

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

February 28, 2013

Minutes

The Board of Trustees of Houston Community College held a Regular Meeting on Thursday, February 28, 2013 at the HCC Administration Building, Second Floor Auditorium, 3100 Main, Houston, Texas.

BOARD MEMBERS PRESENT

Bruce A. Austin, *Chair*
Eva Loreda, *Secretary*
Leila Feldman
Yolanda Navarro Flores
Herlinda Garcia
Christopher W. Oliver
Neeta Sane

ADMINISTRATION

Renee Byas, Acting Chancellor
Art Tyler, Deputy Chancellor/COO
Destinee Waiter, Acting General Counsel
Shantay Grays, Executive Officer to the Chancellor
William Carter, Vice Chancellor, Information Technology
Charles Cook, Vice Chancellor, Instruction
Diana Pino, Vice Chancellor, Student Success
Margaret Ford Fisher, President, Northeast College
Julian Fisher for Fena Garza, President, Southwest College
William Harmon, President, Coleman College
Zachary Hodges, President, Northwest College
Irene Porcarello, President, Southeast College
Betty Young, President, Coleman College
Dan Arguijo, Chief Communications Officer
Winston Dahse, Chief Administration Officer
Ronald Defalco, Chief Financial Officer
Karen Edwards, Interim Chief Human Resources Officer
Kelly Zuniga, Executive Director, HCC Foundation

OTHERS PRESENT

Jarvis Hollingsworth, System Counsel, Bracewell & Giuliani
Tod Bisch, Faculty Senate President
James Walker, President, COPA
Other administrators, citizens and representatives from the news media

CALL TO ORDER

Mr. Austin, Chair, called the meeting to order at 4:38 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

Dr. Margaret Ford Fisher led the prayer and the Pledge of Allegiance to the Flag.

ANNOUNCEMENTS

Mr. Austin welcomed newly Trustee Leila Feldman, District V, who was appointed Trustee in District V by the Board at the Special Meeting, held January 31, 2013.

APPROVAL OF MINUTES

Approval of Minutes from Special Meeting of January 4, 2013. Committee of the Whole Meeting of January 10, 2013, Special Meeting of January 10, 2013, Regular Board Meeting of January 17, 2013, and Special Meeting of January 31, 2013

Motion – Mr. Oliver motioned and Mrs. Flores seconded.

Minutes to reflect correction as follows:

Mrs. Garcia referenced of the minutes for the Special Meeting of Thursday, January 31, 2013 page 4, paragraph 7 and requested correction to last sentence to read as follows: Mrs. Garcia requested that Board Counsel review the ethics as it relates to foreign government partnerships.

Vote – Motion passed with vote of 7-0.

AWARDS PRESENTATIONS AND RECOGNITIONS

Mrs. Garcia suggested returning to awarding faculty for their performances and outstanding efforts by presenting them with the medallion award.

Mrs. Sane informed that the Chancellor's Eagle Awards provide the opportunity to recognize faculty.

Mr. Austin noted that the college awards, the Eagle Awards, replaced awarding of the medallions.

CHAIR'S REPORT

Mr. Austin provided a clip from 60 Minutes regarding workforce programs throughout the country. He apprised that the purpose is to note that community colleges can do the job required of them.

CHANCELLOR'S REPORT PROVIDED BY RENEE BYAS, ACTING CHANCELLOR

- **Reaffirming HCC's Commitment to the Community**

Mrs. Byas thanked the community for their vote of confidence of Houston Community College, its leadership and administration by helping to successfully pass the bond measure last November.

HCC administration, faculty and staff, reaffirms commitment to a transparent, ethical and fair procurement process. Whether it is daily operational purchases or bond construction projects, HCC is committed to ensuring fairness and an open process to businesses large or small. To ensure that all stakeholders are informed about the bond activities HCC will begin scheduling community updates about the bond project throughout the district this spring. These sessions have been titled Community Dialogues 2013. More information will be forthcoming regarding dates, times and locations. HCC intends to honor the commitments made to the community during the bond campaign.

- **Sale of Bonds**

On February 26, 2013, HCC, through its financial bond syndicate led by J.P. Morgan Chase and HCC financial advisors RBC Dain Rauscher (RBC), sold all of its \$425 million in municipal bonds in less than two hours. Additionally, because of the overwhelming demand for HCC's high quality paper, some of the subscriptions were more than ten times "over-subscribed" meaning there were ten buyers for a bond, which allowed HCC to save the taxpayers an additional \$5 million through negotiations.

Mrs. Byas thanked the members of the syndicate, the financial advisors and legal teams as well as internal General Counsel and Finance departments and all of the other HCC. She thanked the voters of Harris and Ft. Bend counties for trusting HCC with their vote and tax confidence to continue serving, educating, and training the workforce of the future.

- **HCC Recertified as a Leader College**

HCC was recently recertified as a Leader College for the next three years by the Achieving the Dream (ATD) organization. HCC is one of only 20 community colleges nation-wide that have been recertified as an ATD Leader College. Leader College recertification requires evidence of an institution's leadership within the ATD National Reform Network. Mrs. Byas thanked the faculty, staff and administrators who made this possible.

- **Texas Workforce Commission (TWC)**

Mr. Andres Alcantar, Chairman of the TWC presented a \$902,965 check to HCC Coleman College for Health Sciences President Betty Young, on Friday, March 1, 2013. The funds will be used to provide non-credit professional development to approximately 2,100 employees of the Methodist Hospital System and will be coordinated by the Center for Health Care Professionals, a collaboration between HCC's Division of Extended Learning and Coleman College.

- **Black History Scholarship Gala**

Mrs. Byas congratulated Trustees Austin, Oliver, and Robinson as well as to Dr. William Harmon and members of the Black History Committee for organizing another successful Black History Scholarship Gala. She applauded all of the hard work, dedication and commitment to raising scholarships for deserving students.

- **Prep Classes**

HCC had three semesters of PREP classes, designed to improve students' skills in math, reading and writing. In four weeks, students are "prepped" to retake the COMPASS placement exam with a goal of higher course placement. Thus far, 50% of math students placed at least one level higher, 55% of writing students placed at least one level higher, and 60% of reading students placed at least one level higher. Students are then able to enroll in the 12-week Second Start semester at the higher level.

- **University of Houston (U of H) System and HCC Memorandum of Understanding (MOU)**

An agreement has been reached between the U of H System and Houston Community College-Katy to relocate all undergraduate programs offered at Cinco Ranch to the HCC-Katy campus. Co-locating programs, advising, and support services will ease the transfer of HCC students into the U of H programs. Graduate programs will now expand at Cinco Ranch, which will transition into a U of H System graduate/professional center.

- **Awards and Recognitions**

The following awards and presentations were recognized:

- HCC Coleman College Public Relations Team was nominated for five Paragon Awards from the American Association of Community Colleges-National Council for Marketing and Public Relations (NCMPR). The Paragons will be awarded at NCMPR's national conference in Chicago on March 12th.
- The Marketing Department received five (5) awards from the Higher Education Marketing Report's Educational Advertising Awards for Workforce Instruction.

- **HCC Athletics**

- HCC men's soccer program participated in the National Championship tournament as the only two-year school to be invited. They won the league's indoor championship, in addition to winning the outdoor championship.
- The HCC baseball team made the playoffs in its first competitive season last fall, and is now playing in a league against other college programs.
- The HCC men's basketball program advanced to the third round of the regional tournament in Mississippi, and earned a trip to the National Championship tournament in North Carolina.
- The HCC flag football team earned an invitation to the National Championship Tournament in Florida.

- **Houston Innovative Learning Zone (HILZ) Project**

Mrs. Byas acknowledged a very special partnership between HCC and the Houston Independent School District (HISD). Mrs. Byas presented a video on the (HILZ) project.

This pioneering program offers high school students the opportunity to take workforce dual credit courses for free. The courses, beginning in the summer between the 10th and 11th grades, lead to the completion of an associate degree or college certification from HCC upon their graduation from high school.

The partnership between HCC and HISD calls for nearly \$5 million in startup funds, spread over a four-year period. About \$1.5 million of the cost will be covered by federal funds specifically designated for vocational education programs to help prepare high school students for college level education. All instructional costs are covered by the district.

- **Faculty Senate Report**

Dr. Bisch welcomed Trustee Feldman on behalf of the Faculty Senate.

Dr. Bisch apprised that Board Chair Austin and Acting Chancellor Byas attended the Faculty Senate meeting held on February 8, 2013 to discuss the following topics:

- Board Goals for the Year
- Faculty Compensation and Benefits
- Bond Related Activity
- Graduation Ceremony Changes
- Faculty Professional Development Opportunities
- The Dignity and Respect Initiative
- Proposed Reorganization of Workforce Programs

He apprised that the Faculty Senate was receptive to comments of Mr. Austin and Mrs. Byas and believes this is the type of faculty/Board engagement that is essential to the idea of shared governance. He informed that the Faculty Senate is looking forward to next month's visit by Trustee Sane.

Dr. Bisch congratulated Dr. Reni Abraham for the successful defense of her doctorate from Sam Houston State University. Dr. Abraham received her Doctorate of Education (Ed.D) in Education Leadership in Higher Education. Dr. Abraham's dissertation is entitled Math, College Readiness in Texas Community Colleges, a Multi-year Study.

Dr. Bisch along with 15 other faculty and staff attended the ATD Conference and attended many difference sessions that focused on student success initiatives, developmental engagement and dual credit high school. Five members of the HCC delegation were conference presenters. ATD is a national non-profit that helps community college low income students and students of color stay in school and earn a degree. He recommended that future Faculty Senate Presidents attend this highly informative conference.

Dr. Bisch announced that the Bedi-Chek Orman annual dinner and auction will be held November 1, 2013 at the West Loop Auditorium.

HEARING OF CITIZENS

The following citizens requested to speak before the Board:

- Daniel Arp

(Mr. Oliver stepped out at 5:12 p.m.)

- Justo R. Garcia, Sr.

Mrs. Flores noted that the Diversity Plan is on the agenda and allows for discussion. She urged Mr. Garcia to take a look at the plan. Mrs. Flores informed that she and Trustee Sane have been discussing the issue of diversity and requested the creation of a Board ad-hoc Diversity Committee to address the diversity issues at HCC. She noted that Mr. Garcia's input is welcomed. Mrs. Flores apprised that the Diversity Committee is a suggestion and a request.

Mr. Austin informed that the appointment of the ad-hoc committee is possible.

Mr. Garcia noted that the issue should be addressed with the community, not him individually because the community needs to know why they are not wanted at HCC. He reiterated that the response should be to the community in writing.

Mrs. Flores apprised that the committee would receive input from all citizens interested in this vital issue.

- Dave Wilson

CONSENT AGENDA

ROOFING SERVICES FOR 3100 MAIN (PROJECT N. 12-08)

Motion – Mrs. Flores moved and Mrs. Sane seconded.

Mrs. Garcia noted that the top two firms have rankings of 89 and 88. She informed that consideration should be given to both firms, when scoring for two firms is so close and that both firms should be presented. She apprised that the issue raises questions regarding the process. She requested that Mrs. Sane review the issue through the Board Governance Committee.

Mr. Oliver apprised that the issue is not a procurement process issue; however, there may be an issue of subjectivity raised when the point difference is so close.

Mrs. Feldman informed that the law is clear regarding negotiating with the top bidder. She apprised that the role of the Board is to govern and noted that the Board's responsibility is to take into consideration the recommendation by administration.

Mrs. Garcia informed that her concern continues to be regarding process. She apprised that the procurement process should make certain the very top vendor is yielded. She noted that this is the third time this year that the Board has been presented a recommendation with such a close point difference.

Mrs. Garcia apprised that the concern is to address the problem prior to it coming to the Board. Mr. Oliver noted that he will support the item and noted that there should be some ability to revise the process to ensure fairness.

Mrs. Flores informed that she strenuously disagrees with Trustee Feldman because her statement is that the Board does not have a choice; however, the Board does have a choice such as the best value choice. She noted that otherwise, there is no need for the Board approval.

Mrs. Sane apprised that the Board chooses the procurement method. She suggested a review of the policy through the Board Governance Committee to minimize the subjectivity. She noted that although there is a procurement process, there remains an issue of close scoring.

Vote - The motion passed with vote of 7-0.

TOPICS FOR DISCUSSION AND/OR ACTION:

HONORARY DEGREE RECIPIENTS FOR 2013

Mr. Austin informed that two additional requests were received. He noted that Mrs. Sane nominated Mr. Munir Ibrahim and Ms. Loredo nominated Mr. Felix Fraga.

Mr. Austin inquired if the Board would consider allowing those additional nominations. Mrs. Flores inquired if this would require that the recipients be limited to three. Mr. Austin informed that the request would not limit the number of approvals.

Dr. Charles Cook apprised that Mr. Fraga has already received an honorary degree. Ms. Loredo withdrew the nomination.

Motion - Mrs. Sane moved and Ms. Loredo seconded to approve the following nominees to receive honorary degrees:

- Munir Ibrahim
- Johnny Mata
- Lupe Salinas
- Linda Scurlock

Vote - The motion passed with a vote of 7-0.

INVESTMENT REPORT FOR THE MONTH OF DECEMBER 2012

Motion – Mr. Oliver moved and Mrs. Sane seconded.

Dr. Tyler complimented the investment team and noted that there has been a small gain. He informed that the guidance of the investment policy continues to be followed.

Mrs. Sane reiterated that the debt management policy be presented to the Board for consideration.

Mr. Oliver apprised that it was his understanding that the policy would be presented at the Budget Workshop scheduled for March 2013.

Vote – The motion passed with a vote of 7-0.

MONTHLY FINANCE REPORT FOR JANUARY 2013

Motion – Mrs. Sane moved and Mr. Oliver seconded.

Dr. Tyler noted that the bottom line exceeds the reserve requirement by more than 10 percent.

Vote – The motion passed with a vote of 7-0.

CONTRACT EXTENSION FOR FINANCIAL ADVISORY SERVICES

Motion – Mrs. Flores moved and Mr. Oliver seconded.

Mrs. Flores apprised that there are two contracts with RBC Capital. She noted that one contract is regarding financial advising and the addendum relates to having representation at the Board meetings. She informed that the original contract had a four-year term that rolls over unless a thirty day notice to cancel is provided. She apprised that her understanding is that the addendum of the contract, not the original contract is scheduled to end on March 1, 2013. She noted that her inquiry is a legal question because the addendum for attending meetings has an end date; however, the original contract does not have an end date.

Mrs. Flores requested that the original contract and the addendum should be available for Board to review.

Motion Withdrawn – Mrs. Flores withdrew the motion and Mr. Oliver withdrew the second.

CONSIDER INCREASING RESERVE REQUIREMENT

Motion – Mrs. Flores moved and Mr. Oliver seconded.

Dr. Tyler informed that the recommendation is to increase the reserve requirement from 9-10 percent to 11-12 percent. He apprised that one of the benchmarks reviewed by the rating agency was the reserve. He noted that the item approval is in line with notation provided by the rating agency.

Mrs. Sane inquired of the timing regarding the reserve requirement. She inquired if there is an ability to consider the item at the budget workshop.

Mr. Oliver inquired of the urgency for requesting the increase and if there is the ability to wait on taking action. Dr. Tyler informed that it is prudent to move as expeditiously as possible. He apprised that he is asking the Board to consider the item and noted that it could definitely wait until the budget workshop.

Ms. Loredo inquired if it can be decreased after increasing. Dr. Tyler informed that the Board could consider the requirement as deemed necessary.

Mr. Austin recommended discussing at the budget meeting to allow for a building block.

Motion withdrawn – Mrs. Flores withdrew the motion and Mr. Oliver withdrew the second.

CONTRACT REVIEW PROCEDURE

Motion – Mr. Oliver moved and Mrs. Sane seconded.

Mr. Austin apprised that the concept was to allow for all contracts to be reviewed by the Office of General Counsel (OFG).

Mrs. Byas noted that page two of the contract review procedures denotes that the purpose is to ensure legal sufficiency. She informed that not all contracts will be reviewed by legal. She apprised that the contracts requiring review are listed on page two of the procedures.

Mrs. Flores inquired of the type of contracts not requiring review. Mrs. Byas noted that item B on page two list those contracts that may be signed without review by OGC.

Mrs. Flores requested that definitions be added to define who is allowed to sign such contracts without legal review.

Mrs. Garcia inquired of the number of attorneys working in the OGC and inquired who would be the point person to ensure compliance. Ms. Waiters apprised that each of the attorneys in the OGC may review the contracts.

Mrs. Garcia noted that there needs to be a policy associated with the procedures to ensure that the process is followed. Mr. Austin informed that the preamble states that the OGC is required to review certain contracts.

Mr. Oliver recommended that the policy is reviewed for necessary revisions and revisited by the Board.

Mrs. Flores recommended that the item be sent through the Board Governance Committee for proper vetting.

Mr. Oliver and Mrs. Sane withdrew their motions.

Motion - Mr. Oliver motioned and Mrs. Garcia seconded to table items B.7, B.8, and B.9 to the next Committee of the Whole. The motion passed with a vote of 7-0.

ADJOURNED TO CLOSED SESSION

Mr. Austin adjourned the meeting to Executive Session at 5:30 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. Austin 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. Austin reconvened the meeting in Open Session at 7:25 p.m. and entertained motions on pending matters.

(Present: Trustees Austin, Feldman, Garcia, Loreda, Oliver, and Sane)

CONTRACT EXTENSION FOR FINANCIAL ADVISORY SERVICES

Motion - Mrs. Sane moved and Mr. Oliver seconded to approve the contract extension for Financial Advisory Services. The motion approved with a vote of 6-0.

REPORT ON COMMENCEMENT CEREMONY

Dr. Pino provided a report regarding the recommendation to have two commencement ceremonies. She apprised that the first for academic would begin at 8:30 a.m. and the second ceremony for workforce and G.E.D. would begin at 1:00 p.m.

Mr. Oliver inquired as to when the honorary degrees would be awarded. Dr. Pino informed that the degrees could be awarded at the first ceremony. She apprised that the morning session would include the academic degrees. Mr. Austin noted that the honorary degrees should be rewarded during the academic portion.

REPORT ON HCC DIVERSITY PLAN PROGRESS

David Cross and Linda Comte provided a report regarding the goals and timeline for the Diversity and Inclusion Counsel. Ms. Comte denoted that the following goals have been identified:

- HCC will promote the exploration and understanding of culture, diversity and inclusion by providing in-depth training and experiences that promote skills development resulting in cultural competency.
- HCC will support a process for the development of Diversity Resource Groups that engage all stakeholders and affirm the goals of the HCC D&I District Plan.
- HCC will be a Champion of accessibility by establishing standards that adhere to both the spirit and the letter of the ADA.
- HCC will promote a learning culture that insures teamwork, communication, appreciation and accountability.
- HCC will have a diverse, skilled workforce that strives to reflect the diversity of the community that it serves and will provide opportunity and pathways for all employees to grow and advance in their professions.

REPORT ON AFFIRMATIVE ACTION PLANNING PROCESS

David Cross provided an overview of the 2012-2013 Affirmative Action Planning Report. Mr. Austin requested an overview of the findings summary.

Mr. Cross informed of the goals and the following recommendations:

- Support and implement HCC's diversity and inclusion planning process.

- Establish institutional recruitment procedures to support HCC's hiring practice policy.
- Develop and implement an employment diversity hiring and recruitment plan.

Mrs. Garcia suggested that the meaning of diversity and inclusion be reviewed closely to take corrective action immediately. She noted that if the process in place yields the same group, there is a problem.

Mr. Austin informed that he is appointing the Diversity Committee with Mrs. Flores serving as the Committee Chair and Mrs. Garcia and Mrs. Sane as member and Ms. Loreda is the alternate.

PERSONNEL AGENDA FOR FEBRUARY 2013

Motion – Mrs. Sane moved and Mr. Oliver seconded. The motion passed with a vote of 6-0.

ADJOURNMENT

With no further business coming before the Board, the meeting adjourned at 7:40 p.m.

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

Minutes Approved as Submitted: April 18, 2013