REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
HOUSTON COMMUNITY COLLEGE SYSTEM  

April 26, 2007

Minutes

The Board of Trustees of the Houston Community College System held a Regular Meeting on Thursday, April 26, 2007 at the System Administration Building, Second Floor Auditorium, 3100 Main, Houston, Texas.

BOARD MEMBERS PRESENT  
Christopher Oliver, Chairman  
Yolanda Navarro Flores, Vice Chairman  
Diane Olmos Guzman, Secretary  
Mills Worsham, Deputy Secretary  
Jay K. Aiyer  
Bruce A. Austin  
Abel Davila  
Richard M. Schechter  
Dr. Michael P. Williams

ADMINISTRATION  
Mary Spangler, Chancellor  
Doretha Eason, Executive Assistant to the Chancellor  
Miles LeBlanc, General Counsel  
William Carter, Vice Chancellor, Information Technology  
Charles Cook, Vice Chancellor for Instruction  
Irene Porcarello, Vice Chancellor, Student Success  
Gloria Walker, Vice Chancellor, Finance and Administration  
Winston Dahse, Interim President, Southwest College  
Margaret Ford, President, Northeast College  
Fena Garza, President, Southeast College  
William Harmon, President, Central College  
Zachary Hodges, President, Northwest College  
Marsal Stoll, President, Coleman College of Health Science  
Willie Williams, Associate Vice Chancellor, Human Resources  
Kelley Zuniga, Executive Director, HCC Foundation  
Mike Kyme, Executive Director, Purchasing and Procurement  
Remmele Young, Executive Director, Government Relations

OTHERS PRESENT  
Jarvis Hollingsworth, System Counsel, Bracewell & Giuliani  
Dwight Boykins, Federal Consultant, dBoykins  
David Ross, President, Faculty Association  
Other administrators, citizens and representatives from the news media
CALL TO ORDER
Mr. Oliver, Chair, called the meeting to order at 4:17 p.m. and declared the Board convened to consider matters pertaining to the Houston Community College System as listed on the duly posted meeting notice.

PRAYER AND PLEDGE OF ALLEGIANCE
Mr. Worsham led the prayer and pledge of allegiance to the flag.

APPROVAL OF MINUTES
Approval of Minutes from the Joint Communications and Community Outreach Committee Meeting of March 7, 2007, Legal/Legislative Committee Meeting of March 22, 2007, and Regular Board Meeting of March 26, 2007

Motion – Mrs. Flores moved approval of the minutes as presented. Mr. Worsham seconded the motion. The motion carried 7-0.

HEARING OF CITIZENS
Mr. Oliver gave preface to the Hearing of Citizens and asked if there were any registered speakers to come forward. The following Citizens requested to speak before the Board.

- Ms. Gladys House – Spoke on behalf of Carpet Depot and other small business owner on the exclusion of African American businesses from the procurement of contracts. She requested that the system for awarding of contracts to small businesses is reviewed and noted that there are other issues that also need reviewing such as bonding requirements. Ms. House expressed of her desire to see HCC review its policy as it relates to contracts to small businesses. She provided the Board with information and announced that further discussion will be held at a Town Hall meeting scheduled for May 19, 2007.

- Mr. Stephen Friedman – Appeared on behalf of Pyramid Constructors. He expressed that Pyramid presented the lowest bid on the construction for the West Loop build-out and requested that the Board review its selection process and requested that the Board award Pyramid Construction the project. He noted that Pyramid will build the project at a cost of $75,000 less than the contractor approved by the Board to complete the project.

AWARDS, PRESENTATION, AND RECOGNITION
A. Presentation from Northline Student Government Association in Recognition of Cinco De Mayo Celebration

B. Recognition of the HCC Student Government Associations for Achievements at the Annual Texas Junior College Student Convention

- Student Leader of the Year in Texas - Reyes Cabrera, Northeast SGA
- Region V Advisor of the Year - Denny Smith, Central SGA
- Region V President School - Alejandro Allala, Jr., Northeast SGA
• Region V Vice President School - David Navarrete, Southeast SGA

CHAIRMAN’S REPORT
Mr. Oliver reported that Trustee Yolanda Navarro Flores and Trustee Diane Olmos Guzman attended the NALEO Education Leadership Initiative Policy on the Reauthorization of No Child Left Behind (NCLB) Act. The Institute’s objective was to promote an understanding of the reauthorization process for the No Child Left Behind Act and its implications for Latino students. Trustee Flores and Trustee Guzman both received recognition for completion of School Board Member Continuing Education Training.

He also apprised that Trustee Yolanda Navarro Flores, Trustee Diane Olmos Guzman and himself joined Dr. Spangler at the Board of Trustees Institute March 28-March 30, 2007 in Santa Fe, NM.

Mr. Oliver noted that the Board of Trustees recently held a welcome reception for Dr. Spangler on April 5, 2007.

CHANCELLOR’S REPORT
Dr. Spangler shared notes on some of the initiatives over the past several weeks.

1. The Foundation has received over $150,500 in contributions during the past month.

2. The Board of Trustees held a strategic conversation during dinner on April 20, 2007. The Board recommended scheduling a Board Retreat as soon as possible to discuss the mission, vision, strategic plan, and goals. Dr. Spangler also presented her pledge to the Trustees at the dinner. She presented a copy of the pledge as official records to the Board Chair.

3. Dr. Spangler apprised that in the first stage of her first 90 days at HCC, she is announcing the beginning of the reorganization of the administration to include the following:

   • Requesting the Board’s approval of a Chief Operating Officer position to be filled as soon as possible but no later than September 1, 2007.
   • Re-focusing a service function at 3100 Main and a shifting of strategic functions (teaching and learning) to the campus presidents.
   • Reorganizing to align service and strategic areas under each executive and address the span control.

She noted that over the next several months, she would provide more details on the changes to improve effectiveness with the goal of concluding major senior changes by October 1, 2007. She further noted that the changes will include several new and newly defined positions, all designed to increase efficiency, reduce costs, and move more resources to the campuses, thus moving HCC into position to be responsive to the community and more proactive in advancing student success.

(Mr. Davila arrived at 4:47 p.m.)

Dr. Spangler requested a motion regarding the approval of the Chief Operating Officer position.
Motion – Mrs. Guzman motioned and Mrs. Flores seconded the approval of the Chief Operating Officer position.

Dr. Williams apprised that the position is tied to an entire reorganization plan that has not been presented to the Board. He noted that he would be uncomfortable bifurcating and arguing for a particular position change without reviewing the entire reorganization plan.

Dr. Spangler apprised that other positions involving internal mid-level assignments would not be brought before the Board; however, this position is one that would require Board’s approval since it is a new position.

Mrs. Flores informed that counsel has advised that this item is not a matter for closed session.

Mr. Schechter noted that he is in support of giving the Chancellor as much latitude and lead way to reorganize the college in the efforts of moving the college to the next level. Mr. Schechter noted that he supports and encourages the refocus of the service function of 3100 Main in supporting the colleges.

Mr. Austin apprised that personnel items are discussed in the presence of legal counsel in closed session and are then approved as a part of the Personnel Agenda.

Mrs. Guzman mentioned that this item had been discussed individually with the Board. She noted that if this position is a tool that the Chancellor needs in making a transition smooth and to move the college to the next level than she should be allowed to do so.

Dr. Williams noted that the issue was not about the result but the process and stated that the minutes will bear record that he has been in favor of the position from the beginning as it relates to previous administration.

Mr. Davila congratulated the Chancellor on being pro-active and advised that a focus on the overall reorganization should be presented at the retreat.

Mr. Worsham commented that having not been present for previous discussions and noted that he does not have a problem with bringing in a new person but asked that there is an evaluation of how this will be a part of the structure of the strategic plan.

Mr. Austin notified that the Board is in total support of the vision and plan of the Chancellor and noted that the Board speaks with one voice. He stated that this is the reason why the Board is informed on certain issues so that they are aware.

Mr. Schechter asked for clarification of whether the item could be discussed in closed session. Mr. Oliver noted that the attorneys have advised that the item must be discussed in open session.

Vote – Motion passed with a vote of 8-0.
Dr. Spangler expressed her appreciation of the Board’s comments and advised that the information is available to be forwarded to the Board.

**Faculty Senate Report** – David Ross, President of the Faculty Senate elaborated on the fundraiser from faculty and staff for the HCC Foundation. He noted that there was approximately $40,000 raised for specified scholarships.

**Financial Report**
Mr. Schechter requested that the steps taken in an effort to reduce energy costs be presented at the next Committee of the Whole.

He also asked to address the CT/CE department when Dr. Seymour is available. Dr. Spangler noted that Dr. Seymour would present recommendations as it relates to the CT/CE at the CET meeting scheduled for April 27, 2007.

Dr. Williams requested a copy of the current re-organization chart for System Administration (3100 Main only).

Mr. Oliver recognized Mr. Larry Marshall, Trustee for Houston Independent School District.

*Mrs. Flores left at 5:04 p.m.*

Dr. Williams announced that Jarvis Hollingsworth, System Attorney, will be one of the honorees at the University of Houston Black Alumni Association (UHBAA) Annual Scholarship Fundraising Gala on Saturday, April 28, 2007, at the University of Houston-Hilton.

**CONSENT AGENDA AND TOPIC FOR DISCUSSION**

**Motion** – Dr. Williams motioned to approve the agenda items except for items A.1 and C2. Mr. Davila seconded the motion. The consent agenda passed with a vote of 7-0 (*Trustee Flores was not present at the time of the vote*).

The following items were approved:
- Approve the Creation of HCC Honors College
- Approve Resolution Regarding Acknowledgment of Citizens’ Efforts Toward Annexation
- Approve Renewal of Resolution Providing for Imposition of an Additional Penalty on Delinquent Taxes Pursuant to Section 33.07 and 33.08 of Texas Property Tax Code
- Approve Contractor to Build-out Southwest College-West Loop Campus (Project #07-15)
- Approve Property Acquisitions and Processes
- Approve Investment Report for the Month of February 2007
- Approve Investment Report for the Month of March 2007
- Approve Payment to Bracewell & Giuliani LLP for Professional Services (March 2007)
DISCUSS AND/OR APPROVE INCREASES TO ADULT EDUCATION GRANT FUNDING SUBCONTRACT FOR FISCAL YEAR 2006-2007

Motion – Dr. Williams moved approval and Trustee Guzman seconded the motion.

(Mrs. Flores returned at 5:10 p.m.)

Vote – the item passed with a vote of 8-0.

APPROVE CONTRACTOR TO BUILD-OUT SOUTHWEST COLLEGE-WEST LOOP CAMPUS (PROJECT #07-15)

Motion - Dr. Williams motioned and Mrs. Guzman seconded the approval.

Mrs. Guzman asked who approved the vendors for the small business goals under the contract for Satterfield. She asked whether the vendors were approved by HCC or by the vendor and recommended tabling to see if the small business participation was selected by the vendor and clarification is provided by administration.

(Mr. Aiyer arrived at 5:12 p.m.)

Mrs. Walker noted that the procurement staff reviewed the information submitted and it was noted that the project does have small business participation.

Mrs. Guzman asked for the utilization plan for Satterfield and stated that each contractor should have already identified the utilization plan when the information is presented. Mrs. Guzman noted that it is up to the prime to make the decision.

Dr. Williams asked if it is known that there are forced relationships as it relates to the subcontractors.

Mr. Austin provided information from the Procurement of Texas and Construction Procurement Handbook for Higher Education. Mr. Austin recommended review of the HUB Plan (Historical Underutilized Business).

Mrs. Guzman suggested that the utilization of small businesses be included on the action items when submitted in the future.

Dr. Williams asked when was the last time the policies were reviewed as it relates to contracts and recommended that the issue is referred to the Board Policy and Procedure Committee.

Mr. Schechter referred to the presentation by Mr. Friedman and reiterated that there is an evaluation process and apprised that there were two competitors evaluated as the two top bidders for the project. He apprised that the others contractors were over 1000 points lower than these two vendors. Mr. Schechter stated that the Board took the two top vendors from the evaluation and noted that the Board opted to take the contractor that was approximately $1 million less which was Satterfield and Pontikes Construction, Inc.
Mrs. Guzman requested information is presented to the Board in order to be apprised of the process and asked that the utilization plan is included.

Vote – the motion passed with vote of 9-0.

TOPICS FOR DISCUSSION AND/OR ACTION
Motion – Dr. Williams motioned and Mr. Worsham seconded to approve except items B.3 and B.4. The motion passed with a vote of 9-0.

DISCUSS AND/OR APPROVE CONTRACT WITH ARAMARK TO PROVIDE FOOD SERVICES OPERATIONS
Motion - Dr. Williams moved approval and Mr. Worsham seconded.

Mrs. Guzman noted that the item should be removed and that the RFP process should be repeated. She noted that there has been request for documentation of how the process occurred.

Mr. Aiyer asked for clarification because he noted that it does seem odd that such proposal has been presented and there is only one company to bid on the project. Mr. Aiyer noted that greater use of trade publications might need to be used in the future. He asked that if this information (publication) is available, that it is presented to the Board. Dr. Williams noted that he associates with Mr. Aiyer that we must make certain that the information is presented to the public so that anyone interested can bid on the proposal. He noted that there was some information requested on the item and stated that is was not received.

Mr. Davila asked if the project approval is postponed, would this affect the student and/or college in any way. Dr. Spangler referred the question to Mrs. Walker who apprised that there was one vendor who did not have the opportunity to respond due to technical issues. Mrs. Walker noted that she would recommend rescinding the item to allow for resubmission by the other vendor.

Dr. Williams asked for clarification as to how the item should be represented by administration.

(Mr. Oliver left at 5:43 p.m.)
(Mr. Davila left at 5:44 p.m.)

Dr. Spangler requested that the item is pulled.

Mrs. Flores called for a motion on tabling the item. The request for a motion died since there was not a first or second motion on tabling the item.

Motion Withdrawn - Dr. William withdrew his motion and Mr. Worsham withdrew the second.

(Mr. Davila and Mr. Oliver returned at 5:46 p.m.)

Mrs. Flores asked that the information analysis and culture evidence is submitted as requested by the Board.
Mr. Worsham asked that the apprising of these issues should be a part of the process. He noted that his recollection was that the process was fair.

Dr. Williams expressed that overall the procurement department has done a wonderful job and noted that it was not an attempt to bash the department but to make certain the process is completed.

**DISCUSS AND/OR APPROVE CONTRACT FOR PARKING OPERATIONS MANAGEMENT SERVICES OPERATIONS**

**Motion** – Dr. Williams motioned to approve and Mr. Davila seconded the motion.

Mr. Schechter requested that the item be tabled until additional information could be provided to the Board. He noted that he was not privileged to the historical discussion.

Dr. Williams noted that the newer Trustees have not had the opportunity to be apprised of the discussion.

Mr. Aiyer requested more detail on how the operations will impact the rates, will there be variable charges and will there be a rate increase.

Mrs. Walker reiterated that the Trustees asked for information on the parking lot. She provided a summary on the assessment conducted on the parking operations management. She noted that the students are already paying for parking; however, the Board requested a review that included the scope of everyone paying as oppose to just the students. She apprised that the contractor will assist in designing a parking operation program and outsourcing.

Mrs. Guzman noted that when there is a joint venture, one of the participants in the venture can not be considered as small business participant.

Mr. Oliver noted that there have been new Trustees since the previous discussion. Mr. Oliver also asked that the requested information should be provided to the Board.

Amended motion - Mr. Aiyer motioned to authorize the chancellor to negotiate a contract to be presented to the Board for approval. Dr. Williams seconded the motion. The motion passed with a vote 6-3 with Mr. Schechter, Mrs. Flores and Mrs. Guzman opposing.
ADJOURNED TO CLOSED SESSION
Mr. Oliver adjourned the meeting to Executive Session at 6:16 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. Mr. Oliver 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.

Mr. Oliver reconvened the meeting in Open Session at 7:17 p.m. and entertained motions on pending matters.

(Present: Trustees Austin, Davila, Flores, Guzman, Oliver, Schechter, Dr. Williams and Worsham)

The Board acknowledged and expressed appreciation to the Board Services Staff in recognition of Administrative Week.

ADJOURNMENT
With no further business coming before the Board, the meeting was adjourned at 7:18 p.m.

DINNER
Following adjournment, the Board of Trustees met for dinner in the Chancellor’s Conference Room on the 12th floor, where they may discuss System business but will not take action on such business.

Minutes recorded, transcribed & submitted by:
Sharon Wright, Executive Administrative Assistant, Board Services

Minutes Approved as Submitted: ___________________________