



Notice/Agenda of Special Called Board Meeting

**The Board of Trustees
College of the Mainland
Doyle Family Administration Boardroom (A129)
1200 Amburn Road
Texas City, Texas 77591
Wednesday, October 9, 2024**

The Special Called Board Meeting of the Board of Trustees of College of the Mainland will be held Wednesday, October 9, 2024, beginning at 3:00 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.

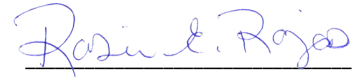
Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

- 1. Call to Order**
- 2. Pledge of Allegiance (American Flag), Texas Pledge & a Moment of Silence**
- 3. Roll Call & Determination of Quorum**
- 4. Consideration of and Possible Action to Approve the Presidential Profile as Submitted by the Presidential Search Committee**
- 5. 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**
- 6. Consideration of and Possible Action on any Items Discussed in Closed Session**
- 7. Consideration of and Possible Action to Approve the Third Amendment to the Lease Agreement between College of the Mainland and JMK5 Texas City, LLC**
- 8. Consideration of and Possible Action to Approve the Second Amendment to the Lease Agreement between College of the Mainland and JMK5 Texas City, LLC**
- 9. 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, Friday, October 4, 2024, 4:00 P.M.



Rosie E. Rojas
Board Clerk

Administration

President Warren Nichols, Ed.D.
Executive Vice President Helen Brewer, Ph.D.
Vice President David Wesse, Ph.D.



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,
Trustee
#1 South Pintail Street
La Marque, TX 77568
409-655-5055
awaters1@com.edu

Mrs. Dawn King,
Board Vice Chair
P.O. Box 1105
Dickinson, TX 77539
832-860-0663
dking4@com.edu

Dr. Verna J. Henson,
Trustee
7306 Heron Ln.
Texas City, TX 77591
409- 995-0948
vhenson@com.edu

Mrs. Melissa Skipworth,
Board Secretary
1061 Misty Cliff
Dickinson, TX 77539
281-684-9146
mskipworth@com.edu

Dr. Bill McGarvey,
Trustee
808 Buttonwood Dr.
Texas City, TX 77591
409-770-3537
wmcgarvey@gmail.com

Mr. Kyle L. Dickson,
Trustee
2514 Pilgrim Estate Dr.
Texas City, TX 77590
281-488-0630
dickson@murray-lobb.com



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: October 9, 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 October 9, 2024.

Motion to be acted upon: *"I move the Board of Trustees approve the Third Amendment to the Lease with JMK5 Texas City, LLC. as presented"*

PURPOSE

To amend the lease for property located at 10000 Emmett F. Lowry Expressway, Texas City, TX for COM's Cosmetology and Lifelong Learning 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 funds 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 including maintenance of COM installed landscaping and to add a minimum of 15 reserved parking spaces for COM visitors. In addition, the amendment adds requirement for the landlord to make improvements to increase the electrical capacity to meet COM's current needs.

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: October 9, 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 October 8, 2024.

Motion to be acted upon: *"I move the Board of Trustees approve the Second Amendment to the Lease with JMK5 Texas City, LLC. as presented"*

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 of the original lease period. This second amendment is proposed to add fees to pay for common area maintenance costs including maintenance of COM installed landscaping and to add a minimum of 15 reserved parking spaces for COM visitors.

ATTACHMENTS:

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