

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

May 15, 2014

Minutes

The Board of Trustees of Houston Community College held a Regular Meeting on Thursday, May 15, 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

Cesar Maldonado, Chancellor
Renee Byas, 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
Margaret Ford Fisher, President, Northeast College
Cheryl Peters for 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

Derrick Mitchell, Board 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. Neeta Sane, Chair, called the meeting to order at 4:03 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

Mrs. Sane led the prayer and the pledges.

CHAIRMAN'S REPORT

Mrs. Sane apprised that on Tuesday, May 13, 2014, the Board named Dr. Cesar Maldonado as Chancellor of Houston Community College System.

(Mr. Glaser arrived at 4:12 p.m.)

Mrs. Sane welcomed comments from the Board to Mrs. Renee Byas for her service as Acting Chancellor from January 2013 until May 2014.

(Mr. Oliver arrived at 4:14 p.m.)

Mrs. Byas expressed appreciation to the Board for the opportunity to serve as Acting Chancellor.

The Board presented Mrs. Byas with a gift of recognition.

Dr. Tamez recognized the Board Search Committee and the Chancellor Search Advisory Committee (CSAC) for their service in the Chancellor search process. She presented a certificate of appreciation to each of the CSAC members.

Mrs. Sane formally introduced Dr. Cesar Maldonado as the Chancellor of HCC. The Board provided welcoming comments to Dr. Maldonado.

Ms. Mullins apprised that due to a scheduling conflict on Tuesday, May 13, 2014, she could not attend the meeting to vote for Dr. Maldonado. Ms. Mullins noted that had she been present, her vote would have been cast in favor of Dr. Maldonado becoming the next Chancellor of the Houston Community College System. She requested this to be recorded in the minutes of this meeting.

Dr. Maldonado thanked the Board of Trustees for selecting him as Chancellor of HCC. He thanked everyone for such a warm welcome and noted that he is humbled and privileged to serve as Chancellor.

AWARDS, PRESENTATIONS, AND RECOGNITIONS

The following awards and recognitions were presented:

- 2014 Faculty and Staff Campaign
- Felix & Angela Morales Memorial Foundation Check Presentation
- Asian-Pacific American Heritage Month

- Phi Theta Kappa for 2014 and Awards

Mrs. Sane recessed the meeting at 5:18 p.m. and reconvened the meeting at 5:40 p.m.

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

CHANCELLOR'S REPORT

Dr. Cesar Maldonado provided the following report:

- Commencement Ceremony
Dr. Maldonado announced that HCC's annual commencement ceremonies will be held Saturday, May 17, 2014 at the NRG Stadium, formerly known as Reliant Stadium.

The Academic ceremony will be held at 8:30 a.m. with Sheriff Adrian Garcia delivering the keynote address. The ceremony for Workforce and GED will be held at 1:00 p.m. with Senator Rodney Ellis as the keynote speaker.

- Student Travel to Salzburg, Austria
Dr. Diana Pino announced that Dr. Parvin Bagherpour, Associate Vice Chancellor of International Student Services will escort six students to the Salzburg Global Seminar in Salzburg, Austria, June 1-9, 2014.
- Faculty Senate Report
Ms. Michelle Novak welcomed Dr. Maldonado to HCC and expressed appreciation to the Board for the selection of Dr. Maldonado and for considering faculty requests. She also thanked Mrs. Byas for her leadership as Acting Chancellor. Ms. Novak requested that faculty compensation is taken into consideration during the budget discussion process.

APPROVAL OF MINUTES

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

Approval of Minutes from Special Meeting of April 4, 2014, Academic Affairs/Student Services Committee Meeting of April 10, 2014, Board Governance Committee Meeting of April 10, 2014, Committee of the Whole Meeting of April 10, 2014, External Relations Committee Meeting of April 10, 2014, Special Meeting of April 10, 2014, Regular Meeting of April 17, 2014, Special Meeting of April 21, 2014, and Finance Sub-Committee Meeting of April 30, 2014

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

HEARING OF THE CITIZENS

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

- Daniel Arp

Mr. Capó took a point of personal privilege and commented that he realizes that his public remarks are reflective of himself, his district and the institution he serves. He noted that he was recently contacted by students and staff of HCC regarding comments made in a public session of a City of Houston debate regarding the Houston Equal Rights Ordinance. Mr. Capó apprised that several individuals heard the remarks and felt that an entire minority segment of the city was being compared to predators. He noted he is proud that HCC provides equality and human decency to everyone that walks through the doors.

Mr. Capó requested his colleagues to focus on pertinent and productive issues. He noted that faculty and students deserve someone to speak up for them.

CONSENT AGENDA

Motion – Mr. Oliver moved and Mr. Robinson seconded approval of the consent agenda with the exception of A.1, B.5, C.7, C.8, C.10, C.11, and C.12. The motion passed with a vote 9-0. The following were approved:

- Fourier Transform Spectrometer for Southeast College
- ENGL 1301 Student Online Instructional Package and Course Fee for Northwest College
- Procedures Modification to Board Policy A.9.2.1-Substantive Change
- Austin Street Improvements & San Jacinto Memorial Green (Project No. RFCSP 14-02)
- Consider Approval of Temporary Right of Entry and Construction Agreement with Memorial City Redevelopment Authority

MOU BETWEEN HCC AND HISD FOR OPERATION OF MIDDLE COLLEGE HIGH SCHOOLS (MCHS)

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

Mr. Capó apprised that he is available to assist wherever possible. He noted that he is excited about the program being in District I.

Mr. Robinson informed that the program was previously named Future Academies. He apprised that one concern of his is that students are graduating unprepared. Mr. Robinson noted that HCC has to identify ways to make certain students are prepared for college. He informed that HCC should take advantage of the program not just with Houston Independent School District (HISD) but all school districts in the service area.

Ms. Loredó expressed appreciation to the two campuses who welcomed the programs at their location.

Dr. Tamez congratulated the presidents as well and noted that the effort will afford great opportunities for the students.

Vote – The motion with a vote of 9-0.

**PROPOSED BOARD POLICY REGARDING POST CONTRACT COMPLETION
EVALUATION PROCESS**

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

Amended motion – Mr. Robinson motioned and Ms. Mullins seconded to add the following language to the policy “and keep a computerized record of all evaluations in the Procurement Department and General Counsel’s Office. All such records shall be available for review by both the administration and Trustees”. The amendment passed with a vote of 9-0.

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

**RENEWAL OF LEASE AGREEMENT FOR 4014 BLUEBONNET DRIVE STAFFORD,
TEXAS**

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

Mr. Glaser inquired if the amendment was to extend the lease to two years as opposed one year. Dr. Maldonado informed that was correct regarding the amendment.

Vote – The motion passed 9-0.

**ADOPTION OF FORT BEND AND HARRIS COUNTY LOCAL OPTION EXEMPTION
TAX YEAR 2014**

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

Mr. Glaser noted that information was provided regarding the item. He inquired if there is a need to act on the item today.

Dr. Maldonado informed that administration has reviewed the numbers and that the recommendation is to approve the item as presented and hold a discussion for future tax exemptions amendment at the upcoming budget workshop.

Mr. Oliver noted that the item was vetted in committee last week and noted that Dr. Karla Bender informed that the deadline was approaching regarding the exemption. He apprised that the Board discussed reviewing future exemptions at a budget workshop.

Mr. Robinson noted that one of his concerns is regarding expenditures with general operating funds. He informed that there are a number of things on the operating side that need to be considered before discussing other issues. Mr. Robinson apprised that there are a significant number of seniors in the taxing district living below poverty level. He noted that there needs to be a full picture regarding the exemption rates.

Dr. Maldonado addressed the issue of timing. He informed that the deadline for submission is July 1, 2014 and apprised that there is no urgency regarding approval of the item this month and noted that the item could be postponed until next month.

Mr. Capo informed that there was discussion in committee regarding the item. He apprised that there is not much of a break for the homeowner and noted that this is what is of value to him. He recommended the opportunity to postpone approval.

Mr. Glaser informed that he would like to see additional exemption for seniors. He apprised that a review needs to be made regarding subsidizing the seniors and recommended discussing the item in a budget workshop.

Motion Withdrawn – Mr. Oliver and Mr. Capo withdrew the motion and the second.

Mrs. Sane noted that a budget workshop will be scheduled for June 2014.

**PAYMENT TO BRACEWELL & GIULIANI LLP FOR PROFESSIONAL SERVICES
RENDERED THROUGH MARCH 31, 2014**

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

Amended Motion - Mr. Robinson motioned and Mr. Oliver seconded to amend the item to authorize the Board Chair to negotiate with the managing partner(s) of Bracewell & Giuliani LLP to execute a written contract for legal services for the Houston Community College Board of Trustees to include:

- A defined scope of services and any and all specific exclusions
- A reduction in the current hourly fee being paid for Board Counsel services
- A provision (“favored nation clause”) that guarantees that HCCS will receive the lowest hourly rate charged by the firm for legal services provided other educational or corporate clients
- A conflicts of interest provision that requires that conflicts between HCCS and any other client(s) of the firm be resolved in favor of HCCS
- A designation of the billing attorney of record and a direct contact with the firm (partners of the firm)
- A provision that any counsel at Bracewell & Giuliani report solely to the entire Board of Trustees
- The standard HCCS 30 day cancellation clause

Mr. Capo noted that the item was discussed in the Board Governance meeting for consideration and is scheduled for additional discussion at the Governance meeting in June.

Mr. Oliver asked for point of clarification. Mr. Capo apprised that the item has been listed for discussion and recommended that the amendment is presented at the time of discussion of the item at the Board Governance meeting.

Mr. Wilson offered a friendly amendment that the Chair selects the firm. The motion died due to lack of a second.

Vote on amendment - The amendment passed with a vote of 9-0.

Vote – The motion passed with a vote of 7-0-2 with Trustees Glaser and Wilson abstaining.

TOPICS FOR DISCUSSION AND/OR ACTION

INVESTMENT REPORT FOR THE MONTH OF FEBRUARY AND MONTHLY FINANCE STATEMENT FOR APRIL 2014

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

(Mr. Oliver stepped out at 6:25 p.m.)

Dr. Estes noted that investments are liquid and very safe with a good yield. He informed that conversion to cash could be done quickly. Dr. Estes apprised that the yield for investments is .37% which is in excess of ten times the Texas pool target.

Mr. Capo noted that one of his issues is reflective of the fund balance. He informed that when compared to Board policy regarding the reserves, there is a significant discrepancy between the actual balance and Board policy requirement.

Mr. Capo requested that an in-depth discussion is held during the budget workshop.

(Mr. Oliver returned at 6:29 p.m.)

Ms. Mullins referenced contracted services and inquired if the increase was planned. Dr. Estes apprised that the projection is within budget and noted that it was budgeted.

Mr. Robinson requested that personnel cost is discussed in the budget workshop. He noted that the concern is to know the number of faculty needed. He informed that historically the personnel agenda is provided without an explanation. Mr. Robinson apprised that the effort is to develop a plan regarding the faculty salaries.

Mr. Robinson noted that funding was set aside regarding small business. He informed that there was an agreement to amend bond allocations for security and that the status of the funding set aside for security upgrades is unknown. He asked Dr. Maldonado to review the situation to identify where the funding is.

Mr. Robinson apprised that more needs to be done regarding enterprise revenues. He noted that he has been suggesting constructing a building that would possible generate lease revenue. Mr. Robinson informed that revenue could also be identified from a parking fee at 3100 Main for non-students and non-HCC visitors.

Mr. Robinson apprised that he has also been requesting a listing of contracts with expiration dates. He noted this would allow contractors to review the list and better prepare to compete for contracts and would provide oversight capability.

Mr. Oliver informed that the Board has been rubber stamping the personnel agenda. He requested that at the convenience of the Chancellor, a recommendation is made regarding personnel. He requested a generalized explanation.

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

BANKING RESOLUTION AUTHORIZATION

Motion – Mr. Oliver moved and Mr. Capo seconded. The motion passed with a vote of 9-0.

ADJOURNED TO CLOSED SESSION

Mrs. Sane adjourned the meeting to Executive Session at 6:39 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 7:39 p.m. and entertained any motions on pending matters.

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

**PROPOSED SETTLEMENT BETWEEN FRED SACHEL AND HCC AND
PROPOSED SETTLEMENT BETWEEN MARTIN SEE AND HCC**

Motion – Mr. Robinson moved and Mr. Capo seconded to approve items C.10 and C.11. The motion passed with a vote of 9-0.

ADJOURNMENT

With no further business coming before the Board, the meeting adjourned at 7:39 p.m.

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

Minutes Approved as Submitted: June 24, 2014