

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

Meeting Minutes September 23, 2003

The Collin County Community College District conducted its regular monthly Board meeting on September 23, 2003 in Rooms B423-B425, Courtyard Center, with Chairman Sam Roach presiding. Trustees present were Dr. Boon, Dr. Collins, Mr. Trujillo, Mrs. Goodell, Mr. Hendricks, Mr. Justice, and Mrs. Bauge. Trustee Cargo was absent. Also, present were College President Cary A. Israel, members of the news media, and CCCCDC faculty, students, and staff.

CALL TO ORDER

Mr. Roach called the September 23, 2003 meeting of the Board of Trustees of Collin County Community College District to order at 6:00 p.m. The Board met at the Courtyard Center, 4800 Preston Park Blvd., Plano, Texas 75093, room B425. The Board recessed to closed session as authorized by Article 551.001, Texas Government Code.

OPEN SESSION

Chairman Roach reconvened the meeting at 7:40 p.m. and welcomed those in attendance. Chairman Roach apologized for their lateness. He called on Judy LaGrone to certify posting of the notice of the meeting.

CERTIFICATION OF THE NOTICE OF THE SEPTEMBER 23, 2003 MEETING OF THE CCCCD BOARD OF TRUSTEES

Ms. Judy LaGrone certified the notice of the September 23, 2003 CCCCDC Board of Trustees meeting was posted according to Article 551.001 of the Texas Government Code.

APPROVAL OF THE MINUTES OF THE AUGUST 26, 2003 CCCCDC BOARD OF TRUSTEES MEETING

A motion by Mr. Justice, seconded by Dr. Collins, approving the August 26, 2003 Board meeting minutes, as presented in open session, was unanimously approved.

PRESENTATION—FACULTY SENATE RESOLUTION

Chairman Roach called upon Dr. David Garrison, President of the Faculty Senate, to make a presentation before the Board. Dr. Garrison read a resolution passed by the CCCCDC Faculty Senate.

On September 12, 2003, the Collin County Community College District Faculty Senate, comprised of 50 elected members representing the faculty as a whole, unanimously approved a resolution to express their appreciation to the Board of Trustees for the 2003-2004 salary increase.

Granting a raise during difficult economic times requires both a history of sound fiscal management and courage. We are grateful. We gain satisfaction from being members of a team contributing to the success of a great institution. Thank you.

2003-9-1, Personnel Reports for September

BE IT RESOLVED, at the recommendation of the President, that the Board of the Collin County Community College District approves the Personnel Reports for September 2003 as presented in public hearing.

A motion by Mrs. Bauge, seconded by Mr. Trujillo, to approve the Personnel Reports for September 2003 as presented in public hearing was approved by all board members present.

1A, Faculty Appointments

BE IT RESOLVED, at the recommendation of the President, that the CCCCD Board approves the following faculty appointments:

NAME	TITLE	DATE	REASON
Wes Adams	Professor, Physical Education(Temporary, CPC)	08/22/03	R-Dennis
Traci Ramsey	Professor, Physical Education, (Temporary, SCC)	09/19/03	R-Schumann

1B, Staff Appointments

BE IT RESOLVED, at the recommendation of the President, that the CCCCD Board approves the following staff appointments:

NAME	TITLE	DATE	REASON
Debra Williams	Lab Assistant, Biology, CPC	08/29/03	R-Dodson

1C, Promotions, Laterals, Reclassifications

BE IT RESOLVED, at the recommendation of the President, that the CCCCD Board approves the following promotions, laterals, and reclassifications:

NAME	TITLE	REASON
Marcia Barbour	N: Computer Lab Assistant O: Asst. Computer Lab Supervisor	Reclassification
Barbara Haroutunian	N: Asst. Dir., Human Resources O: Mgr., Benefits & Employee Relations	Reclassification
Tom Jones	N. Dir., Convergence Lab (Temporary) O: Professor	Reclassification
Dennis Keeton	N: Director of Math Lab O: Instructional Associate	Promotion/ Replacement—Porter
Patrick Langford	N: Computer Lab Assistant O: Clerk I, Testing Center	Replacement—Thomas

Veta Lotspeich	N: Human Resources Specialist O: Human Resources Asst. II	Reclassification
Eddie Martin	N: Computer Lab Assistant O: Assistant Computer Lab Super.	Reclassification
Keith Tolleson	N: Computer Lab Assistant O: ALC Lab Assistant	Promotion
Melanie Tracht	N: Manager of Benefits O: Human Resources Benefits Adv.	Reclassification
Meena Trivedi	N: LRC Specialist O: Circulation Assistant	Promotion/ Replacement-Snider

1D, Terminations, Resignations, Non-Renewals

BE IT RESOLVED, at the recommendation of the President, that the CCCCD Board approves the Termination/Resignation/Non-Renewal Report for June.

EMPLOYEE/TITLE	LAST DAY	SERVICE	DEPARTMENT
Nikki Pace/Outreach Planner	8/27/03	Probation	Global Edge
Mark Walker/Sec. I	8/28/03	1 year	Provost Office SCC
Ricky York	8/29/03	12 years	Natatorium Fac. Opr.
Carol White	8/29/03	2 years	Clerk Typist, CPC
Deborah Smith	8/29/03	4 years	Div. Secretary, SCC
Gabrielle Pruitt	8/29/03	3.5 years	Lab Assistant, SCC
Suzon Schroeder	9/2/03	8 years	Advisor
Rita Kopecki	9/4/03	3 years	Assistant Director Child.
Devel.Sherry Schumann	9/18/03	5 years	F/T Faculty, Athletics
Julia Copper	9/19/03	2 years	Reference Librarian
Brandy Ayers	9/19/03	Probation	Testing Center Clerk
Leticia Demmit	9/26/03	2 years	Testing Center Clerk
Nicole Aguilera	9/26/03	3 years	Accounts Payable

1E, President's Compensation Package & Contract Extension

WHEREAS, the Collin County Community College District Board of Trustees completed President Cary A. Israel's evaluation, and

WHEREAS, Chairman Roach reported that he had a very successful evaluation, now therefore,

BE IT RESOLVED, that the Board of the Collin County Community College District approves a 3.5 percent increase in President Israel's compensation, a merit-based payment, and an extension of his contract through August 31, 2006.

Chairman Roach said that he was pleased to acknowledge that the board had completed President Israel's evaluation. He continued that the board is very pleased with Dr. Israel's work—his leadership,

his accomplishments, his work ethic, and the long hours he gives to this District. He continued that the board is pleased to approve a 3.5% salary increase as well as a merit-based payment for President Israel. The board also voted to extend his contract through August 31, 2006.

President Israel thanked the board for their confidence.

2003-9-2, Future Sites for Collin County Community College District

BE IT REVOLVED, that the Board of Trustees of Collin County Community College District, consistent with the District Master Plan received on March 25, 2003 and with discussions at board planning retreats of 2002 and 2003, desire to establish sites for future campuses in the southeastern, northeastern, and northwestern areas of Collin County and to relocate the administrative offices and certain educational activities to a more central and accessible location in the District. Accordingly, the Board of Trustees directs the President, working together with local entities, to proceed to select sites and acquire land to be used for these future locations for the District.

A motion by Mr. Trujillo, seconded by Dr. Collins, to establish sites for future campuses in the southeastern, northeastern, and northwestern areas of Collin County and to relocate the administrative offices and certain educational activities to a more central and accessible location in the District, and directing the President, working together with local entities, to proceed to select sites and acquire land to be used for these future locations for the District was approved by all board members present.

Chairman Roach remarked that the above resolution is a formalization of what the District is already doing.

2003-9-3, Consent to Assignment & Amendment to Tax Abatement Agreement, Letchi, Ltd., Plano, Texas

WHEREAS, the Collin County Community College District Board of Trustees approved a Tax Abatement Agreement on August 10, 1999 for LETCHI, LTD, granting an abatement of ad valorem taxes for a period of ten years based upon amounts equal to 60% for four years, 40% for three years, and 20% for three years of the Business Personal Property and Real Property, and

WHEREAS, neither the assignment nor the Amendment extends the term of the Agreement, and City or Taxing Units shall not have a right to recover prior abatements granted before the assignment, and

WHEREAS, the parties desire to amend the Agreement to provide for a new date for hotel and motel tax and annual sales tax collection goals, and a new formula for remittance in the event of a shortfall in these taxes, now therefore,

BE IT REVOLVED, that the Board of Trustees of Collin County Community College District, approve the attached Consent to Assignment and Amendment to Tax Abatement Agreement entered into between Collin County Community College District and LETCHI, LTD., and now assigned to CNL PLANO HOTEL.

A motion by Mr. Justice, seconded by Mrs. Bauge, to approve the attached Consent to Assignment and Amendment to Tax Abatement Agreement entered into between Collin County Community College District and Letchi, Ltd., and now assigned to CNL Plano Hotel was approved by all members present.

President Israel said that this agreement assigns the tax abatement from the Doubletree Hotel to the Marriott Corporation.

2003-9-4, Interlocal Agreement with TASB Risk Management Fund's Unemployment Compensation Program

BE IT RESOLVED, at the recommendation of the President, that the Board of Trustees of the Collin County Community College District approve the continuance of the Interlocal Agreement to participate in the Texas Association of School Board (TASB) Risk Management Fund's Unemployment Compensation Program.

A motion by Dr. Collins, seconded by Dr. Boon, to approve the continuance of the Interlocal Agreement to participate in the Texas Association of School Board (TASB) Risk Management Fund's Unemployment Compensation Program was approved by all members present.

In the past, this agreement did not require board approval because the cost was below \$25,000. The total contribution for our unemployment insurance during the period of October 1, 2003 through October 1, 2004 is \$36,408.04.

2003-9-5, Struck-off Property, Farmersville, Texas

BE IT RESOLVED, at the recommendation of the President, that the Board of Trustees of Collin County Community College District approve the sale of "Struck Off" property, located in Farmersville, for \$897.83.

A motion by Dr. Boon, seconded by Mr. Trujillo, to approve the sale of "Struck Off" property, located in Farmersville, for \$897.83 was approved by all members present.

2003-9-6, Interlocal Agreement with Collin County related to District Fiber Optic WAN

BE IT RESOLVED, at the recommendation of the President, that the Board of Trustees of Collin County Community College District approve the attached Interlocal Agreement with Collin County related to the use of the District's Fiber Optic Wide Area Network.

A motion by Dr. Collins, seconded by Mrs. Goodell, to approve the attached Interlocal Agreement with Collin County related to the use of the District's Fiber Optic Wide Area Network was approved by all members present.

President Israel said that developing and completing a wide-area-network was part of the District's strategic planning process.

This Interlocal Agreement is mutually beneficial to both CCCCDC and Collin County. The District's fiber optic WAN can provide high-speed communications for the County while at the same time saving taxpayers money. The County will also be able to access educational tools offered by the District. In return for the use of the District's WAN, the County will compensate the District nearly \$500,000.

President Israel said that this is another example of how collaborating with other entities is beneficial to the citizens in Collin County.

In response to Dr. Boon's questions regarding Section 8: Termination, President Israel said that this is an escape clause—in case we need the space back. The agreement can be terminated by either party (at any time for any reason) with six months written notice to the other party.

2003-9-7, Assignment of Construction Manager at Risk

BE IT RESOLVED, at the recommendation of the President, that the Board of Trustees of Collin County Community College District approve assignment of the Construction Manager-at-Risk Contract for the Preston Ridge Campus additions and improvements from Dalmac Construction Company to DalMac Construction II, a wholly owned subsidiary.

President Israel called forward Mr. Bob Roeder, the District's attorney, to make preliminary comments on this resolution. Mr. Roeder began his presentation by stating that all public construction projects require a Payment and Performance Bond that ensures completion of the project and payment of subcontractors and material costs.

This August the Construction Manager at Risk for the Preston Ridge Campus additions and renovations, DalMac Construction Company, notified the District that they had inadequate bonding capacity. To obtain the required bonding capacity, DalMac arranged with another construction company, FGI Group (Faulkner Construction), to provide them with the required bonding capacity. FGI Group entered into an agreement with DalMac Construction Company to assist them in providing payment and performance bonds on selected projects, including the CCCCDD Preston Ridge Campus additions and renovations. As part of this agreement, they jointly executed Indemnity Agreements to the Hartford Insurance Company. Those agreements provide that, in the event that DalMac should fail to perform their contract obligations to CCCCDD, the FGI Group would be fully responsible to assure completion of construction in accordance with the contract documents. Hartford Insurance Company required the formation of a wholly owned subsidiary, DalMac Construction II, L.L.C.

Mr. Roeder said that the District had two options: (1) stay with DalMac, making sure that payment and performance bonds are in place (allowing District to stay on the same timeline) or (2) refuse to continue with DalMac Construction II, L.L.C. and go back to the next best qualified Construction Manager at Risk (this could add 90-120 days to the project).

Mr. Roeder said that the bonds are now in place for the guaranteed maximum price. The assignment of the contract with CCCCDD and DalMac Construction Company for construction of a facility to DalMac Construction II, L.L.C. requires board approval.

Board members had several questions for Mr. Roeder. In response to Dr. Boon, Mr. Roeder gave a brief overview of Faulkner construction. Dr. Boon also questioned why someone did not check to see whether DalMac had bonding capacity before asking for Board approval. He continued that his recommendation would be that we turn down this resolution and go out to bid again. "We are at risk...we need to open the bid process."

Mr. Roeder responded to Dr. Boon's concerns. He said that when choosing a Construction Manager at Risk the District goes through the same process as when hiring a general contractor. When recommended as the Construction Manager at Risk, DalMac had all the necessary qualifications and their bonds were valid.

Dr. Boon reiterated that his recommendation would be for this board to go back to the open bid process. Mr. Hendricks said that even if we had gone through the open bid process, we could have ended up having the same problem.

President Israel asked Mr. Kirk Peterson, Vice President with DalMac, to come forward to answer concerns expressed about DalMac's bonding capacity. Mr. Peterson began by stating that DalMac turned in their qualification several months ago and at that time, they had the required bonding capacity. When they found out that they could not get bonding, DalMac came to the District and were given an opportunity to fix the situation. That was when the agreement was reached with Faulkner.

Concern was expressed as to whether DalMac II, L.L.C. could co-mingle our payments with other jobs of DalMac. Mr. Roeder said that the new subsidiary had the ability, but not the legal right. Dr. Collins asked Mr. Peterson if the CCCCD PRC project was the only project that would be handled under this subsidiary. Mr. Peterson said that he understood that two other projects would also fall under DalMac II. One is the construction of a new elementary school in Richardson, Texas.

Mr. Peterson addressed the board's concerns about co-mingling of funds. He said that the accounting system for DalMac II would be unique thus preventing any co-mingling of funds. Mr. Peterson, responding to a question by President Israel, said that DalMac Construction Company has been in existence since 1958. Mr. Peterson said that he has been with the company since 1983 and would see this project through to completion.

In response to Dr. Collin's question regarding Mr. Roeder's assurance that this partnership between DalMac and Faulkner would work without ever seeing the agreement, Mr. Roeder said that he is relying on the bonds—the rest is not as critical as the bonds themselves.

Mr. Justice added that if DalMac cannot do the job, we would continue subcontracting with the primes and add a new Construction Manager at Risk. Mr. Roeder agreed stating that DalMac will have little effect on the subcontractors—the contracts with the subs are assigned to the District. Mr. Justice asked Mr. Roeder for his recommendation as to what to do. Mr. Roeder said that he would affirm that using a Construction Manager at Risk is the way to go. He continued that the same people that we chose during the evaluation process are the same ones that would be assigned to this project. He said he recommends we go forward with DalMac Construction II.

Mr. Hendricks said that this resolution is not about DalMac not being able to bring their fine abilities to the job. Being able to complete the job is the important thing. He continued that he is comfortable with moving forward. Mr. Hendricks added that we have a timeline, and it would cost more if we have to go back to bid.

Chairman Roach called the question.

A motion by Mr. Hendricks, seconded by Mrs. Goodell, to approve assignment of the Construction Manager-at-Risk Contract for the Preston Ridge Campus additions and improvements from DalMac Construction Company to DalMac Construction II, a wholly owned subsidiary, was approved by a vote

of seven for (Dr. Collins, Mr. Hendricks, Mrs. Goodell, Mr. Trujillo, Mr. Roach, Mrs. Bauge and Mr. Justice) and one against (Dr. Boon).

2003-9-8, Amendment No. 1 to CM AT RISK Contract for Preston Ridge Campus

BE IT RESOLVED, at the recommendation of the President, that the Board of Trustees of Collin County Community College District approve the proposed Amendment No. 1 to the Construction Manager-at-Risk Contract for the Preston Ridge Campus additions and improvements establishing a guaranteed maximum price of \$15,694,297.

A motion by Dr. Collins, seconded by Mr. Justice, to approve the proposed Amendment No. 1 to the Construction Manager-at-Risk Contract for the Preston Ridge Campus additions and improvements establishing a guaranteed maximum price of \$15,694,297 was approved by a vote of seven for (Dr. Collins, Mr. Hendricks, Mrs. Goodell, Mr. Trujillo, Mr. Roach, Mrs. Bauge and Mr. Justice) and one against (Dr. Boon).

2003-9-9, Approval of Bid Report for September

BE IT RESOLVED, at the recommendation of the President, that the Board of Trustees of the Collin County Community College District approves the Bid Report for September.

A motion by Dr. Boon, seconded by Mr. Trujillo, to approve the Bid Report for September was approved by all board members present.

BID/REF #	DESCRIPTION	AMOUNT
	SOLE SOURCE PURCHASE OF CENTURY BED KITS FOR HEALTH SCIENCE LABS (REFERENCE 2328) Hill-Rom Company Batesville, IN Sole source.	\$36,526.16
	EMERGENCY PURCHASE OF LABOR AND MATERIAL TO REPLACE FAILED COMPRESSOR ON THE E-WING CHILLER, CENTRAL PARK CAMPUS (REFERENCE 2329) Trane Service Company Carrollton, TX Pricing in accordance with Reference 1804 – Interlocal Agreement with TCPN Region IV Educational Service Center approved by the Board 11/28/2000.	\$29,544.00
	SOLE SOURCE PURCHASE OF WEBCT 3.7 CAMPUS EDITION SOFTWARE ANNUAL LICENSE AND SIS INTEGRATION TRAINING (REFERENCE 2330).	\$30,333.00

WebCT Educational Technologies
Vancouver, B.C.
Sole source provider of WebCT software license.

CONSTRUCTION MATERIALS TESTING SERVICES FOR CONFERENCE BUILDING ADDITION, PHASE "1" AT SPRING CREEK CAMPUS, PLANO, TX (Reference 2331) GME Consulting Services, Inc. Dallas, TX In accordance with RFQ 2223 - Geotechnical Services for Various Projects.	\$38,755.00
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PUBLIC COMMENTS. None

PRESIDENT'S REPORT

1. President Israel congratulated Paula Roman, Toni Jenkins, Global Edge, deans, vice presidents and faculty for their work in helping the District get close to one million dollars in grants.
2. President Israel said he was pleased to announce that we have been notified that our "Living Legends" logo has won an award from National Council for Marketing and Public Relations. He congratulated Lisa Vasquez and Marlene Miller and acknowledged Trustee Cindy Bauge for her part in the "Living Legends" luncheon.
3. Roberta Jackson and Janet Jaworski are to be congratulated for their work with Global Edge. At a conference in Nashville, October 8, they will be receiving the National Promotion of Tech Prep award.
4. President Israel also congratulated Liz Grimes who received the Glenn Schmitz Award for outstanding service to the board of the National Council for Staff, Program and Organizational Development.
5. Dr. Robert Gates, President of Texas A&M University and former Director of the CIA, was honored at a VIP luncheon, hosted by President Israel, prior to his address to faculty, students, district staff, and community members. President Israel thanked Dr. Mizell and the Honor's Council who arranged for Dr. Gates' visit.
6. President Israel again thanked the board members for their continued support.

ADJOURNMENT

Chairman Roach adjourned the September 23, 2003 Board meeting at 8:40 p.m.