The Board of Trustees of the Houston Community College System held a Regular Meeting on Thursday, August 23, 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
Art Tyler, Deputy Chancellor/COO
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
Dan Seymour, Associate Vice Chancellor, CTCE
Dan Arguijo, Associate Vice Chancellor, Communications
Mike Kyme, Executive Director, Purchasing and Procurement

**OTHERS PRESENT**
Maureen Singleton, System Counsel, Bracewell & Giuliani
Dwight Boykins, Federal Consultant, dBoykins
Linda Koffel, President, Faculty Senate Association
Other administrators, citizens and representatives from the news media
CALL TO ORDER
Mr. Oliver, Chair, called the meeting to order at 4:23 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. Oliver led the prayer and pledge of allegiance to the flag.

APPROVAL OF MINUTES

Motion – Mrs. Guzman moved approval of the minutes as presented. Mr. Davila seconded the motion. The motion carried 9-0.

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:

- Emily Terrazas

Dr. Williams voiced that there is a break down in the human resources system if an employee has to come before the Board to handle such situation and recommended that the issue be discussed with HR.

Mr. Austin noted a system that applies due process, which allows an employee to be heard prior to coming to the Board, should be established.

Mrs. Flores recommended that maybe the due process should be included in the HR policies to ensure that all employees are informed of the process.

Mrs. Guzman informed that maybe there should be some type of resolution of diversity training. She mentioned that alternatives such as diversity or sensitivity training should be reviewed.

Dr. Spangler informed that the grievance in this matter was upheld. She noted that the remedy portion of the appeal would be reviewed and noted that the HR policies will also be reviewed.

Dr. Williams apprised that this is a government entity and much fairness should be set from the top. He further noted that a due process must be in place to avoid such issues that are costly to the college.
AWARDS, PRESENTATION, AND RECOGNITION
Dr. Spangler noted that there were two check presentations:

*Society of Petroleum Engineers, Gulf Coast Section* – presented a $70,720 donation to HCC for HCC Northeast College Petroleum Technology Scholarship Fund for $20,000 and HCC Northwest College Middle School Math Teachers for $50,720.

*Wachovia Foundation and Wachovia Bank* – presented a $10,000 donation to HCC Central College Teller Training Program Scholarship Fund.

*(Mr. Davila left at 4:48 p.m.)*

CHANCELLOR’S REPORT
Dr. Spangler provided the following report:

- Introduction of Dr. Arthur Tyler, Deputy Chancellor/COO for HCC
- Honor Students
- Grant Recognition
- Strategic Committee Planning Retreat was held on Friday, August 17, 2007
- Financial Report for the period ending July 31, 2007

*(Mr. Davila returned at 4:52 p.m.)*

CONSENT AGENDA
Motion – Dr. Williams moved approval and Mr. Worsham seconded. The motion passed 9-0.

1. Resolution Implementing the Provisions of Section 144.005(a) and (d) of the Texas Election Code
2. Order Calling for Election
3. Women Leadership Initiative
4. Board of Trustees Community Outreach Initiatives

Mrs. Guzman informed that as a Community Outreach initiative, townhall meetings will be held in each Trustee district. She also apprised that the Board website would be updated and scheduled to launch in September 2007.

TOPIC FOR DISCUSSION AND/OR ACTION
Motion – Mrs. Flores moved and Mr. Aiyer seconded approval of the Topics for discussion.

Motion – Dr. Williams moved and Dr. Worsham seconded that the following items are approved as a consent agenda. The motion passed with a vote of 9-0.
ITEMS APPROVED BY CONSENSUS

1. Planning Calendar for The Effective, Rollback, and Debt Service Tax Rates Calculation, and Public Hearing Dates for Proposed Tax Rates

2. Payment to Bracewell & Giuliani LLP for Professional Services (June 2007)

3. Payment to Bracewell & Giuliani LLP for Professional Services (July 2007)

4. Investment Report for The Month of June 2007

5. Online/Inline Cashiering Software System (Project #07-26)

6. Digital Microscope and Related Equipment (Project #07-27)

7. Armored Car Transportation Services (Project #07-33)

8. Fire Apparatus for Public Safety Institute (Project #07-34)

NEW ASSOCIATE OF APPLIED SCIENCE IN DENTAL HYGIENE

Recommendation - Approve a new Associate of Applied Science (AAS) degree program in Dental Hygiene.

NEW ASSOCIATE OF APPLIED SCIENCE IN PETROLEUM ENGINEERING

Recommendation - Approve a new Associate of Applied Science (AAS) degree program in Petroleum Engineering Technology.

Mrs. Flores asked that a standard format is set for reporting or introducing a new Associate Applied Science program and asked that the same format is utilized for all programs.

Dr. Williams recommended reviewing current programs.

Mr. Schechter asked that a review be conducted to make certain that the program being considered is actually needed at the college.

Mr. Austin asked for briefing on the Governor’s funding issue.

Motion – Dr. Williams motioned to approve the New Associate of Applied Science in Dental Hygiene and a New Associate of Applied Science in Petroleum Engineering. Mrs. Flores seconded the motion. The motion passed with a vote of 9-0.

INTERLOCAL AGREEMENT BETWEEN HCC AND HOUSTON FIRE DEPARTMENT

Recommendation – Ratify an Interlocal Agreement between Houston Fire Department (HFD) and HCC.

Motion – Dr. Williams moved to approve and Mr. Aiyer seconded the motion. The motion passed with a vote of 9-0.
Mr. Aiyer applauded administration on the efforts for the program. Dr. Williams associated with applauding the institution for the efforts of participating in this program and noted that this should not be the end, as efforts should be made to introduce similar programs.

Mrs. Flores asked if there is supporting information on the 640 hours. Dr. Spangler noted that the hours are set by the HFD training program. She noted that HCC will retain the appropriations from the State.

Mr. Schechter noted that the program is with Northeast College and commended those partnering for their efforts to present such a program.

NEW ASSOCIATE OF APPLIED SCIENCE IN AVIATION MAINTENANCE, SETTING OF TUITION FOR PROGRAM, AND CONTRACT WITH THE AVIATION INSTITUTION OF MAINTENANCE (AIM) FOR PROGRAM

Recommendation – Approve a new Associated of Applied Science (AAS) degree program in Aviation Maintenance, setting of tuition for program, and contract with the Aviation Institute of Maintenance (AIM).

Motion - Dr. Williams moved to approved and Mrs. Flores seconded.

Mr. Schechter informed that he was puzzled because it seems to be a small differentiation from the normal and asked why there is no extra added for out-of-district. Mrs. Walker apprised that the Board set the out-of-district fee and noted that extra fee can be added to the tuition fee.

Dr. Williams asked if there is any competition on the program. Mrs. Walker noted that HCC has asked to be the exclusive provider of the program.

Dr. Williams asked if the airlines have been approached to introduce the program and solicit. Dr. Harmon informed that an advisory committee has been formulated for the program.

(Mr. Davila stepped out at 5:25 p.m.)

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

ARCHITECTURAL AND ENGINEERING SERVICES FOR SOUTHEAST WORKFORCE BUILDING

Recommendation – Authorize the Chancellor to approve and execute the contract for architectural and engineering services with Brave Architects and ArchiTechnics/3, Inc. for the Southeast Workforce Building for costs not to exceed $560,000 and 5% reimbursable.

Motion – Mr. Aiyer moved and Mr. Guzman seconded to approve.

Mr. Aiyer asked if the selected vendor was on the approved list and stated that his concern was whether there was notation from Administration that the selection of the architect was a deviation from the list approved by the Board.
Dr. Williams stated that he was unaware that there was an approved list. He noted that he was under the impression that the recommendation from the Board was to distribute the contracts so that each of the top vendors received a project.

Mrs. Walker apprised that there was an approved list. Dr. Williams asked to see the approved list.

Mr. Schechter noted that this is a one-time exception and future projects should remain with the approved list.

Mrs. Flores asked that the list is provided and noted that there should be open communication on the project. She noted that this project is a deviation from the approved process and noted that there should be an amended motion for this project; however, future projects should follow the process.

Dr. Williams noted that there will be times when there is a deviation but asked that the Board is informed when there is a deviation.

Mrs. Walker informed that there was a list of fifty architects and the first eleven were selected as approved vendors.

\textbf{Vote} – The item passed with a vote of 7-0-2 with Trustee Flores and Schechter abstaining.

\textit{(Mr. Oliver stepped out at 5:41 p.m.; Mrs. Flores chaired in his absent)}

\textbf{PROPOSED BUDGET FOR RESTRICTED FUNDS FOR FISCAL YEAR 2007-2008}

\textbf{Recommendation} – Approve the Proposed Budget for Restricted Funds for fiscal year 2007-2008. The total recommended budget for the Restricted Funds is approximately $64,912,703.

\textbf{Motion} – Mr. Aiyer moved to approve and Mrs. Guzman seconded.

Mr. Aiyer noted that the restricted funds are those awarded as grant funds and asked what could be done to attract other grant funding sources. Dr. Spangler stated that the opportunity for non-competitive funding has been reduced.

\textit{(Mr. Davila stepped out at 5:42 p.m.)}

\textit{(Dr. Williams stepped out at 5:44 p.m.)}

Dr. Spangler noted that one of her goals is to establish a process and template to submit for more competitive grants.

\textit{(Mr. Davila returned at 5:45 p.m.)}

\textit{(Mr. Oliver returned at 5:48 p.m. and resumed chair)}

Mrs. Flores asked for a status on the grant writing department. Dr. Spangler noted that several people who complete grant applications but advised that there is not a specific grant department and apprised that this is an area under exploration.
Mr. Aiyer asked the Chancellor to provide a tabular summary of the number of grants applications with the success rate per year by college and system over the last few years (performance matrix). Mr. Davila asked that indicators are included such as space, as well as the current program or the lack of programs at the various colleges.

Mr. Worsham noted that there have been some preliminary discussions with the governmental relations team; however, he noted that there needs to be a discussion with the college presidents to capture their ideas and pursue grants that are available.

**Vote** – item approved with vote of 8-0.

**HCCS FINANCE AND ADMINISTRATION POLICIES**

**Recommendation** – Update and approve HCCS Finance and Administration Policies.

**Motion** – Mr. Aiyer motioned and Mrs. Flores seconded.

*Mrs. Flores stepped out at 5:53 p.m.*

*Dr. Williams returned at 5:55 p.m.*

Mr. Aiyer noted that he has some concern as it relates to authority for the college presidents.

Dr. Spangler noted that this policy issue is about who is accountable to the Board and noted that the current policy give authority to several persons.

*Mrs. Flores returned at 5:56 p.m.*

Mr. Aiyer noted that he was only referencing the College Presidents. Mr. Oliver noted that it is not to remove the authority of VC and Presidents. Mr. Aiyer noted that he is speaking specifically about the college presidents because they are charged with operating their college.

Dr. Spangler noted that the policy change is the flow of authority and noted that she delegates to the Presidents. She noted that this is the only way that she can be completely held accountable to the Board.

Dr. Williams asked if there is a reason for or has there been reason to have concern. Dr. Spangler noted that there are some concerns and noted that she is willing to accept the responsibility to be held accountable.

Mr. Davila asked if this change will allow mistakes to be minimized.

Mr. Oliver stated that he applauds the Chancellor for wanting to be held accountable.

Mr. Aiyer reiterated that his only issue was concerning the college presidents and noted that the recommended changes does not provide for a designee.
Mr. Worsham asked if there is a preceded idea of what decisions will be allocated to be made by the presidents. Dr. Spangler noted that currently she has the accountability but not the authority. She further noted that this recommended change in policy would send a message that there is one person who is held accountable to the Board.

**Motion** - Mr. Schechter moved for a five minutes recess. Dr. Williams seconded the motion. The motion passed 9-0.

The Board recessed at 6:17 p.m.; the Board reconvened the meeting at 6:24 p.m.

(Present: Trustees Aiyer, Austin, Davila, Flores, Guzman, Oliver, Schechter, and Worsham)

Mr. Austin noted that usually a preamble precedes the policy procedure and recommended such. He also recommended reviewing National Association of College and University Business Office (NACUBO).

**Amended to Motion** - Mr. Schechter moved to amend the policy B.1.6.4 titled Signature Authority as follows: After the first sentence that ends with “…$50,000” and before the second sentence, which starts with “All contracts...” add the language “College presidents are authorized to initiate and execute contracts valued up to $10,000 with the Chancellor’s designation”. Mrs. Flores seconded the motion. The motion passed with a vote of 8-0.

**Vote** – The original motion passed with a vote of 8-0.

**PARKING OPERATIONS MANAGEMENT SERVICES WITH IMPARK-SOUTH LOOP, LLC (PROJECT #07-11)**

**Recommendation** – Authorize the Chancellor to approve, sign, and execute the terms set out in the attached proposed contract for parking operations and management services with Impark-South Loop, LLC a joint-venture partnership.

**Motion** – Mr. Schechter move to pull the item for discussion next month. Mr. Worsham seconded the motion. The motion passed with at vote of 8-0.

**ADJOURNED TO CLOSED SESSION**

Mr. Oliver adjourned the meeting to Executive Session at 6:36 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 6:48 p.m. and entertained motions on pending matters.

(Present: Trustees Aiyer, Austin, Davila, Flores, Guzman, Oliver, Schechter, and Worsham)

**6910 PALMETTO STREET**

**Motion** - Mrs. Guzman moved to approve the purchase contract for 6910 Palmetto and authorize the Chancellor to sign the contract. Mrs. Flores seconded. Motion passed 8-0.
MEDIATED SETTLEMENT PROPOSAL IN VELA RESEARCH, L.P. V. HCCS, NO. 05-2153 CI 007 (FLA. 6TH CIR. CT) AND HCCS V. VELA RESEARCH, L.P., CIVIL ACTION NO. 4:06-CV-03367, IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION

Motion - Mrs. Flores moved to approve the settlement as discussed in closed session and authorize the Chancellor to sign the settlement. Mrs. Guzman seconded the motion. Motion passed 8-0.

PERSONNEL AGENDA FOR JULY 2007

Recommendation – Approve the personnel actions for employment, terminations, retirements, resignations and deceased.

Motion - Mr. Worsham moved and Mr. Austin seconded the approval of the personnel agenda. Motion passed with a vote of 8-0.

FULL-TIME SENIOR LEVEL ADMINISTRATORS AND FACULTY EMPLOYEE ANNUAL CONTRACTS FOR FISCAL YEAR 2007-2008

Recommendation – It is recommended that the Board of Trustees approve the renewal of all full-time contract Faculty employees and Senior Level Administrators, as authorized by the Chancellor and in compliance with Board Policy C:2.2.

Motion - Mr. Schechter moved to approve the renewal of full-time senior level and faculty employee annual contracts for fiscal year 2007-2008 and Mr. Worsham seconded. The motion passed 8-0.

Mr. Austin requested a list of the contracts for the full-time senior level administrators and faculty employee for fiscal year 2007-2008.

The following items were tabled for discussion at the next meeting in September 2007.

1. Beverages, Food, Dairy, And Paper Products (Project #07-19)

2. Television Production Services (Project #07-23)

3. Proposed Set Asides To Cover Governor Perry’s Health Benefits Veto

ADJOURNMENT

With no further business coming before the Board, the meeting adjourned at 6:50 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: September 18, 2007