

**MEETING OF THE  
BOARD GOVERNANCE COMMITTEE  
OF THE BOARD OF TRUSTEES  
HOUSTON COMMUNITY COLLEGE**

**August 8, 2013**

**Minutes**

The Board Governance Committee of the Board of Trustees of Houston Community College held a meeting on Thursday, August 8, 2013 at the HCC Administration Building, 3100 Main, 2nd Floor, Seminar Room A, Houston, Texas.

**MEMBERS PRESENT**

Neeta Sane, Committee Chair  
Leila Feldman, *Committee Member*  
Yolanda Navarro Flores, *Committee Member*  
Eva Loredo, *Alternate Committee Member*  
Bruce A. Austin  
Sandie Mullins  
Herlinda Garcia  
Carroll G. Robinson

**ADMINISTRATION**

Renee Byas, Acting Chancellor  
Destinee Waiters, Acting General Counsel  
Shantay Grays, Executive Officer to the Chancellor  
William Carter, Vice Chancellor, Information Technology  
Charles Cook, Vice Chancellor, Academic Affairs  
Diana Pino, Vice Chancellor, Student Success  
Warren Hurd for Margaret Ford Fisher, President, Northeast College  
Fena Garza, President, Southwest College  
Cheryl Peters for William Harmon, President, Central College  
Zachary Hodges, President, Northwest College  
Irene Porcarello, President, Southeast College  
Michael Edwards for Betty Young, President, Coleman College  
Remmele Young, Executive Director, Government Relations & Sustainability  
Janet May, Chief Human Resources Officer

**OTHERS PRESENT**

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

**CALL TO ORDER**

Mrs. Sane, Chair called the meeting to order at 1:49 p.m. and declared the Committee convened to consider matters pertaining to Houston Community College as listed on the duly posted Meeting Notice.

**FULL-TIME ADMINISTRATIVE EMPLOYEE ANNUAL CONTRACTS**

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

Mr. Robinson recommended that all contracts be reviewed by both the Board and General Counsels before they are issued.

Mrs. Renee Byas informed that her recommendation is that there will only be a six (6) month severance regarding buyouts.

Mr. Jarvis Hollingsworth apprised that there is a new bill that will impact such decisions. He noted that a presentation will be made later in the meeting regarding the new law.

Ms. Loredo inquired if the request is that the contracts be on an annual basis. Mrs. Byas informed that the request is for two-year contracts regarding higher level positions.

Mr. Robinson apprised that he is not familiar with community college faculty and noted that he was under the impression that the contracts for faculty are renewed annually. Mrs. Byas informed that faculty contracts are different than administration.

Mrs. Feldman apprised that she supports the two-year contracts for administrators because it offers some certainty for recruitment and the six month severance limits the college's liability.

Mrs. Sane inquired if the item should be tabled until the presentation from Board Counsel. Mrs. Byas noted that both the Board Counsel and General Counsel will review the contracts.

Mrs. Sane inquired when the legislation will go into effect. Mr. Hollingsworth apprised that the legislation passed both houses and will be effective immediately; therefore, the legislation was effective June 2013.

Mr. Hollingsworth noted that the contract revision will state that the payout amount would be up to six months.

Amended Motion - Mrs. Feldman moved to approve all administrative contracts subject to review by General and Board Counsels. Ms. Loredo seconded.

Mr. Hollingsworth apprised that the vote on the item should be held until after the closed session discussion.

**RENEWAL OF FULL-TIME FACULTY EMPLOYEE ANNUAL CONTRACTS FOR FISCAL YEAR 2013-14**

Motion – Mrs. Feldman moved and Ms. Loredo seconded.

Mrs. Feldman inquired if it is standard for faculty to receive only one-year contracts. Mrs. Byas informed that the standard is one-year contracts for faculty.

Vote – The motion passed with a vote of 3-0.

**PROPOSED REVISIONS TO BOARD BYLAWS**

Mrs. Sane noted that the item has already been vetted through Board Governance and informed that a report will be made at the Committee of the Whole meeting.

**UPDATE ON GOVERNANCE RELATED LEGISLATION**

Mr. Hollingsworth informed that several legislations have been passed that will have some effect on the governance of the institution. An overview of the following was provided:

*Open Meetings*

- HB 2414 - Conducting Meetings by Video Conference Call (Effective June 14, 2013)
- HB 2414 - Electronic Communications between Board members (Effective June 14, 2013)

Mr. Hollingsworth apprised that the message must be posted on a message board in real time. He noted that the public will be aware of what has been discussed between the Board members and noted that it must be posted on the website with one link click to access.

Mr. Hollingsworth informed that staff members would need to be authorized by the Board to have access to the message board requirement. Mr. Hollingsworth noted further analysis of the bill is needed.

Ms. Loredo inquired if one of the Board members want to text the Chancellor, would the bill apply. Mr. Hollingsworth apprised that the purpose is to prevent a walking quorum. He noted that in the case of committees, if there is discussion between two individuals that serve on a specific committee, it would apply.

Mr. Hollingsworth recommended that a conservative view is taken until further analysis is conducted.

- HB 12 – Disclosure of Information Relating to Employee Salary (Effective June 14, 2013)

*Open Government*

- SB 984 – Conducting Meetings by Videoconference Call (Effective September 1, 2013)

*Ethics*

- SB 1773 - Interim Study Regarding Ethics Law (Effective September 1, 2013)
- HB 1035 – Filing of Reports of Political Contribution and Expenditures (Effective January 1, 2014)

*Personnel*

- HB 483 – Requirement for Public Hearing before Payment in Excess of Contract (Effective June 14, 2013)

*Purchasing and Operations*

- HB 194 – Recognizing Disabled Veterans as Owners of HUBs (Effective September 1, 2013)

Mr. Austin inquired if HCC could develop a HUB program. Mr. Hollingsworth informed that as long as there is no discriminatory type purposes associated, the Board could adopt goals as is the current practice for small business participation.

Mr. Robinson apprised that there was supposed to be an update on the small business program. He noted that to his understanding the college could adopt its own small business certification or could accept that of other programs. He informed that the question is what the college wants in its program. He apprised that his personal preference would be to award points for compliance.

Mr. Austin noted that he provided the previous administration with a copy of the small business program from the Port of Houston and the Metropolitan Transit Authority (Metro).

Mrs. Byas apprised that it is anticipated that a person will be in place by September who will be able to write the program, policy and procedures.

Ms. Mullins recommended that the piece be reviewed to make certain it does not conflict with other legislation. Mr. Robinson noted that Higher Local First was not a conflict and informed that the item is legal in the educational code.

Ms. Mullins apprised that her request was to review the bases to make certain the evidence is stacked.

Mr. Austin noted that the opinion should be reviewed regarding Historically Underutilized Businesses (HUBs) to make certain the college is following all the recommendations from the opinion of the Supreme Court case *Richard v. Carlson*.

- HB 1050 – Use of Co-Op for Purchase of Construction Related Goods and Services (Effective September 1, 2013)

Mr. Robinson informed that the bill impacts the resolution passed by the Board regarding the bond procurement.

Mr. Hollingsworth apprised that the bill also requires that the subcontractors could not be removed unless there is unsatisfactory work or they are bought out of the contract.

#### *Curriculum and Accountability*

- HB 1296 – Information Regarding Career Opportunities and Workforce (Effective June 14, 2013)
- HB 2103 – Education Research Centers (Effective June 14, 2013)
- HB 3028 – Use of Skills Development Fund to Address Workforce Needs (Effective June 14, 2013)
- HB 3662 – Texas Workforce Innovation Needs Programs (Effective June 10, 2013)
- SB 307 – Adult Education and Literacy Program (Effective September 1, 2013)

#### *Finance and Tax*

- HB 2474 – Community College Branch Campus Financing (Effective June 14, 2013)
- SB 581 – Securing the Deposit of Public Funds (Effective June 14, 2013)
- HB 561 – Tax Exemption for Qualified Open-Space Land Owned by a School

Mrs. Sane inquired when the bill would apply to public-private partnerships. Mr. Hollingsworth informed that it will have to be reviewed.

#### *Elections*

- HB 259 – Electioneering Conducted Near Polling Place (Effective June 14, 2013)
- SB 637 – Bond Elections (Effective September 1, 2013)

*Retirement and Benefits*

- SB 366 – Authorizing Political Subdivisions to Offer Roth IRA (Effective May 18, 2013)

Adjourned to closed session at 2:51 p.m. and reconvened at 3:44 p.m.

**ADJOURNED TO CLOSED SESSION**

Mrs. Sane adjourned the meeting to Executive Session at 2:51 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 3:44 p.m. and entertained motions on pending matters.

*(Present: Trustees Austin, Feldman, Flores, Garcia, Loredo, Mullins, Sane and Robinson)*

Mrs. Feldman withdrew the motion regarding item A and Ms. Loredo withdrew the second.

**ADJOURNMENT**

With no further business, the meeting adjourned at 3:45 p.m.

*Recorded, transcribed and submitted by:*  
Sharon R. Wright, Manager, Board Services

Minutes Approved: September 19, 2013