

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

June 23, 2015

Minutes

The Board of Trustees of Houston Community College held a Regular Meeting on Tuesday, June 23, 2015 at the HCC Administration Building, Second Floor Auditorium, 3100 Main, Houston, Texas.

MEMBERS PRESENT

Zeph Capo, *Chair*
Robert Glaser, *Vice Chair*
Adriana Tamez, *Secretary*
Carolyn Evans-Shabazz
Eva Loreda
Sandie Mullins
Christopher W. Oliver
Neeta Sane
David Wilson

ADMINISTRATION

Cesar Maldonado, Chancellor
Shantay Grays, Chief of Staff
Valerie Simpson for E. Ashley Smith, Acting General Counsel
Kimberly Beatty, Vice Chancellor, Instructional Services, Chief Academic Officer
William Carter, Vice Chancellor, Information Technology
Irene Porcarello, Interim Vice Chancellor, Student Services
Teri Zamora, Vice Chancellor, Finance and Administration
Margaret Ford Fisher, President, Northeast College
Fena Garza, President, Southwest College
William Harmon, President, Central College
Zachary Hodges, President, Northwest College
Phillip Nicotera, President, Coleman College
Rudy Soliz, Interim President, Southeast College
Remmele Young, Associate Vice Chancellor, Governmental and External Affairs

OTHERS PRESENT

Jarvis Hollingsworth, Board Counsel, Bracewell & Giuliani
Susan Goll, President, Faculty Senate
Other administrators, citizens and representatives from the news media

CALL TO ORDER

Mr. Zeph Capo, Chair, called the meeting to order at 4:13 p.m. and declared the Board convened to consider matters pertaining to Houston Community College as listed on the duly posted Meeting Notice.

(The following Trustees were present: (Capo, Evans-Shabazz, Glaser, Loredo, Mullins, Oliver, Sane, Tamez and Wilson)

PRAYER AND PLEDGE OF ALLEGIANCE

Mr. Oliver led the prayer and the pledges.

APPROVAL OF MINUTES

Motion – Mrs. Sane motioned and Ms. Loredo seconded. The motion passed with vote of 9-0. The following minutes were approved:

Approval of Minutes from Academic Affairs/Student Services Committee, Audit Committee, Committee of the Whole and Special Meeting on May 14, 2015, Regular Meeting on May 21, 2015, and Special Meeting on May 27, 2015.

AWARDS, PRESENTATIONS, AND RECOGNITIONS

- **Monthly Student Recognitions Focused on Student Persistence and Success at HCC**

Dr. Irene Porcarello recognized the following students:

- Marvel Frank, Central College
- Tiffany Green, Coleman College
- Inez Goodman, Northeast College
- Jackeline Granillo, Northwest College
- Vicki Kight, Southeast College
- Aisha Lakhani, Southwest College

CHAIRMAN'S REPORT

- **Trustees District Reports:**

Ms. Mullins announced that the West Houston Institution Groundbreaking is scheduled for Wednesday, June 24, 2015 at the Alief Hayes Rd. campus and the Texas A&M Engineering Partnership will be held Thursday, June 25, 2015 at the Spring Branch campus.

Dr. Tamez acknowledged the Gathering of Eagles and noted that they held a STEM Symposium at Southeast College.

Ms. Loredo congratulated the Gathering of Eagles and the World War II veterans that were honored. She noted that as part of the Milby Alumni she has been out in the community interviewing students for scholarships. Ms. Loredo informed that Hispanic Scholarship Council took a tour of Goya Foods, who has agreed to be a main sponsor.

Dr. Evans-Shabazz apprised that the Coleman Town Hall meeting has been rescheduled for July 16, 2015.

Mr. Capo noted that he attended the HCC/HISD Middle College graduation at the West Loop campus.

- **Board Meeting Schedule**

Mr. Capo announced that a Special Meeting (Board Retreat) will be held on Saturday, June 27, 2015. He noted that there are no meetings scheduled in July. He informed that the Committee and Committee of the Whole meetings are scheduled for August 13, 2015 and the Regular Meeting on August 20, 2015.

CHANCELLOR'S REPORT

Dr. Cesar Maldonado provided the Chancellor's Report:

- **Salzburg Global Seminar**

Dr. Maldonado announced that five HCC students had the great opportunity to travel to Salzburg, Austria to participate in the annual Salzburg Global Seminar. He invited Dr. Porcarello to provide an overview of the Salzburg Global Seminar program. Dr. Porcarello invited Ms. Stephanie Sallee and Mr. Kevin McCaslin to share their experience

- **VAST Academy**

Dr. Maldonado shared that the Texas State Legislature honored the HCC VAST Academy last month during the 84th Legislative Session. The VAST Academy was awarded a proclamation in recognition of being a pioneer in providing post-secondary education to students with intellectual and developmental disabilities. The program, which was established in 1990, was one of the first programs of its kind in the nation.

HCC VAST Academy offers differently abled individuals the chance to receive post-secondary vocational training and to earn a meaningful credential that will enable them to find work and achieve independence. The Academy serves more than 150 students annually and has had more than 3000 students since its inception. Over the past quarter of a century, HCC VAST Academy has continued to fulfill its critical mission, giving its students the opportunity to feel the pride of achievement and helping them to build fulfilling, productive, and independent lives.

Dr. Maldonado thanked Dr. Sue Moraska, VAST program founder and her colleagues for supporting the students and for leading the way in providing educational opportunities to a very essential part of HCC's student population.

Dr. Maldonado recognized Mr. Ethan Brillon, Student Leader in the VAST Academy and Ms. Elilai Barkhouse-Geyer, a graduate of the program who is now employed as a part-time Office Assistant in the VAST office at Northwest College.

- **Southwest College**

This month's video highlighting exceptional programs and faculty was presented by Southwest College.

- **Adjunct Faculty Job Fair**

Dr. Maldonado informed that HCC held an Adjunct Faculty Job Fair on Saturday, June 20th at the West Loop Campus. He noted that the job fair was held to support instruction and the delivery of academics, and announced that 750 applications were received.

Procurement Committee

Dr. Maldonado invited Ms. Linda Toyota and Mr. Arturo Michel who served as co-chairs of the Procurement Review Committee to share the committee's philosophy. He thanked them for their leadership and commitment to the process which is invaluable. Dr. Maldonado apprised that the committee will continue on a quarterly basis.

Mr. Oliver recommended keeping a standing procurement committee to provide regular check-ups.

- **Moody's Investor Service Rating Upgrade**

Dr. Maldonado apprised that Moody's Investor Service revised the outlook on Houston Community College Systems outstanding rated debt from negative to stable. He noted that a rating upgrade was also given to the Junior Lien Bonds from AA3 to AA2. He informed that the upgrade reflects the System's strong operating performance, which significantly exceeded prior expectations.

- **Promotion of Mrs. Teri Zamora**

Dr. Maldonado announced that due to her efforts, work, continuous increase in scope and duties in addition of Chief Financial Officer, Mrs. Teri Zamora has been promoted to Senior Vice Chancellor.

- **Faculty Senate Report**

Ms. Susan Goll, Faculty Senate President, thanked the Board for continuing to support of faculty and the mission of the college of bettering the lives of students and the communities that HCC serves. She also expressed appreciation to the Chancellor for presenting the Board the recommendations of the Chancellor's Compensation Task Force. She noted that the combined efforts of Mrs. Zamora and Dr. Kimberly Beatty in the area of instruction leads the way to becoming an efficient, nimble and talent rich leader in higher education.

HEARING OF THE CITIZENS

No citizens came forward to speak before the Board.

CONSENT AGENDA

Motion – Mr. Glaser moved and Dr. Tamez seconded to approve the consent agenda with the exception of item A1, A2, B3 and B7. The motion passed with a vote of 9-0. The following items were approved:

- Approval of Midtown Management District Service and Improvement Plan for Fiscal Years 2015-2024
- Amendment to Urban Redevelopment Interlocal Agreement
- Adoption of Fort Bend and Harris County Local Option Exemptions Tax Year 2015
- Investment Report for the Month of April, 2015
- Monthly Financial Statement and Budget Review for April 2015

Approval of Administrative Form for Trustee Requests for Documents

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

Mr. Wilson noted that the document is cumbersome and has concerns that the document leaves one to believe that the college is not transparent. He informed that the Board bylaws Article H, Section 7 regarding the release of documents at the discretion of the Chair is contrary to state open records law.

Motion - Mr. Wilson motioned to postpone. The motion failed due to the lack of a second.

Mr. Oliver apprised that it is unfortunate that the item has to be on the agenda; however, he does understand the reason. He noted that the request for information has become costly and informed that it has come to the point that the form is necessary. Mr. Oliver apprised that administration is often duplicating the request. He noted that the form is somewhat to the extreme regarding Trustee requests for information and informed that the measure should be taken on a case by case basis. He apprised that the Board could discuss the Trustees' request in closed session.

Ms. Mullins noted that the college is a public institution and inquired if it contradicts state open records requests. Mr. Capo informed that the form is only intended for use when there is a requested for privileged information. He apprised that the form is to make certain information is not sent to a Trustee not desiring the requested information and noted that the effort is to track the request for privileged information.

Ms. Mullins inquired if there will be a delay in receiving the information and if it would slow down the process. Mr. Capo informed that he could not speak as to how quickly administration could fill the request, but there is nothing in the current form that would slow down the process.

Ms. Mullins inquired if there could be clarification that the document is related to only privileged and confidential information.

Mr. Capo noted that he would offer an amendment that would not change process but would simply add the wording privileged and confidential information to the document.

Amended Motion – Ms. Mullins moved to add the wording privileged and confidential information to the document and Mr. Oliver seconded.

Mr. Wilson informed that the bylaws speak to the Trustees responsibility to keep privileged information confidential.

Dr. Evans-Shabazz apprised that her concern is regarding the discretion of the information and recommended reviewing the bylaws to define discretion. Mr. Capo noted that it would take additional review by the Governance committee regarding the bylaws.

Mr. Oliver informed that if the purpose was to curtail the release of sensitive information, then he fully supports the item. He apprised that the Board has a fiduciary responsibility to not place the system at a disadvantage.

Mr. Capo noted that there were incidents where documents were discussed in closed session and the documents are collected by the custodian of the documents. He apprised that another issue regarding privileged information is that when it is requested, it is forwarded to the full Board and he noted that he does not want to be recipient of closed session information requested by another Trustee.

(Mr. Oliver stepped out at 5:22 p.m.)

Mrs. Sane inquired if there are any other forms utilized by other institutions and requested additional time to review what other institutions are doing.

Dr. Tamez informed that she likes the fact that there is a tracking mechanism.

Mr. Hollingsworth apprised that the sample form provided by Mr. Wilson is the document used by the public to request open records information from Harris County.

Mr. Glaser noted that his understanding is that when a request is made, the Board is notified and the information is provided to the full Board. He informed the form was created because there were a couple of issues where sensitive information has been passed on beyond the confidence of the Board. He apprised that the forms gives the Trustees the option to not receive the information if they so choose. Mr. Glaser noted that he supports the form to track requests for privileged and confidential information.

Ms. Loreda informed that the Trustees have a responsibility not to overburden the Chancellor and staff. She recommended that the Trustees ask themselves if the information going to help me make a decision on an action item.

Mr. Wilson noted that The University of Texas lawsuit was regarding a request for admission records. He apprised that there cannot be obstruction of access to information.

(Mrs. Sane stepped out at 5:30 p.m.)

Mr. Capo noted that the document is not intended to keep any Trustees from receiving information.

Dr. Tamez inquired what is considered cumbersome. Mr. Wilson apprised that he considers completing the form and the fact that the process puts the authority in the hands of the Chair to determine what information is released is cumbersome. Mr. Capo informed that he filled out the request today and it only took about ten seconds.

Ms. Mullins inquired if each page will be stamped privileged and confidential.

Vote on the Amendment – The vote on the amendment 6-1 with Trustee Wilson opposing.

Vote on Main Motion – The motion passed with vote of 6-1 with Trustee Wilson opposing.

AUTHORIZE TRANSFER OF FUNDS BETWEEN BOND CIP PROJECTS

Motion – Dr. Tamez moved and Mr. Glaser seconded. The motion passed with vote of 5-2 with Ms. Mullins and Mr. Wilson opposing.

ENERGY ENGINEERING CONSULTING SERVICES (PROJECT RFQ 15-18)

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

Mr. Wilson noted that he is not in favor of wasting the college's money because the previous contract did not provide any savings.

Vote – The motion passed with vote of 6-1 with Mr. Wilson opposing.

BOARD COUNSEL REVIEW OF CERTAIN CATEGORIES OF CONTRACTS ABOVE CHANCELLOR'S SIGNATURE AUTHORITY

Motion – Dr. Tamez moved and Ms. Loreda seconded.

Mr. Glaser apprised that he would like to offer an amendment to replace the word "require" to "allow" under the recommendation. He noted that the Board Chair could have the discretion of requesting Board Counsel to review the contracts.

Amendment - Mr. Glaser submitted an amendment so remove "require" and amending to state "allow". Ms. Mullins seconded.

(Ms. Sane returned at 5:39 p.m.)

Dr. Tamez requested that the amendment is reiterated. Mr. Glaser informed that the current language states that all real estate contracts must be reviewed by Board Counsel and apprised that the amendment would allow discretion of the Board Chair regarding review by Board Counsel.

Ms. Loredo noted that she would not want the Board Chair to have the burden of reviewing the contracts. She informed that the contract would still need to come back to the Board and the real estate professionals would be the ones to inform the Board regarding real estate.

Mrs. Sane apprised that she had some of the same concerns. She noted that the contracts would need to be reviewed by the experts in that field and it is the Chancellor's responsibility to make sure that the reviews are done by the experts. Mrs. Sane informed that the Chancellor has access to the experts as well as Board Counsel.

Dr. Tamez noted that she associates with Mrs. Sane.

Mr. Capo requested clarification to the amendment. Mr. Glaser informed that the amendment is to change the third word from requiring to allowing.

Mr. Capo apprised that if there has not been a request for Board Counsel to review the contract then they may not have information on the item when discussed in closed session.

Vote on Amendment – The motion failed with vote of 4-3-1 with Trustees Capo, Evans-Shabazz and Tamez opposing, and Trustee Sane abstaining.

Ms. Mullins inquired as to why all real estate is discussed in closed session. Mr. Hollingsworth noted that other entities discussed real estate projects in closed session so that the entity does not end up paying more for the property because of bidding.

Vote on Main Motion - The motion passed 5-3 with Trustees Glaser, Sane and Wilson opposing.

ADJOURNED TO CLOSED SESSION

Mr. Capo adjourned the meeting to Executive Session at 5:54 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. Capo 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. Capo reconvened the meeting in Open Session at 8:23 p.m. and entertained any motions on pending matters.

(The following Trustees were present: (Capo, Glaser, Loredo, Mullins, and Wilson)

TOPICS FOR DISCUSSION AND/OR ACTION:

PERSONNEL AGENDA (FACULTY)

Motion – Ms. Mullins moved and Ms. Loredo seconded. The motion passed with vote of 5-0.

ADJOURNMENT

With no further business coming before the Board, the meeting adjourned at 8:24 p.m.

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

Minutes Approved as Submitted: August 20, 2015