

CONSENT AGENDA NO. 8

Approval of Minutes of the March 2, 2010 Regular Meeting

It is recommended that the Board approve the minutes of the March 2, 2010 Board of Trustees Regular Meeting.

**Board Members and Officers Present:**

Mrs. Kitty Boyle  
Ms. Charletta Compton  
Mr. Bob Ferguson  
Ms. Diana Flores (Vice Chair)  
Dr. Wright Lassiter (Secretary and Chancellor)  
Mr. Jerry Prater (Chair)  
Mr. JL Sonny Williams

**Board Members and Officers Absent:** Mrs. Martha Sanchez Metzger

Board Chair Jerry Prater convened the meeting at 4:22 PM. Dr. Wright Lassiter certified to the posting of the meeting notice.

**CERTIFICATION OF POSTING OF NOTICE MARCH 2, 2010  
REGULAR MEETING OF THE DALLAS COUNTY COMMUNITY  
COLLEGE DISTRICT AND RICHLAND COLLEGIATE HIGH SCHOOLS  
BOARD OF TRUSTEES**

I, Wright L. Lassiter, Jr., Secretary of the Board of Trustees of the Dallas County Community College District, do certify that a copy of this notice was posted on the 25<sup>th</sup> day of February, 2010, in a place convenient to the public in the District Office Administration Building, and a copy of this notice was provided on the 25<sup>th</sup> day of February, 2010, to John F. Warren, County Clerk of Dallas County, Texas, and the notice was posted on the bulletin board at the George Allen Sr. Courts Building, all as required by the Texas Government Code, §551.054.

A handwritten signature in blue ink, appearing to read 'Wright L. Lassiter, Jr.', is written over a horizontal line.

Wright L. Lassiter, Jr., Secretary

### **Citizens Desiring to Address the Board Regarding Agenda Items**

There were no citizens desiring to address the board regarding agenda items.

### **Enrollment, Budget, and Related Operational Updates about Richland Collegiate High School of Mathematics, Science, and Engineering (opened Fall 2006) and Planning Update about Richland Collegiate High School for Visual, Performing and Digital Arts (opening Fall 2010) – Dr. Kathryn Eggleston, acting superintendent**

Dr. Eggleston provided a status report about RCHS of Mathematics, Science, and Engineering and a planning update about the RCHS for Visual, Performing and Digital Arts.

### **Special Presentation about Student Athletes and Success in College – Dr. Andrew Jones, executive vice chancellor of educational affairs**

Dr. Andrew Jones introduced college athletic directors and athletes and provided information about DCCCD athletes' success in the classroom.

### **Opportunity for Chancellor and Board Members to Declare Conflicts of Interest Specific to this Agenda**

Mr. Ferguson declared a conflict of interest.

### **Consideration of Bids**

Ms. Compton moved and Vice Chair Flores seconded a motion to approve all bids, except agenda item #7, to be considered separately, in the Consideration of Bids section of the agenda. Motion passed. (See March 2, 2010, Board Meeting, Consideration of Bids, Agenda Items #1-8, minus agenda item #7, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

Vice Chair Flores moved and Ms. Compton seconded a motion to approve agenda item #7 in the Consideration of Bids section of the agenda. Mr. Ferguson abstained. Motion passed. (See March 2, 2010, Board Meeting, Consideration of Bids, Agenda Item #7, which is made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Consent Agenda**

Vice Chair Flores read the following statement to the Board and asked that it be written into the minutes of the meeting:

“Remarks for the Record on Agenda Item VII-10, Approval of Minutes of the February 2, 2010 Regular Meeting

“Informative Reports

“I make the following clarifications, for the record, regarding the summary of my remarks made at the February 2010 Board meeting on Informative Report No. 34:

1. They are not verbatim comments. When I made the comments for the record, I thought that we were still recording our meetings and that my verbatim comments would be taken from the audiotape recording. I have since learned that that is not the case. My remarks, as recorded in the Minutes, were taken from handwritten notes and are not verbatim.
2. My comments were as to the agreement we have with the three chambers of commerce – the Greater Asian American Chamber of Commerce, the Black Chamber of Commerce and the Greater Dallas Hispanic Chamber of Commerce. My comments were not specifically and only as to the GDHCC. Summary remarks in the Minutes state: ‘...the she is an employee of the Greater Dallas Hispanic Chamber of Commerce, that numbers for the Chamber have been decreasing although the Chamber has not been decreasing its efforts, that she wondered if the Black Chamber has decreased its efforts...’
  - Clarification specifically of the above summary remark in quotes: Informative Report No. 34 of the February 2010 Board agenda reflects that M/WBE contracts for goods and services for Hispanic businesses is 9.6% for September 2009 as compared to 11.4% for September 2008. In my opinion, that is not a significant decrease. However, M/WBE contracts for African American businesses for September 2009 is 2.6% as compared to September 2008 at 22.2%; to me, that is a significant decrease. The decrease I referred to was as to the Black Chamber of Commerce, not as to the GDHCC as written in the Minutes of the February 2010 DCCCD Board meeting. I stated that I did not know if this was a trend yet, but that I had a concern that there was such a large decrease in the numbers for the Black Chamber of Commerce because of the decrease in the amount of the Tri-Chamber agreement from 2008 to 2009. I did state that while there was a decrease in the amount from DCCCD to the chambers, there had been no corresponding decrease of effort by GDHCC in outreach and information to members about contract opportunities with the DCCCD.
3. For the reasons stated above and also to remove any shadow or hint of conflict of interest, I retract my statements regarding the Tri-

Chamber agreement only as they relate to the GDHCC. My concerns remain as to the effect the termination of the Tri-Chamber agreement will have on outreach and dissemination of information about DCCCD procurement processes and opportunities among membership of the Greater Asian American Chamber of Commerce and the Black Chamber of Commerce.”

Mr. Ferguson moved and Ms. Compton seconded a motion to approve all recommendations in the Consent Agenda, except agenda items #15 and 16, to be considered separately. Motion passed. (See March 2, 2010, Board Meeting, Consent Agenda, Agenda Items #9-19, minus agenda items #15 and 16, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

Ms. Compton moved and Mr. Ferguson seconded a motion to approve agenda item #15 in the Consent Agenda. Motion failed. (See March 2, 2010, Board Meeting, Consent Agenda, Agenda Item #15, which is made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

Ms. Compton moved and Vice Chair Flores seconded a motion to table and present at the April board meeting agenda item #16 in the Consent Agenda. Motion failed. Ms. Compton moved and Vice Chair Flores seconded a motion to table and present at the April board meeting agenda item #16 in the Consent Agenda. Motion passed. (See March 2, 2010, Board Meeting, Consent Agenda, Agenda Item #16, which is made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Individual Items**

Ms. Compton moved and Vice Chair Flores seconded a motion to approve all recommendations in the Individual Items section of the agenda. Motion passed. (See March 2, 2010, Board Meeting, Individual Items, Agenda Items #20-22, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Informative Reports**

(See March 2, 2010, Board Meeting, Informative Reports, Agenda Items #23-38, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Questions/Comments from the Board and Chancellor**

Concerning Agenda Item #39, Vice Chair Flores read the following statement to the Board and asked that it be written into the minutes of the meeting:

“Remarks for March 2, 2010 Board Meeting on Item X:  
Questions/Comments from the Board and Chancellor

“The issue of conflict of interest has arisen because of comments I made at the February 2010 Board meeting regarding the Tri-Chamber agreement that the DCCCD has with three ethnic chambers in the greater Dallas area.

“I want to clarify, for the record, that I did not begin advocating for increased diversity at all levels of the institution – students, staff, procurement – at the point when I became an employee of the Greater Dallas Hispanic Chamber of Commerce. I have stated publicly, more than once, that one of the main reasons I ran for the Board was because, as an employee of the DCCCD, I felt that our institution did not have a true commitment to diversity and its importance to the institution, to our students, and to our constituents/taxpayers. Since day one, I have advocated for and will continue to advocate for increased diversity at all levels of our institution, and there is ample record to support that.

“However, to make sure that I stay on the correct side of the conflict of interest statutes in the state of Texas, I would like clarification from legal counsel:

- In a conversation I had with Robert Young yesterday (301010) questioning him on whether my remarks were a conflict of interest, he stated that they were not legally a conflict of interest, but that they could be seen as poor form because of my employment with the Greater Dallas Hispanic Chamber of Commerce. In other words, I can discuss the matter, but I cannot vote on the matter.
- In subsequent consultation with outside legal counsel, I was informed that the conflict of interest statute prohibited participation in either discussion or voting on an item that presented a conflict of interest, that one should not even be present when the discussion was being held. However, a recent opinion by the Attorney General holds that one can be present in a discussion but not participate in such. In other words, that while I can be present, I can neither discuss nor vote on the matter.
- I ask for a clarification from our legal counsel so that I know, without any doubt or question, how I may proceed, within legal bounds, as regards these matters.

“I also respectfully request that, in the future, when there is to be a change on an item that has held particular interest for Board members, that we be informed *before* steps are taken to institute that change. I cannot fathom,

for example, that any change would be made to terminate the agreement that we have with the Garland Chamber of Commerce without first informing our Board Chair and the Board as a matter of course. However, in regard to the Tri-Chamber agreement, steps were taken to terminate that agreement without first informing the Board. In my opinion, the manner in which this has been handled has been disrespectful to those of us who hold a particular interest and focus on diversity issues.”

(See March 2, 2010, Board Meeting, Questions/Comments from the Board and Chancellor, Agenda Item #39, which is made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Citizens Desiring to Appear Before the Board**

Mr. Ray Whisenhunt, student and veteran, presented a petition requesting the DCCCD Board of Trustees to increase staffing to support veterans. Mr. Prater referred the matter to Chancellor Lassiter, and Trustee Boyle asked that administration respond to Mr. Whisenhunt within two weeks. Trustee Compton asked to be informed of the number of veterans enrolled.

### **Executive Session**

There was no executive session.

### **Adjournment**

Ms. Compton moved and Vice Chair Flores seconded a motion to adjourn the meeting. Motion passed. Board Chair Prater adjourned the meeting at 5:37 PM.

Approved:

A handwritten signature in blue ink, appearing to read 'Wright L. Lassiter, Jr.', written over a horizontal line.

Wright L. Lassiter, Jr., Secretary