Resolution nominating Donald Gartman as a candidate for the Board of Directors of the Galveston Central Appraisal District.

Presented and recommended for approval to the Board of Trustees on September 23, 2024.

PROPOSED MOTION:

“I move the Board of Trustees adopt the Resolution Nominating Donald Gartman to the Board of Directors of the Galveston Central Appraisal District.”

BACKGROUND:

Due to legislative changes, this is a selection year for the Board of Directors of the Galveston Central Appraisal District. Members of the board are appointed by vote of the governing bodies of the incorporated cities and towns, school and community college districts. COM has 280 votes this year based on the 2023 tax levy. The nomination must be done in open session and the Resolution will be submitted by the presiding officer to the Chief Appraiser. After receiving the nominations, the Chief Appraiser will distribute the ballot, count votes, and announce the winners.

ATTACHMENTS:

Resolution 2024.09.23 Appraisal District Nomination
Election Nomination Form

**A RESOLUTION OF
COLLEGE OF THE MAINLAND**

**NOMINATING CANDIDATE FOR ELECTION TO
THE GALVESTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS**

WHEREAS the Board of Directors of the Galveston Central Appraisal District consists of five members who serve two-year terms beginning January 01; and

WHEREAS the Directors are elected by the voting units of the Galveston Central Appraisal District; and

WHEREAS the BOARD OF TRUSTEES of COLLEGE OF THE MAINLAND is a voting unit in the Galveston Central Appraisal District; and

WHEREAS this is the selection year for the Board of Directors of the Galveston Central Appraisal District; and

WHEREAS the BOARD OF TRUSTEES of COLLEGE OF THE MAINLAND is entitled to submit the names of five nominees or less for election to the Board of Directors of the Galveston Central Appraisal District.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF COLLEGE OF THE MAINLAND:

SECTION 1. The findings and recitations set out in the preamble to this Resolution are found to be true and correct and are hereby adopted by BOARD OF TRUSTEES of COLLEGE OF THE MAINLAND and made a part hereof for all purposes.

SECTION 2. The BOARD OF TRUSTEES of COLLEGE OF THE MAINLAND hereby nominates **Donald Gartman** for the selection to the Board of Directors for the Galveston Central Appraisal District, as shown in “**Exhibit A**” attached hereto and incorporated herein for all intents and purposes.

PASSED, APPROVED, AND ADOPTED on the 23rd day of September 2024.

Don Gartman
Board Chair, Board of Trustees

ATTEST:

Melissa Skipworth
Secretary, Board of Trustees

GALVESTON CENTRAL APPRAISAL DISTRICT
2025 Board of Directors Election

NOMINATION

VOTING UNIT

COLLEGE OF THE MAINLAND

You may nominate up to (5) five **before October 15th, 2024.**
Anything received on or after October 15th will be considered late

NOMINEE(S)

1. Donald G. Gartman

2538 Quaker Dr., Texas City, TX 77590

(409) 739-2618

Telephone

2. _____
Name

Address

Telephone Number

3. _____
Name

Address

Telephone Number

4. _____
Name

Address

Telephone Number

5. _____
Name

Address

Telephone Number

Please note: The written resolution showing the nominee's name is required.



PRESIDENT'S OFFICE

Board Report

Presenter: Board Chair

A. Miscellaneous Updates



PRESIDENT'S OFFICE

President's Report

Presenter: Dr. Warren Nichols

A. Updates

B. Reminders/Announcements

1. Board Meetings

- a. October 2024 – Monday, October 28th
- b. December 2024 – Monday, December 9th
- c. January 2025 – Monday, January 27th
- d. February 2025 – Monday, February 24th

2. Special Called BOT Meeting – Wednesday, October 9th, 3:00 p.m.

3. Hispanic Heritage Month Events

- a. ¡Lotería, Libros y Encanto!
A Family Night – October 1st, 6:00 p.m. – 8:00 p.m.,
COM Conference Center
- b. ¡Salsa y Salud! (Salsa making contest)
October 3rd, 12:30 p.m. – 1:30 p.m., COM Conference Center
- c. Fiesta Comunidad: A Community Celebration – Saturday,
October 12th, 10:00 a.m. – 2:00 p.m., COM, Parking Lot F

4. Groundbreaking Ceremony, Thursday, November 14th, 3:00 p.m. – 5:00 p.m., Public Service Careers/Corporate and Continuing Education Building Site(s)

5. COM Graduation, Abundant Life, December 7th, 10:00 a.m. & 2:00 p.m.

C. Resignations and Retirement Report

D. Miscellaneous Updates



PRESIDENT'S OFFICE

Resignations & Retirements

Last Name	First Name	Position	Hire Date	Last Date of Work	Termination Reason
Garcia	Sasha	Title V Activity Coordinator	09/05/2023	08/12/2024	Resignation
Ramirez	Sarah	Administrative Assistant IV	05/09/2022	08/16/2024	Resignation
Fillip	Andrea	Director, Student Accounts	03/19/2007	08/30/2024	Resignation
Gonzalez	Eduardo	Facilities Services Manager	06/10/2024	09/04/2024	Termination
Denison	Jennifer	Administrative Assistant IV	09/07/2021	09/12/2024	Resignation
Odamah, Ph.D.	Esther	Assistant Professor – Psychology	10/19/2022	05/31/2025	Resignation



PRESIDENT'S OFFICE

Executive Session

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive meeting or session of the Board should be held or is required in relation to any items included in this Notice, then such closed or executive meeting or session as authorized by Section 551.001 et seq. of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this Notice or as soon after the commencement of the meeting covered by the Notice as the Board may conveniently meet in such closed or executive meeting or session concerning any and all subjects and for any and all purposes permitted by Sections 551.071, inclusive, of the Open Meetings Act, including, but not limited to:

Section 551.071 – For the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law.

Section 551.072 – For the purpose of discussing the purchase, exchange, lease or value of real property.

Section 551.073 – For the purpose of considering a negotiated contract for a prospective gift or donation.

Section 551.074 – For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee.

Section 551.076 – To consider the deployment, or specific occasions for implementation, of security personnel or devices.

Section 551.082 – For the purpose of considering discipline of a student or to hear a complaint by an employee against another employee if the complaint or charge directly results in a need for a hearing.

Section 551.084 – For the purpose of excluding a witness or witnesses from a hearing during examination of another witness.

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

- A. The open meeting covered by this Notice upon the reconvening of the public meeting, or
- B. At a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.



PRESIDENT'S OFFICE

Possible Action on Agenda Items, Including Closed Session Matters

Consideration of and Possible Action on any items discussed in closed session.



MINUTE ORDER

To: Board of Trustees

From: Dr. Warren Nichols, President

Date: September 23, 2024

Subject: Third Amendment to Lease – Cosmetology/Lifelong Learning Facilities

Discussion and possible action on the Third Amendment to the Lease Agreement between College of the Mainland and JMK5 Texas City, LLC.

Presented to the Board of Trustees and recommended for approval on September 23, 2024.

Motion to be acted upon: *"I move the Board of Trustees approve the Third Amendment to the Lease Agreement between College of the Mainland and JMK5 Texas City, LLC."*

PURPOSE

To amend the lease for property located at 10000 Emmett F. Lowry Expressway, Texas City, TX for COM's Cosmetology and Lifelong Learning programs for a period of ten years beginning on August 15, 2021, and ending on August 14, 2031. On June 8, 2021, COM entered the First Amendment modifying the term of the lease and providing for a portion of unanticipated costs of the build-out. On January 6, 2022, COM entered a Second Amendment for the purpose of modifying the lease term to account for construction delays. This Third Amendment is proposed to add fees to pay for common area maintenance costs.

ATTACHMENTS:

Third Amendment to Lease Agreement between College of the Mainland and JMK5 Texas City, Ltd.



MINUTE ORDER

To: Board of Trustees
From: Dr. Warren Nichols, President
Date: September 23, 2024
Subject: Second Amendment to Lease – Culinary Facilities

Discussion and possible action on the Second Amendment to the Lease Agreement between College of the Mainland and JMK5 Texas City, LLC.

Presented to the Board of Trustees and recommended for approval on September 23, 2024.

Motion to be acted upon: *"I move the Board of Trustees approve the Second Amendment to the Lease Agreement between College of the Mainland and JMK5 Texas City, LLC."*

PURPOSE

To amend the lease for property located at 10000 Emmett F. Lowry Expressway, Texas City, TX to be used for COM's Culinary program. On August 31, 2022, COM entered a lease for approximately 14,850 sq. ft. for a term of ten years commencing on January 4, 2023, and ending on January 3, 2033. On April 18, 2024, COM requested to amend the lease due to construction delays resulting in a decrease of the term of lease to 8 years and 10 months and decreasing the overall cost of the lease. This second amendment is proposed to add fees to pay for common area maintenance costs.

ATTACHMENTS:

Second Amendment to Lease between College of the Mainland and JMK5 Texas City, Ltd.