

**MEETING OF THE
BOARD GOVERNANCE COMMITTEE
OF THE BOARD OF TRUSTEES
HOUSTON COMMUNITY COLLEGE**

May 9, 2013

Minutes

The Board Governance Committee of the Board of Trustees of Houston Community College held a meeting on Thursday, May 9, 2013 at the HCC Administration Building, 3100 Main, 2nd Floor, Seminar Room A, Houston, Texas.

COMMITTEE MEMBERS PRESENT

Neeta Sane, *Committee Chair*
Leila Feldman, *Committee Member*
Yolanda Navarro Flores, *Committee Member*
Bruce A. Austin
Herlinda Garcia
Sandie Mullins
Christopher W. Oliver
Carroll G. Robinson

ADMINISTRATION

Renee Byas, Acting Chancellor
Art Tyler, Deputy Chancellor/COO
Destinee Waiters, Acting General Counsel
Shantay Grays, Executive Officer to the Chancellor
William Carter, Vice Chancellor, Information Technology
Charles Cook, Vice Chancellor, Instruction
Diana Pino, Vice Chancellor, Student Success
Margaret Ford Fisher, President, Northeast College
Fena Garza, President, Southwest College
William Harmon, President, Central College
Zachary Hodges, President, Northwest College
Irene Porcarello, President, Southeast College
Betty Young, President, Coleman College
Remmele Young, Executive Director, Government Relations & Sustainability
Karen Edwards, Interim Chief Human Resources Officer

OTHERS PRESENT

Jarvis Hollingsworth, System Counsel, Bracewell & Giuliani
Todd Bisch, President, Faculty Senate
Other administrators, citizens and representatives from the news media

CALL TO ORDER

Mrs. Sane, Chair called the meeting to order at 3:38 p.m. and declared the Committee convened to consider matters pertaining to Houston Community College as listed on the duly posted Meeting Notice.

DISCUSSION REGARDING SAFETY AND SECURITY POLICY

Motion – Mrs. Flores moved and Mrs. Sane seconded.

Mr. Hollingsworth informed that the Board expressed a desire to reaffirm its commitment to college safety and security. Mr. Hollingsworth provided a draft resolution expressing reaffirmation and commitment to safety and security. He noted that the resolution discusses the Board's recommendation for Administration to develop a comprehensive plan regarding safety and security.

Mrs. Flores inquired if there is a plan currently in place and noted the request then would be to develop a more comprehensive plan. Mrs. Byas apprised that a RFP or RFQ will go out regarding assessment of security risk. She informed that the effort will be to review all the areas of the college that may be at risk.

Mrs. Mullins inquired if the solicitation would be an RFQ or an RFP. Mrs. Byas noted that once the services description is final, then either an RFQ or RFP will be developed.

Mrs. Sane reiterated that the Board is committed to doing everything within its capacity to ensure safety and security.

Mrs. Sane referenced item #2 on the resolution that addresses illegal weapons on HCC campuses.

Mr. Hollingsworth apprised that if legislature passes a bill to allow certain types of weapons on college campuses, those weapons would be legal. He noted that those weapons would not fall under the purview of the resolution.

Mrs. Sane informed that her comments would be to alleviate any language that the Board has not committed to. Mr. Hollingsworth apprised that item #2 could be deleted.

Mr. Hollingsworth noted that the resolution was not to involve the Board in the day-to-day operations but to provide a general overview of the Board's commitment.

Mrs. Sane recommended revising the language to read that the resolution would reflect all HCC campuses.

Mr. Hollingsworth informed the resolution could be revised to read all HCC facilities. He apprised that Dr. Tyler informed that items #1, #6 and #7 are currently in place; therefore, the wording would change from establish to improve.

Mrs. Garcia recommended changing armed officers to law enforcement officers.

Mrs. Sane noted that a position was taken supporting non-allowance of weapons and requested that Board Counsel research the resolution to clarify the Board's position of non-support of weapons on campus.

Mr. Robinson requested that item three is moved to one regarding armed officers. He mentioned that there was nothing regarding active shooter or technology such as cameras.

Ms. Mullins informed that there needs to be a conclusion to item two. Mr. Robinson apprised that if the statute allows for concealed weapons, those weapons are not illegal.

Mrs. Sane recommended that Mr. Hollingsworth revise for review. Mr. Hollingsworth apprised that he would review the minutes regarding the previous discussion and revise the resolution accordingly prior to submitting for approval. He noted that a statement would be added regarding active shooter and camera technology.

Mrs. Flores informed that there is an app iWatch Harris County that allows citizens to report suspicious or illegal activity to the Sheriff's Department. She further informed that an invitation has been extended for HCC to participate.

Mrs. Sane apprised that a vote on the resolution would be tabled until the Regular Meeting to allow Board Counsel time to review and provide a revised resolution.

TRAVEL AUTHORIZATION FOR TRUSTEES HERLINDA GARCIA AND EVA LOREDO TO ATTEND THE NATIONAL ASSOCIATION OF LATINO ELECTED AND APPOINTED OFFICIALS

Motion – Mrs. Flores moved and Mrs. Sane seconded. The motion passed with a vote of 2-0.

(Mrs. Feldman arrived at 4:00 p.m.)

DISCUSS PROPOSED REVISIONS TO BOARD BYLASWS AND POLICIES

Motion – Mrs. Flores moved and Mrs. Sane seconded.

Mr. Hollingsworth noted that there was a clean and redlined version of the Board Policy on Compensation and Travel and informed that the Board discussed allotting for the Board Chair to approve a non-approved conference if time constraints do not permit approval at a meeting.

Mr. Hollingsworth apprised that the other revision would be to add two conferences to the approved conference listing. He noted that the two conferences to be added included National Association of Latino Elected and Appointed Officials (NALEO) and Congressional Black Caucus Foundation (CBCF). Mr. Hollingsworth informed that he researched both conferences and apprised that both are non-partisan and non-profits. He noted that the CBCF has a conference sponsored by the foundation.

Mrs. Garcia and Mrs. Flores informed that NALEO is non-partisan and provides educational workshops.

Mrs. Garcia informed that there is also a National Hispanic Congressional Caucus but noted that it could not be discussed at this time.

Mr. Austin inquired if the National Association of College and University Business Officials (NACUBO) should be added to the approved conference listing.

Mrs. Sane inquired if the NACUBO conference would be for Board attendance.

Houston Community College
Board Governance Committee – May 9, 2013 - Page 4

Motion - Mrs. Flores moved and Mrs. Feldman seconded to add NACUBO. The motion passed with vote of 3-0.

Vote on Travel Compensation Policy revisions – The motion passed with vote of 3-0.

Mr. Hollingsworth apprised that the revision to the bylaws included the revisions regarding the compensation and travel policy as well as a revision to prohibited communications. He noted that the request from one of the Board members included a revision that the prohibited communication period ends after 45 days.

Mrs. Garcia apprised that there has to be an effort to determine what is being done by the City of Houston and other entities. She noted that the window of opportunity is very small.

Mrs. Sane informed that there has to be communication regarding the beginning and ending of the blackout period because the Board does not have any way of knowing when the blackout period begins, ends and who is on the list of prohibited communications. She apprised that most entities do not begin the blackout period until after the RFP closes.

(Mr. Austin stepped out at 4:17 p.m.)

Mr. Hollingsworth provided a summary of how other entities are handling the situation. He noted that he became aware that some colleges do not have written blackout periods such as Dallas Community College and Lone Star College.

(Mr. Austin returned at 4:19 p.m.)

Mr. Hollingsworth apprised that the City of Houston and Houston Independent School District (HISD) have similar blackout periods as that adopted by the Board.

(Mr. Oliver joined the meeting at 4:21 p.m.)

Mr. Robinson provided a summation of the policy for the city and informed that even years the councilmembers have a blackout; however, part of the burden is on the elected official. He noted that there is no set window except for the odd number years, where fundraising is allowed from February through February.

Mr. Hollingsworth informed that there is no designated time when procurements are not on the streets. He apprised that some policies include returning the funds, if one becomes aware of a blackout period.

Mrs. Sane noted that she would like for the blackout period to begin the date the RFP or RFQ solicitation ends and should end when the Board approves the project.

Mr. Austin inquired if a matrix could be provided. He asked if a statement could be drafted and provided to the Board members for signature denoting that the Trustees would follow the state laws regarding contributions.

Mrs. Feldman informed that the Board established a higher ethic for themselves and inquired as to why the higher ethical standards came about. Mr. Hollingsworth apprised that the statement was that HCC would adhere to a higher ethic of standards.

Mr. Austin noted that he opposed the severe restrictions to fundraising and denoted that no one expects to be given special treatment because of contributions. He informed that the other unresolved issue is when the restrictions take place.

Mrs. Feldman apprised that she is open to revising the blackout period; however, she is not in agreement to eliminating the blackout period. She noted that a commitment was made to the public regarding the bond and it sends a mixed message to the community.

Mr. Robinson apprised that he would vote against any elimination of a blackout period. He noted that money can be raised under a blackout period. He informed that there was a discussion to lower the amount; however, the Board voted against limited contributions. Mr. Robinson apprised that there are some in-house adjustments needed for informing the Board of the blackout.

Mrs. Garcia inquired of clarification regarding the city's restrictions, which was similar to that adopted by HCC. Mr. Robinson noted that the assumption is that the only way of raising money is through vendors who do business with HCC; however, that is not the underline premises of his fundraising efforts.

Mrs. Sane informed that she is not personally in support of eliminating the blackout period and noted that she does not want the impression to be that business is not being conducted properly.

(Mr. Robinson stepped out at 4:32 p.m.)

Mrs. Sane apprised that the current process does not provide clarity as to who are the vendors during a blackout period. She noted that a start date needs to be practicable as well as a firm end date.

(Mr. Robinson returned at 4:33 p.m.)

Mrs. Sane informed that the start date should be when the RFP or RFQ is closed and should end once the Board approves the contract. She apprised that these are her personal recommendations.

Ms. Mullins noted that she is in agreement that there needs to be a tightening of the blackout period. She informed that she's in agreement of the recommended closing as stated by Mrs. Sane.

Ms. Mullins inquired as to how efforts should be handled if contributions are received within the blackout period. Mr. Hollingsworth apprised that the bylaws provide that there is a period for returning contributions once a member becomes aware. He noted that the Trustee has until the end of the reporting period to return the contributions.

Houston Community College
Board Governance Committee – May 9, 2013 - Page 6

Mr. Hollingsworth informed that the proposal is that the blackout period ends once the contract is approved by the Board regarding contributions; however, the blackout for the communications prohibition continues. Mr. Hollingsworth apprised that prohibited communication should remain while negotiations are in progress.

Mrs. Flores requested that clarification is provided regarding Section 5a because it appears that the Trustee is not even allowed to speak to a vendor during the blackout period.

Mrs. Flores inquired if the laws state that RFPs or RFQs should be completed within 45 days. Mr. Hollingsworth informed that he is not aware of a statute but noted that the procurement models mention best practices.

Mrs. Flores requested an effort to end the solicitation within 45 days and if additional time is needed, administration should request an extension and inform the Board.

Mrs. Sane requested Mr. Hollingsworth to draft revisions based on the comments from the Board.

Mrs. Garcia requested a monthly listing of upcoming procurement solicitations.

Mrs. Sane reinforced that the Board is committed to higher ethical standards. She apprised that the purpose is to have a clean process and define the policy. She noted that the effort is to not go back on the commitment to ethics.

Mr. Hollingsworth requested the opportunity to work with administration to review the comments provided by Board and prepare a draft to present to the Board.

ADJOURNMENT

With no further business, the meeting adjourned at 4:49 p.m.

Recorded, transcribed and submitted by:
Sharon R. Wright, Manager, Board Services

Minutes Approved: June 25, 2013