

**REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
HOUSTON COMMUNITY COLLEGE**

**April 17, 2014**

**Minutes**

The Board of Trustees of Houston Community College held a Regular Meeting on Thursday, April 17, 2014 at the HCC Administration Building, Second Floor Auditorium, 3100 Main, Houston, Texas.

**MEMBERS PRESENT**

Neeta Sane, *Chair*  
Christopher W. Oliver, *Vice Chair*  
Robert Glaser, *Secretary*  
Zeph Capo  
Eva Loreda  
Sandie Mullins  
Carroll G. Robinson  
Adriana Tamez  
David B. Wilson

**ADMINISTRATION**

Renee Byas, Acting Chancellor  
Destinee Waiters, Acting General Counsel  
Shantay Grays, Chief of Staff  
William Carter, Vice Chancellor, Information Technology  
Charles Cook, Vice Chancellor, Academic Affairs  
Thomas Estes, Vice Chancellor, Finance and Planning  
Diana Pino, Vice Chancellor, Student Services  
Fred Zeidman, Vice Chancellor, Institutional Advancement  
Margaret Ford Fisher, President, Northeast College  
William Harmon, President, Central College  
Fena Garza, President, Southwest College  
Zachary Hodges, President, Northwest College  
Irene Porcarello, President, Southeast College  
Betty Young, President, Coleman College  
Winston Dahse, Chief Administration Officer  
Janet May, Chief Human Resources Officer  
Remmele Young, Associate Vice Chancellor, Governmental and External Relations

**OTHERS PRESENT**

Jarvis Hollingsworth, System Counsel, Bracewell & Giuliani  
Jorge Rodriguez, Financial Advisor, Coastal Securities  
Michelle Novak, President, Faculty Senate  
Ava Cosey, President, COPA  
Other administrators, citizens and representatives from the news media

### **CALL TO ORDER**

Mrs. Sane, Chair, called the meeting to order at 4:21 p.m. and declared the Board convened to consider matters pertaining to Houston Community College as listed on the duly posted Meeting Notice.

### **PRAYER AND PLEDGE OF ALLEGIANCE**

Ms. Loreda led the prayer and the Pledge of Allegiance to the Texas and American Flag.

### **APPROVAL OF MINUTES**

Motion – Mr. Robinson moved and Dr. Tamez seconded. The motion passed with a vote of 9-0.

Approval of Minutes from Special Meeting of February 7, 2014, Academic Affairs/Student Services Committee Meeting of February 20, 2014, Board Governance Committee Meeting of February 20, 2014, Committee of the Whole Meeting of February 20, 2014, Finance Sub-Committee Meeting of February 20, 2014, Small Business Committee Meeting of February 20, 2014, Chancellor Search Advisory Committee Meeting of February 21, 2014, Regular Meeting of February 27, 2014, Special Meeting of February 27, 2014, Chancellor Search Advisory Committee Meeting of February 28, 2014, Chancellor Search Committee of March 5, 2014, Special Meeting of March 10, 2014, Special Meeting (Chancellor Search) of March 25, 2014, Special Meeting (CIP Workshop) of March 25, 2014, Special Meeting (Chancellor Search) of March 30, 2014, and Special Meeting (Chancellor Search) of March 31, 2014

Corrections: Mr. Capo noted corrections to the Board Governance committee meeting minutes of February 20, 2014 as follows. He noted that page 3, paragraph 1 should read “accountable”, and paragraph 7 should read does not legally bind the Board.

Vote – The motion passed with a vote of 8-0 with noted corrections.

### **CHAIRMAN’S REPORT**

Mrs. Sane welcomed everyone to the meeting and expressed that it is a pleasure to see so many taking an interest in HCC. She noted that the input is appreciated and the Board is open to the viewpoint of the faculty, staff, and community regarding the institution as a whole. Mrs. Sane informed that the Board is working together as a body of nine.

Mrs. Sane reported that efforts have been undergoing regarding strengthening partnerships with Houston ISD (HISD), Ft. Bend ISD (FBISD), and Alief ISD (AISD). She apprised that she met with the president of HISD Board as well as the president of FBISD Board. She also met with the Superintendent of AISD. Mrs. Sane noted that follow up meetings will be scheduled to continue cultivating partnerships with the community.

Mrs. Sane expressed appreciation to Dr. Tamez and Ms. Mullins regarding their efforts in the leadership of the Chancellor search process. Mrs. Sane announced that the Board would be naming a finalist in the near future.

*(Mr. Oliver arrived at 4:29 p.m.)*

Mr. Capo expressed heartfelt concerns to the family of Selene Cortez Garcia who is a 2004 graduate of Barbara Jordan High school and is currently enrolled at Texas Southern University. He apprised that a letter of support has been sent to the Department of Homeland Security. He noted that Ms. Garcia is scheduled to be deported and apprised that the action will be a loss to the community.

**CHANCELLOR'S REPORT (PROVIDED BY RENEE BYAS, ACTING CHANCELLOR)**

Mrs. Byas provided the following report:

- **Graduation**

This year's commencement ceremony will be held on Saturday, May 17, 2014 at the NRG Stadium, formerly Reliant Stadium. Two separate ceremonies will be held, the academic ceremonies will be held at 8:30 a.m. with Sheriff Adrian Garcia as the keynote speaker. The workforce and GED ceremony will be held at 1:00 p.m. with Senator Rodney Ellis as the keynote speaker.

- **Houston Rockets Support HCC**

The Houston Rockets showed their Support of Houston Community College and students at the Friday, April 4, 2014 game by donating \$25,000 to the HCC Foundation.

- **Online Tutoring Award**

HCC's Online Tutoring program has been awarded the Innovator of the Year Award by Internet software provider Ask Online. This award recognizes programs and institutions that are expanding the boundaries of the Ask Online technology by creating innovative academic support to enhance student engagement, retention and success.

- **Procurement Operations Award**

The Procurement Operations Department was recognized by the National Association of Educational Procurement (NAEP) with the 2014 NAEP Award of Excellence in Procurement. The NAEP mission is to facilitate the development, exchange and practice of effective and ethical procurement principles and techniques in higher education.

- **Faculty Senate Report**

Ms. Michelle Novak thanked the Board for the progress that has been made in the chancellor search process and implored the Board and administration to place all reorganization plans on hold until a new Chancellor has an opportunity to assess the needs of HCC.

Ms. Novak apprised that additionally, the Faculty Senate requests that hiring of new administration also be placed on hold at this time. She noted that any extra funds should be used to hire full-time faculty and support staff to better serve students.

Ms. Novak informed that she has been asked by faculty, staff and students to bring attention to the numerous incidents of retaliation and harassment that are occurring. She requested administration and the Board to take action to help resolve these issues.

Ms. Novak asked the Board to schedule community forums to introduce the new Chancellor to faculty, staff, students and the community during the twenty-one day waiting period.

### **HEARING OF THE CITIZENS**

There following individual(s) requested to speak before the Board:

- Daniel Arp
- Jennifer Graves
- Jeremey Brewster
- Reginald Moore
- Andrea Baldwin Benjamin
- Marion Cole
- Kizzey Branch
- Crystal Chavez
- Rodrick Hammond
- Aaron Joseph
- Xochiti Velaro
- Carol Moore
- Christine Castillo
- Carla Tyson-Howard
- Mary Page
- Ava Cosey (Closed Session)
- Wilmelmina Rich (Closed Session)
- Sofia John (Closed Session)
- Deborah Simmons-Johnson (Closed Session)

Mr. Wilson expressed appreciation to those who signed up to speak.

### **CONSENT AGENDA**

Motion – Mr. Robinson moved and Mr. Oliver seconded to approve the consent agenda with the exception of items C.3, C.4, C.5 and C.6. The motion passed with a vote of 9-0. The following items were approved:

- Payment to SMG for Services Relates to the 2014 HCC Commencement Ceremony

- Modification to Board Policy B.1.7.3-Purchase Orders/Contracts to Include Contract Review Procedures

**INVESTMENT REPORT FOR THE MONTH OF JANUARY 2014 AND MONTHLY FINANCE STATEMENT FOR MARCH 2014**

Motion – Mr. Robinson moved and Mr. Oliver seconded.

Mr. Robinson requested an update for the student government accounts. Dr. Pino informed that she would meet with the student government and review the accounts and provide an update.

Mr. Robinson inquired of the balance in the Fund 3. Dr. Estes noted that it is depending on how the account is reviewed. He apprised that there is a balance of \$1.523 million, which is not committed. He noted that the student auxiliary is excluded from the balance as those funds are restricted.

Mr. Robinson inquired of the funds generated from parking at 3100 Main and inquired if there is a way to increase revenues. Dr. Estes apprised that there is a small amount of funding received from parking at 3100 Main. He noted that two tenants are provided assigned parking as a part of their lease agreement.

Mr. Robinson informed that his inquiry is to possibly identify funding for childcare for the students. Dr. Estes apprised that administration is reviewing the possibility of charging for parking.

Mr. Oliver inquired if Fund 3 is an auxiliary fund and inquired if it is a discretionary fund. Dr. Estes noted that information was sent that included definitions of the all various funds. He informed that auxiliary is an enterprise fund and it should be receiving revenue to allow for it to breakeven; however, there are several items included in Fund 3 that do not breakeven.

Mr. Capo inquired if Mr. Robinson was referencing charging for event parking. Mr. Robinson noted that the charge would be around the clock because there is a measure in place to identify students.

Vote – The motion passed with a vote 9-0.

**PAYMENT TO GARDERE WYNNE SEWELL LLP FOR PROFESSIONAL LEGAL SERVICES RENDERED FOR JANUARY AND FEBRUARY 2014**

Motion – Mr. Oliver moved and Mr. Wilson seconded.

Mr. Wilson informed that he does not see the benefit to the college and apprised that he would be voting against the item.

Vote – The motion passed with a vote 8-1 with Mr. Wilson voting in opposition.

**PAYMENT TO BRACEWELL & GIULIANI LLP FOR PROFESSIONAL SERVICES RENDERED THROUGH FEBRUARY 28, 2014**

Motion – Mr. Oliver moved and Mr. Capo seconded.

Vote – The motion passed with a vote 7-1-1 with Mr. Robinson opposing and Mr. Wilson abstaining.

## **TOPICS FOR DISCUSSION AND/OR ACTION**

### **PERSONNEL AGENDA FOR APRIL 2014**

Motion – Ms. Loreda moved and Mr. Robinson seconded.

Mrs. Sane noted that the item will be discussed in closed session.

### **APPROVE BOND CONSTRUCTION MANAGER-AT-RISK SERVICES FOR PROJECTS E, F, G, I, J (PROJECT NO. RFP 14-04)**

Motion – Mr. Robinson moved and Ms. Mullins seconded.

Mrs. Sane informed that counsel advised that only projects EF and I can be considered.

Mr. Robinson moved to approved item with the exception of item J.

Amendment – The amendment passed with vote of 8-0-1 with Mr. Capo abstaining.

Ms. Mullins apprised that there was some concern with only some of the projects moving forward. She noted that she was under the impression that all 14 projects would be coming before the Board. Ms. Mullins informed that the reason presented for delaying the approval was that additional information has been requested on some of the projects.

Mrs. Sane apprised that the projects presented are those with no concerns provided by the Board and noted that there are some members who have requested additional information.

Ms. Mullins stated that she disagrees with some of the information because the discussion begin with the Construction Manager at Risk (CMAR) in September 2013. She apprised that there will continue to be discussion and noted that a commitment was made to the community. She informed that it appears that the Board is getting too deep into the daily operations.

Mrs. Sane apprised that there is an effort to move the projects forward and make certain the pledge is kept. She noted that there is a need to make certain all concerns have been addressed. Mrs. Sane informed that no one is trying to block the approval of the projects and apprised that each of the Trustees are standing up for their communities. She noted that it is not about one project or individual it is about the institution.

Ms. Mullins informed that she has specific questions and inquired as to how pulling the items will affect the spending requirements. She apprised that she's at a level of confusing and inquired of administration's recommendation regarding the item.

Mrs. Sane noted that Mr. Winston Dahse and Mr. Marvin Daniels have been working diligently to provide the numbers.

Dr. Estes informed that the Internal Revenue Service (IRS) spending requirements state that \$136 million needs to be spent by year 2 and noted that until the construction begins, dollars will not be spent rapidly.

Mrs. Sane apprised that information does not need to be discussed as it has been addressed previously. She noted that everyone needs to be in line with what has been provided.

Ms. Mullins inquired as to how soon the four projects could begin once approved. Dr. Estes informed that once approved the projects would begin immediately.

Ms. Mullins inquired of the recommendation of administration. Mrs. Byas apprised that administration's original recommendation was to move forward with all fourteen projects.

Mr. Oliver inquired if the four projects were passed. Mrs. Sane noted that the Board voted on the amended motion but needs to vote on the main motion.

Mrs. Sane informed that the Board voted on the amendment.

Ms. Loreda apprised that she was one who wanted to break the projects out because there were questions. She noted that the Board is aware that the projects must begin and informed that she is confident that the spending requirements would be met. She apprised that she would not have selected the items in the order presented.

Mr. Capo noted that he has question regarding the CMAR process and referenced the presentation provided at the workshop held on March 25, 2014 and requested the process of design development, programming and schematic design.

Mr. Daniels informed that stage 1 programing has been completed, which is critical. He apprised that all the projects are in stage 2 schematic design except for North Forest, which is in stage 3, design development. He noted that the status is at a great stage to bring in the CMAR. Mr. Daniels informed that the construction documents are the packages that go out to the city and other jurisdictions for permitting.

Mr. Capo inquired of the timeline to bring the projects into design development. Mr. Daniels apprised that the projects are approximately 2-3 months away from design development.

Mr. Robinson expressed appreciation to the Board Chair and noted that she is the first Chair that has allowed the Board to express their concerns. He informed that he was on board to vote on the projects and apprised that he was told that there was no way to vote on the projects individually. Mr. Robinson noted that his concern is that information is presented to allow the Board to do its job. He apprised that now that additional information has been provided, he has more questions. He noted that if this is considered micro-management, then he will be micro-managing. Mr. Robinson informed that he is voting to approve the exact recommendations that was previously presented and noted that there was no changes to the recommendations. He apprised that he was ready to vote for project J but received information that the Board could not vote for project J.

Mr. Robinson noted that some of the Trustees had to cast a hard vote to place the bond on the ballot and informed that he supported the item because he knew that there was a need. Mr. Robinson apprised that he has never voted historically for a tax rate increase and noted that it is hard to sit and hear people inside and outside of HCC voice that he should shut up and just spend the money. He noted that the Chronicle an article that stated to look at HISD, but he noted that when speaking with the community it is a different story.

Mr. Robinson informed that his concern is with the Coleman project regarding the foundation and backup generator. He apprised that he is concerned with the long-term structure of the building.

Mrs. Sane noted that all of the Board members are doing their fiduciary responsibility.

Mr. Wilson informed that the Board is trying to maximize the benefits to the community. He apprised that circumstances have changed since the bond initiative began two years ago. He noted that some of the projects he likes, which he voted for today; however, some of the projects are a waste of the taxpayer funds.

Mr. Capo informed that the concern he has is the need for due diligence and apprised that there may need to be some hard deadlines. He noted that he is not willing to gamble with the outcome. Mr. Capo informed that the decisions regarding the projects have been made by the voters and noted that he was not on the Board when the decision was made. He informed that he has been working with his project since January 2014 and apprised that he has received the information that he needed. He noted that it is time to move the projects forward.

Dr. Tamez informed that she also has been doing due diligence and apprised that she does not want to place the college at risk regarding potential penalties. She noted that a lot of the questions that are being asked should have been asked a long time ago. Dr. Tamez informed that there should be a system in place that allows decisions to be made in the best interest of the college. She apprised that to be at the schematic design stage, certainly, the presidents have been involved.



Mrs. Sane noted that data has been provided. She informed that administration and the program manager have been doing a wonderful job in providing the requested information and noted that the timeline is fine.

Ms. Mullins apprised that some of the experts disagree with the comments that the timeline is fine. Ms. Mullins requested that projects are approved. She noted that she has an action item and three trustees request that the item move forward before the May Committee of the Whole meeting.

Mr. Oliver noted that he is hearing from his community when will there be some equity. He informed that his concern is regarding the process. Mr. Oliver apprised that he feels that he is being castigated because he has concerns with selecting national firms over local firms. He noted that there are questions about how things are done and informed that he agreed to vote for these four projects when previously he agreed to vote for none.

Vote on Amended Motion – The motion passed with a vote of 9-0.

#### **ADJOURNED TO CLOSED SESSION**

Mrs. Sane adjourned the meeting to Executive Session at 6:05 p.m. notice having previously been given and reiterated in accordance with Sections 551.071, 551.072, and/or 551.074 of the Open Meetings Law. Mrs. Sane stated that any final action, vote or decision on any item discussed in Executive Session would be taken up in Open Session or in a subsequent Public Meeting.

Mrs. Sane reconvened the meeting in Open Session at 7:50 p.m. and entertained any motions on pending matters.

*(The following Trustees were present: Glaser, Loreda, Mullins, Oliver, Robinson, Sane, and Wilson)*

#### **PERSONNEL AGENDA FOR APRIL 2014**

Motion – Ms. Mullins moved and Mr. Glaser seconded to approve. The motion passed with a vote of 5-0-2 with Trustees Loreda and Wilson abstaining.

#### **ADJOURNMENT**

With no further business coming before the Board, the meeting adjourned at 7:51 p.m.

*Minutes recorded, transcribed & submitted by:*  
Sharon Wright, Manager, Board Services

Minutes Approved as Submitted:           May 15, 2014