MEETING OF THE ANNEXATION COMMITTEE
OF THE BOARD OF TRUSTEES
HOUSTON COMMUNITY COLLEGE SYSTEM

April 17, 2007

Minutes

The Board of Trustees of the Houston Community College System held a Meeting of the Annexation Committee on April 17, 2007, at the System Administration Building, Seminar Room A, Second Floor, 3100 Main, Houston, Texas.

COMMITTEE MEMBERS PRESENT
Jay K. Aiyer, Committee Chair
Bruce A. Austin
Mills Worsham
Diane Olmos Guzman

ADMINISTRATION
Mary Spangler, Chancellor
Doretha Eason, Executive Assistant to the Chancellor
Miles LeBlanc, General Counsel
Winston Dahse, Interim President, Southwest College

OTHERS PRESENT
Jarvis Hollingsworth, System Counsel, Bracewell & Giuliani
David Ross, President, Faculty Senate
Julie Gilbert, Locke, Liddell & Sapp
Other administrators, citizens, and representatives of the news media

CALL TO ORDER
Mr. Aiyer called the meeting to order at 6:42 p.m. and declared the Committee convened to consider matters pertaining to the Houston Community College System as listed on the duly posted Meeting Notice.

Mr. Aiyer asked everyone to pause for a moment of silence in remembrance of those affected by the incident at Virginia Tech.

DISCUSS STATUS OF THE ANNEXATION PROCESS
Mr. Aiyer asked Dr. Spangler to present the overview of the plan as it relates to annexation. Dr. Spangler apprised of meetings and discussions that have transpired as it relates to the annexation in Alief, North Forest and Spring Branch.

Dr. Spangler noted that a meeting was also held with Yaffe/Deuster to discuss marketing, strategy for engaging the community, and the potential cost for annexation. Dr. Spangler apprised that a co-hort demographic, voting survey and building an engagement in the targeted
communities were necessary in determining a recommendation. She expressed appreciation for the information that has been provided by various parties and noted that she is comfortable with suggesting a three-phase strategy. Dr. Spangler noted that the three phases could possibly be narrowed to two in lieu of the situation with North Forest. Dr. Spangler mentioned that there are some external issues out of the college’s control that would make a November 2007 election difficult.

The phases included:

- **Phase I** - Alief - November 2007
- **Phase II** - North Forest - May 2008
- **Phase III** - Spring Branch - November 2008 (Due to a bond measure Spring Branch has on the ballot for November 2007)

Dr. Spangler recommended conducting voters surveys and townhall meetings, speak with community people, gather signatures, and dissemination of targeted messages during each of the phases and noted that the strategies utilized in Phase I should be rolled into the subsequent phases.

Mr. Austin mentioned that the Chancellor has to complete demonstrative performance of being able to reach out to Katy community and noted that the knowledge and poise Dr. Spangler provides will assist in that area; therefore, he would not cast out Katy. He also provided the Board with documentation on (1) Annexation Formation of Branch Campus or Creation of Public Community College District from the Academic Affairs and Research Division of the Texas Higher Education Coordinating Board and (2) the State and Federal Law Governing Redistricting in Texas, which contains information on the One Person, One Vote: The Equal Population Requirements, Voting Rights Act and Pre-Clearance Requirements.

Mr. Worsham stated that he has been able to attend a couple of the steering committee meetings with Dr. Hodges in Katy. He noted that he met with the Spring Branch steering committee last week and apprised that there may be different moods between the west and east sides of Spring Branch. He noted that the Super Neighborhoods is a great organization in the Spring Branch area.

Mr. Aiyer noted that based on the comments by the Board members present, there is unanimity that Katy should be included in the process. He apprised that timing will be critical and invited Mr. Gene Locke with Locke, Liddell, and Sapp to discuss in more detail the timeline and an overview of the process.

Mr. Locke apprised the Committee of the options available and presented the following documents:

1. HCCS 2007 Annexation: Overview Process
2. Memorandum on the Election Options and Timelines for Annexation
3. Option A – Milestones dates for election option of November 2007 Election
(4) Option B – Milestones dates for election option of a May 2008 Election
(5) Procedures for Annexation by Petition Election (as approved by the Board)

Mr. Locke informed the big picture is that two considerations must be viewed before proceeding with the annexation in these areas:

(1) Has sufficient consideration been given to the order of multiple annexations to maximize the probability of the Department of Justice (DOJ) preclearance?

(2) Has sufficient community support been organized to insure that the annexation efforts will be successful?

He noted that unless there is concrete and affirmative answers to these questions, the Annexation Committee must truly consider if the college should proceed with annexation.

Mr. Locke informed that the college must be able to get a pre-clearance on any and all of the annexations by showing the DOJ that the annexations will not have the purpose of effect or diminishing the ability to protect minorities from electing candidates and voting in a matter that can show their voting strengths. He noted that the real issue will come with Katy and apprised that he agrees with Trustee Austin that Katy should not be dropped.

Mr. Aiyer asked Mr. Locke if he forsees any issues in bringing in Alief in November 2007. Mr. Locke apprised that he does not see a concern with bringing in Alief in 2007 as it relates to DOJ. He recommended sending the election information to the DOJ as soon as the election is completed.

Mrs. Guzman asked if the Board will need to be expanded? Mr. Locke informed that increasing the Board members will not be a requirement and apprised that the district lines would not have to be redrawn until after the 2010 census. He further apprised that the annexed area would be assigned to the closest adjacent district.

Mr. Locke presented an overview on the process which included and noted that all these areas must be covered. He noted that the college cannot spend resources advocating for a position; however, he noted that the college can spend resources educating on the consequences of the actions taken. He apprised that there must be a separate group for advocacy.

**Step 1:** Preparatory Work: Before the Collection of Petition Signatures
- Solicit - get community leadership support

**Step 2:** Proceed with Collecting Signatures - number of required signatures; target goal of at least 15% over the required number; validation of signatures

**Step 3:** HCCS Calls Election - 21 business days to verify petitions; adopt services plan; public hearings for adoption of plan

**Step 4:** Holding the Election(s) – HCC contracts with County Clerk; provide information to potential voters; meeting to canvass the election results
Step 5: Department of Justice Approval – Voting Rights Act preclearance requirements; preclearance and implementation of the results

Mr. Locke advised that if the College decides to delay the election to May 2008, he would still recommend that the college begin the process for getting the required petition signatures.

Mr. Locke apprised that the Board must adopt a service plan that includes what HCC needs and what the community is requesting. He advised that there should not be any promises that can not be upheld and noted that the plan must be in conjunction with what is already targeted for the area. He noted that once the Service Plan has been adopted, a public hearing must be held 30 days after the adoption of the plan.

The Committee reviewed the recommended timeline.

Option A – November 2007 Election
- May 12, 2007 - Uniform Election Day (day to collect signatures)
- May 14, 2007 - Annexation petitions must be completed and presented to HCCS (will need 5,500 signatures)
- May 15, 2007 - HCCS verify petitions

Mr. Austin noted that the May 14, 2007 petition deadline is feasible and provided verbal matrix on the possibility.

Mrs. Guzman mentioned that the May 12th may be impossible. Mr. Worsham recommended possibly reversing the process and go door-to-door prior to the election. Mr. Locke mentioned that if the teams are organized correctly, it is possible to reduce duplication. He also apprised that the May election may not have a large turnout.

Mr. Aiyer stated that he agrees with Trustee Guzman and noted that in working in the Alief area, he is convinced that the time frame is duable. He mentioned that he has been informed by the PAC Treasurer that there is only approximately $30,000 available. He noted that a lot would have to be asked of the community and recommended discussing the other option available.

Mr. Austin stated that he agrees with the Committee Chair and also noted that with the new Chancellor, she should be able to make a brand for herself.

The Committee agreed to review and discuss Option B timeline for consideration.

Option B – May 2008 Election

Mr. Locke noted that there is one problem with Option B that cannot be controlled which is that the Texas legislation has discussed moving the primary election from March to February.

Mr. Aiyer polled the Committee for pursuing Option A. The Committee was under the consensus that the timeline presented under Option B would be in the best interest of the college.
Mr. Locke asked if HCCS intends to have a bond election in the near future (between now and November 2009 which is when the next election of the BOT). He stated that he does not advise submitting to the DOJ until after bond election.

Mr. Locke recommended counsel review the possible redistricting of North Forest in lieu of the current situation.

The Committee asked counsel to provide information on the boundaries (service lines) for North Forest.

**Motion** – Mr. Austin motioned to recommend proceeding with Option B milestone dates election option and subject to a possible uniform election in May 2008 Election. Mr. Worsham seconded the motion. The motion passed with a vote of 3-0.

The Annexation Committee recommended proceeding with Option B and asked that the timetable is forwarded to the full Board.

Mrs. Guzman asked about the recommendation of engaging PAC. Mr. Aiyer apprised once the Board approves proceeding with the election, the PAC is a separate community entity. He noted that there is a PAC Chair is Mr. Bill Coats and the PAC Treasurer is Kelly Ferils. He noted that the advocating for the annexation is from the PAC; however, he noted that the entire Board is welcome to interface with the PAC.

Mr. Aiyer apprised that steps 1 and 2 are in progress and noted that the issue is determining which district should be targeted for annexation. He noted that he is under the opinion that the Alief district is ready and should be targeted for the annexation.

Mr. Aiyer asked if everyone agrees to proceed with annexation in Alief?

Mr. Austin recommended keeping all three areas (Alief, North Forest, and Spring Branch); however, he noted that there must be a general and division head for the areas.

Mrs. Guzman noted that there should be a retreat of the entire Board to discuss the target areas and the communication protocol. She recommended pairing and targeting annexation two at a time.

Mr. Worsham stated that he would recommend proceeding with Alief and waiting to see the outcome of North Forest. He noted that his determination for the Spring Branch area would be to have dialogue and developing a task force.

Mr. Aiyer informed that the Board has to give the PAC which areas to target for proceeding. Mr. Austin asked if there should be a strategy and tactic information provided by counsel. Mr. Hollingsworth noted that North Forest could be included.
Mr. Aiyer noted that Mrs. Guzman is recommending Alief and North Forest at this time and then Spring Branch and Katy. Mr. Austin noted that Spring Branch should be included and review the strategy for working with the geographic areas.

Mr. Locke noted that it would be difficult to bring in Spring Branch and Katy at the same time and get a pre-clearance from the DOJ.

The Committee recommended target annexation as follows:
   (1) Alief and North Forest - May 2008  
   (2) Spring Branch - Nov 2008  
   (3) Katy (at later date)

Mr. Locke recommended that Spring Branch is visited and discussions are held that may eliminate the political concerns and he apprised that there has been an extensive shift in housing in the Katy area since 2001.

Mr. Worsham clarified that Spring Branch may be ready for the annexation; however, he noted that there must be a comfortable service plan presented.

Mr. Aiyer stated that the Presidential Election in 2008 will probably be needed for the Spring Branch area to get the voters turn out; therefore, he would recommend proceeding with Alief and North Forest in May 2008.

Dr. Spangler suggested holding a board retreat within the next three to four months to discuss vision, mission, and goals of the college from the Board’s view, which would then be taken to the community. She further suggested having a goal-driven plan available by the Fall to introduce to the community as a service plan and focus of the college.

Motion – Mr. Worsham motioned to proceed with annexation in Alief and North Forest for May 2008 Election and Spring Branch in November 2008 Election utilizing option B with North Forest being subject to the outcome of the court ruling and establishing of a task force for Spring Branch and Katy. Mr. Austin seconded the motion. The motion passed with a vote of 3-0.

Mr. Locke apprised that he would work with Miles LeBlanc to wordsmith the action item. He noted that the Board would collect the petition and express that the sentiment of the Annexation Committee is to hold discussions with the advocates in the areas.

Mr. Aiyer mentioned that there has been previous discussion on getting a sense of the community through a survey. He noted that Dr. Richard Murray has developed a survey instrument to get a public sentiment of the community college.

Motion – Mr. Austin motioned to empower the Chancellor to proceed with the survey to be conducted by Dr. Richard Murray. Mr. Worsham seconded the motion. The motion passed with a vote of 3-0.
Mr. Aiyer recommended that Mrs. Guzman as the Chair of the Community Outreach Committee work with the Chancellor and Dr. Murray in getting the survey completed.

Mr. Aiyer mentioned that the Chancellor and the consultants have developed a community outreach for the non-expressed advocacy in the service areas.

Dr. Spangler apprised that the community outreach involves information dissemination that the college normal operating budget would be able to cover such as printed material, mail pieces, newsletters in the districts, media buys, etc. She noted that the advocacy portion would be completed by a private entity. Mr. Austin noted that there should be some definitive information provided to the entire college so that they are informed.

Mr. Aiyer noted that this effort would be separate from what is currently completed within the confines of the district on behalf of the college. Mr. Aiyer recommended that the annexation information be incorporated in the communication/marketing plan with the timeline discussed and tailored for the proposed annexation areas.

Mr. Locke noted that as it relates to spending public dollars for information purposes, the college can safely publicize the college until the time the petitions are verified. He further apprised that if 5% of the signatures can be collected in Alief, there is the possibility of winning the election without publication.

Mr. Aiyer recommended that Dr. Spangler proceed with discussing the item at the Committee of the Whole. Mr. Hollingsworth apprised that the Committee of the Whole is less than the required 72 hours; therefore, the information would have to be discussed at the Regular Board meeting.

Mrs. Guzman recommended that all committee reports are placed on the Committee of the Whole agenda whether there is a report or not.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 8:35 p.m.

*Recorded, transcribed, and submitted by:*
Sharon Wright, Executive Administrative Assistant, Board Services

Minutes Approved: ___________________________