



Office of the President  
Willis Holcombe Center  
Phone 954-201-7401  
Fax 954-201-7357

[www.broward.edu](http://www.broward.edu)

**BROWARD  
COLLEGE**

Define yourself.

To: Members of the Board of Trustees

From: J. David Armstrong Jr., President

Date: December 1, 2009

Place: Regular Meeting of the Board of Trustees  
Broward College  
Boardroom 1208, Building 33, Willis Holcombe Center  
111 East Las Olas Boulevard  
Fort Lauderdale, FL

Subject: Agenda Item III- Approval of Minutes

This item contains the minutes of the Regular Board meeting held on October 27, 2009.

RECOMMEND APPROVAL

THESE MINUTES ARE TENTATIVE AND WILL NOT BECOME OFFICIAL UNTIL APPROVED BY THE BOARD AT A SUBSEQUENT MEETING

**BROWARD COLLEGE**  
**Minutes of the Regular Meeting of the Board of Trustees**  
**October 27, 2009**

**PRELIMINARIES**

President Armstrong welcomed everyone to the October Board of Trustees meeting. Chair Guerin called upon Vice-Mayor Lisa Aaronson of the City of Coconut Creek to lead the Pledge of Allegiance. Vice President of Academic Affairs, Russ Adkins introduced the faculty in attendance. Vice President of Student Affairs, Angelia Millender introduced the students in attendance. Ms. Jillian Printz stated there were no members of the media present.

**RECOGNITION – MAYOR OF COCONUT CREEK**

President Armstrong called upon Dr. Barbara Bryan to come to the podium. Dr. Bryan recognized the guests from the City of Coconut Creek, including Mayor Marilyn Gerber, Vice-Mayor Lisa Aronson, City Commissioner Mikkie Belverdere and City Commissioner Becky Tooley. Dr. Bryan awarded a proclamation recognizing the City of Coconut Creek for being named the first in Florida to win the Audubon Green Community Award for its significant commitment to sustainability. Dr. Bryan also acknowledged Dr. Peggy Green for her work on sustainability issues and green initiatives. Mayor Gerber came to the podium and recognized the residents of The City of Coconut Creek and her staff and thanked the College for this honor. President Armstrong thanked the City of Coconut Creek and Dr. Peggy Green.

**RECOGNITION OF BLUE CROSS/BLUE SHIELD OF FLORIDA**

Ms. Nancy Botero came to the podium. Ms. Botero spoke about the spirit of collaboration between the private sector, education and non-profit organizations to create a program that will significantly impact the community. Ms. Botero introduced Dr. Lourdes Oroza, Provost of South Campus, to the podium to acknowledge the guests. Dr. Oroza stated that the College has been fortunate to have the opportunity to create a partnership between Broward College, Blue Cross/Blue Shield of Florida and Hispanic Unity. Blue Cross/Blue Shield of Florida has supported scholarships for our nursing students and has demonstrated their commitment to the nursing profession through their generous support. Dr. Oroza introduced Susan B. Towler, Vice President, Community Affairs - Public Affairs Group; BCBSF Executive Director, The Blue Foundation for a Healthy Florida, Inc.; Martha de la Pena Rojas, Senior Manager, Market Development SFL- BCBSF Miami office and Josie Bacallao, President and CEO, Hispanic Unity of Florida. Dr. Oroza acknowledged the Broward College Foundation for serving as the fiscal agent and thanked Ellyn Drotzer, Director of Grants Development for writing the grant and developing the project. Ms. Josie Bacallao came to the podium and thanked the Board of Trustees and BCBSF and gave a short overview of Hispanic Unity. Ms. Botero presented the check for \$150,000.

AGENDA ITEM III

DEC 1 2009

President Armstrong stated that for the second time, Broward College has been named The Local Corporation of the Year by the Southern Florida Minority Supplier Development Council. It is the highest award presented to a local or regional member of the Council and recipients of the award consistently demonstrate a commitment to minority purchasing, technical and managerial assistance in the sponsorship of minority programs. President Armstrong congratulated Alex Denis and his staff. This year Alex Denis and his staff were recognized for providing technical assistance and workshops to develop relationships with minority vendors in our community. President Armstrong presented the award for this honor.

## **RETIREMENTS**

Dr. Lois Bolton came to the podium to recognize Professor Arnold Waldman. Dr. Bolton spoke about Professor Waldman's 43 year career at the College, including the distinction of being the first person to receive the Professor of the Year Award at the Downtown Center. Dr. Bolton acknowledged the many accomplishments of Professor Waldman and thanked him for his years of dedicated service to the students and the College. President Armstrong presented Professor Waldman with a plaque. Professor Waldman thanked the President and the Board.

### **I. MEETING CALLED TO ORDER**

The regular meeting of the Board of Trustees of Broward College was called to order at 1:30 p.m. on Tuesday, October 22, 2009 by Chair Sean Guerin at the Willis Holcombe Center, Boardroom #1208, 111 East Las Olas Boulevard, Fort Lauderdale, Florida. In attendance were Chair Sean Guerin, Trustee Paul Tanner, Vice-Chair Georgette Sosa-Douglass, Trustee Levi Williams, Trustee Sean Alveshire, College Attorney Fernander and President Armstrong.

### **II. APPROVAL OF AGENDA AND ACKNOWLEDGMENT OF PUBLIC NOTICE**

A motion was made and seconded by Ms. Douglass/Mr. Tanner to accept and approve the Agenda and Public Notice of the Regular Meeting of the Board of Trustees held on October 27, 2009 and it passed unanimously.

### **III. APPROVAL OF MINUTES**

A motion was made and seconded by Ms. Douglass/Mr. Tanner to approve the Minutes of the Board of Trustees meeting of September 22, 2009 and it passed unanimously.

### **IV. OLD BUSINESS – None.**

### **V. CONSENT AGENDA ITEMS**

- A. Human Resources
  - 1. Employment of full-time and part-time Personnel (**Pulled –Mr. Williams**)
  - 2. Resignation and Termination of Personnel
- B. Purchasing
  - 1. Disposal of property – Authorize disposal, donation or sale by bid of surplus property assets (None)

AGENDA ITEM III

DEC 1 2009

## C. Contracts

1. General (None)
2. Construction/Facilities (None)
3. Summary of Economic Development Contracts
4. Summary of Rentals of Bailey Hall/Omni
5. Summary of Student Life Contracts
6. Summary of Consultants/Performances Contracts
7. Summary of Health Science Affiliation **Agreements (Pulled by Ms. Douglass) (Mr. Fernander removed V-C-7-b and pulled V-C-7-a)**
8. Summary of Articulation Agreements (None)
9. Ratification of Previously Approved Contracts **(Pulled by Mr. Williams)**

D. Student Receivable Debt Reduction (None)

E. Budget Amendments – **President Armstrong removed these items from the agenda.**

## F. Warrants

1. July 2009 warrants for payroll and accounts payable expenditures **(Pulled by Ms. Douglass)**

## G. Curriculum Committee Recommendations

1. New Courses for BAS Degree in Supervision & Management
2. New Baccalaureate Program – Bachelors of Applied Science Degree in Supervision & Management

## H. Donations – (None)

A motion was made and seconded by Mr. Williams/Ms. Douglass to remove from the consent agenda Item V-E-1 & 2, and it passed unanimously. Ms. Douglass indicated she did not have the following items in her board packet: Action Items VII-I, VII-J, VII-K, VII-L – 1, 2 & 3. Mr. Fernander stated that only Item VII-J will be moving forward.

A motion was made and seconded by Ms. Douglass/Mr. Tanner to remove Item V-C-7-b from the agenda and to pull V-C-7-a for discussion and it passed unanimously.

A motion was made and seconded by Mr. Tanner/Ms. Douglass to approve the items not pulled from the Consent Agenda, and it passed unanimously.

**VI. ITEMS REMOVED FROM CONSENT AGENDA**

Item V-A-1 – Human Resources – A motion was made by Ms. Douglass/Mr. Tanner to move this item for discussion. Mr. Williams abstained from voting on this item as his sister's name was on the list.

Item V-C-7-a – Martin Memorial – Mr. Fernander wanted to add the condition that the affiliate will enter into a third-party FERPA agreement and recommended the approval with this condition. A motion was made and seconded by Mr. Tanner/Ms. Douglass to approve this item and it passed unanimously.

AGENDA ITEM III

DEC 1 2009

Item V-C-9-a & b – Gasoline/Diesel for College Vehicles- Mr. Williams asked where the gasoline/diesel fuel was purchased. Mr. Denis advised this item was purchased in conjunction with the Broward County Governmental Co-op. The figure should be reflected to read \$125,000 not \$125.00 for regular fuel and \$25,000 for diesel. Mr. Williams asked about the item Useable Net. Vice-President Barney stated this was a technology that gives us two components for our web-site for ADA assistance for people with disabilities and for mobile phone applications. Discussion ensued regarding implementing Useable Net for emergency notification. Ms. Barney stated she would look into this option. Ms. Douglass requested that in the future, additional information be added under Item V-C-9 to include originator and a more detailed explanation/description.

Item V-F-Warrants – Mr. Pennell stated that this was a very busy month for expenditures paid by the College. Payments for the August book purchases was over \$2.9 million on single check vendor payments over \$100,000 each; construction projects had over \$1.0 million for payments over \$100,000 and student financial aid and refund check payments were \$17,321,890. These three items were the single largest reasons why the September warrants were so much higher than other more normal months. Mr. Williams stated that one of the reports that the Board received in the past was the amount sent back for scholarships, grants, etc. President Armstrong verified this was the amount sent back to students after the expenses for the College had been taken out. Discussion ensued regarding funds expended for book purchases, including a 100 % return policy and the new parking garage. Ms. Douglass requested that in the future all back up information and a narrative should be included.

A motion was made and seconded by Ms. Douglass/Mr. Tanner to approve this item and it passed unanimously.

Item G-2-New Baccalaureate Program-Bachelor of Applied Science Degree in Supervision and Management – President Armstrong stated we have started advertising the new B.A.S. Degree in Supervision and Management which will commence in January and have received over 100 applicants for the courses. Dr. Barbara Bryan came to the podium and spoke about the mailer campaign and stated there were over 1300 hits on the website. Dr. Bryan stated that more clusters were planned as there was an expectation of approximately 200 students in January. Discussion ensued regarding admission and degree requirements and the sustainability of the courses and program.

A motion was made and seconded by Ms. Douglass/Mr. Tanner to approve this item and it passed unanimously. The Board of Trustees acknowledged the entire team.

The meeting was recessed at 2:00 p.m. and reconvened at 2:15 p.m.

AGENDA ITEM III

A motion was made and seconded by Mr. Tanner/Mr. Williams to move Item VIII-College Presentation up on the agenda.

DEC 1 2009

**Item VIII-College Presentation-One Broward Consortium**

ENCLOSURE \_\_\_\_\_

The One Broward Consortium is a collaboration between the community's higher education institutions, human services agencies, local government, The School Board of Broward County, Florida and the pursuit of federal stimulus dollars specifically designed to facilitate the expansion of broadband infrastructure projects that would spur job creation and stimulate long-term economic growth and opportunity. Vice President Patti Barney came to the podium and

introduced the guests in attendance. The One Broward Network consists of eight consortium partners, including Broward College, Broward County Government, Broward County Public Schools, Broward County Sheriff's Office, Broward Health, Florida Atlantic University, Memorial Healthcare Systems and Nova Southeastern University. Ms. Barney spoke about the mission and vision of the One Broward Network. Mr. Scott Ritchie came to the podium to speak about the map of the proposed Fiber Optic Network which includes 300 anchor sites. Ms. Barney spoke about the county-wide, multi-faceted, integrated network initiative; projected benefits for education and the economic benefits of expanded broadband. This will change how we deliver services to our community through reduced costs and increased quality, as well as providing digital inclusion by connecting the most underserved areas of Broward County. Dr. Phyllis Schiffer-Simon was called to the podium. Discussion ensued regarding details of broadband service connection, capacity issues, cost savings and explanation of the two grants which have been applied for.

Ms. Schiffer-Simon stated we will work towards digital inclusion, improved safety and security, cost savings and increased capacity. The College is paying a large amount to commercial providers and by having our own network, it will enable the College to share existing resources, leverage assets and provide connectivity. This will not be a commercial network. Mr. Williams asked how we know that it will not be a commercial network. Mr. Williams stated that the School Board has not been very good at cost savings when it comes to technology and his antenna goes up when he hears about future for-profit use of this technology. Mr. Williams does not want to be a part of something in five years that becomes a for-profit entity based on not-for-profit money. Ms. Schiffer-Simon responded that this is a not-for-profit organization. Once the network is in place and there is access throughout Broward County, the other potential subscribers to the network are other not-for-profit organizations. We are not competing with commercial providers to sell broadband access to the residents of Broward County, only to provide inclusion to those who do not have broadband. Mr. Williams asked who will have ownership interest in the infrastructure. Dr. Schiffer-Simon indicated after the agreement is signed, which is expected within the next 60 days, each entity will have an equal one-eighth interest. Mr. Williams and Ms. Douglass stated they expect the contract to accurately reflect this information. Mr. Williams asked if the usage of this network was for governmental resource access. Dr. Schiffer-Simon stated it was for use by the eight entities and other not-for-profits who subscribe to this network. The average cost savings is about 50% which is achieved by using a shared-owned-managed network. Mr. Williams asked if the internet can be accessed. Broward College students who do not have internet access would be able to connect to College resources as well as internet. Mr. Williams asked if the usage increases the load capacity on our network. Dr. Schiffer-Simon stated it would be very minimal. Only our students would access the internet through OneBroward and will be able to access courses, e-mails, etc.

Mr. Williams stated that allocation of resources and assets for the best interest of the community is always good, but we have to know what we are doing. Preservation of our autonomy to the extent that the vision/mission of this entity exists because we did not develop our own network for no reason; we did develop it for an opportunity should commercial usage be needed against our network. Mr. Williams wanted to make sure that is also very clearly defined in the contract.

Mr. Tanner congratulated Ms. Barney and all those involved in the project. Ms. Barney introduced her Competitive Edge Student, Sean Delima.

AGENDA ITEM III

DEC 1 2009

ENCLOSURE \_\_\_\_\_

5

**ACTION ITEMS**

**Item VII – A – Architectural Services, Marine Technology Center** – This is a recommendation from the selection committee recommending Cartaya & Associates for architectural services for the Marine Technology Center. A motion was made and seconded by Mr. Williams/Ms. Douglass to move this item for discussion. Mr. Williams indicated that his green sheet stated that this was a recommendation for Peterson, Porras and Acai. President Armstrong stated the green sheet insert included in the packet provided to two trustees regarding this item was incorrect. The correct one should read *Marine Technology Center/Cartaya & Associates*. Mr. Fernander stated the agenda was correct. Mr. Fernander indicated that Item VII-L has been pulled. A motion was made and seconded by Mr. Williams/Ms. Douglass to amend and correct the green sheet for the two board members and preserve both green sheets in the record.

A motion was made and seconded by Mr. Williams/Ms. Douglass to approve this item and it passed unanimously.

**Item VII – B – University/College Library** – This item is the new contract/annual budget for the partnership library with FAU on Central Campus. A motion was made and seconded by Ms. Douglass/Mr. Williams to approve this item and it passed unanimously.

**Item VII-C- Broward College Five Year Equity Plan Update** – This item outlined the demographic make-up of the College's workforce, as well as the goals established by the Board in 2005 for remedying any under-representation. Dr. Edna Chun came to the podium and referred to a handout which indicated some of the accomplishments in diversity and equity over this past year. The College has been recognized by the Florida Department of Education through our Annual Equity Report for the outstanding work in diversity. The College has instituted a number of new programs, such as the Language of Inclusion Day. The Affirmative Action Plan which began three years ago has been refined at the level of disciplinary review at the campus level. Discussion ensued and Dr. Chun further explained the Affirmative Action Plan. A new temporary pool has been created with 1,000 employees and the College has been able to eliminate Manpower and Kelley Services. Dr. Chun talked about the initiation of a new Intergroup Dialogue Program through collaboration between the Equity Committee and Human Resources. The College will have the second Language of Inclusion Day in February 2010. Dr. Chun stated a policy has been developed for diversity inclusive excellence that was approved by the Board. President Armstrong stated we are continuing to move towards our goals. Mr. Williams asked if the Board should consider whether the College ought to move toward another five-year plan. Discussion ensued regarding diversity goals to hire more Hispanics for faculty and administration positions. Administration: Goal – 28; Actual- 22; PTS: Goal-153; Actual-145; Faculty: Central Campus-14% Hispanic; 10% at North Campus; 23% at South Campus. Ms. Douglass stated that it would be helpful to receive not only percentage for hiring, but to receive the salary information as well. Dr. Chun stated that the goals have to be set for the next five years. Discussion ensued regarding student demographics and Broward County demographics regarding the development of new five year goals. President Armstrong stated that the data should be analyzed and brought back to the Board with recommendations. Ms. Douglass asked when that would occur and Dr. Chun stated it should be accomplished by the next Board meeting. Discussion ensued regarding "not-reported" numbers.

A motion was made and seconded by Mr. Williams/Mr. Tanner to approve this item and it passed unanimously. Ms. Douglass congratulated Dr. Chun on all her initiatives.

AGENDA ITEM III

DEC 1 2009

**Item VII – TRS – Total Rewards Strategy** – President Armstrong indicated this item was the presentation of the substance of the study and requested the Board to approve so that the college can continue to move forward in addressing the Total Rewards Strategy. A motion was made and seconded by Mr. Tanner/Mr. Williams to approve this item and it passed unanimously.

**Item VII – E - Roofing Contractor Services** - The recommendation was for Advanced Roofing. A motion was made and seconded by Ms. Douglass/Mr. Tanner to move this item for discussion. Mr. Williams reminded the Board members that there was a prior discussion with Mr. Pennell regarding the dollar amount that the Board grants facilities and the amount was brought down to a \$250,000 threshold. Ms. Douglass stated there is a concern regarding the threshold amount increase and having items come to the Board for approval. Mr. Williams asked Mr. Pennell about the amount to be spent by facilities. Mr. Pennell stated that there are items that are over \$2 million dollars to be funded over multiple years. Mr. Williams asked how these funds will be allocated between the two firms. Mr. Pennell stated that the funds will be allocated to a primary vendor and then to the alternate vendor. Francisco Hoyos stated a roofing survey has been completed indicating a need for re-roofing in the amount of about \$2.5 million dollars and maintenance and repairs in the amount of \$300,000. Discussion ensued regarding allocation of the work between the primary and alternate roofing company and reference was made to the attached memorandum. Mr. Williams asked about the policy in place to deal with a primary and alternate vendor. Mr. Fernander stated the procurement policies would be in effect. Mr. Williams asked about the specific policy regarding this issue and said we do not have any policies from procurement as of this date. Ms. Douglass stated the Board has been asking Mr. Pennell for his facilities and procurement policies for approximately one year. Mr. Pennell confirmed this fact. Mr. Fernander said it was his recollection regarding contracts from \$0-\$1 million, where there are multiple vendors who are awarded contracts, the Board would receive a report showing how the money was being disbursed. It is up to the discretion of the Board to accept or deny these types of contracts. Ms. Douglass asked if Mr. Fernander sees the RFPs before they go out. Mr. Fernander stated he did not. President Armstrong stated we would bring the policies to the Board next month.

A motion was made and seconded by Mr. Williams/Ms. Douglass to reaffirm that the \$250,000 threshold is on all shared services contracts and once the \$250,000 threshold has been met, the contract will come back to the Board for approval for any additional expended funds. Discussion ensued regarding the difficulty in implementation of this process, allocation of funds and feasibility of tracking spending. Ms. Douglass asked Mr. Denis about the new software. Mr. Denis explained the software was being implemented in four phases and described the process in more detail. President Armstrong indicated there would be a workshop before the next Board meeting with Miller3. Mr. Williams withdrew his motion. A motion was made and seconded by Mr. Williams/Mr. Tanner to approve this item with the caveat that policies and procedures will be forthcoming and was passed unanimously.

**Item VII – F – Environmental Engineering Services** – A motion was made and seconded by Ms. Douglass/Mr. Williams to move this item for discussion. Francisco Hoyos explained that environmental engineers deal with asbestos matters, indoor air quality issues, disposal of lead on firing ranges, etc. Discussion ensued regarding engineers on the College facility staff and the allocation of work. A motion was made and seconded by Ms. Douglass/Mr. Williams to approve this item and it passed unanimously.

AGENDA ITEM III

DEC 1 2009

ENCLOSURE \_\_\_\_\_

Ms. Douglass requested that Mr. Pennell provide copies of the contracts and RFPs for the garbage and recycling that are currently in effect and copies of the last contracts and RFPs prior to those entered into in 2009 prior to the next board meeting.

**Item VII – G – Collegewide Furniture Purchases** – PULLED.

**Item VII – H – Amendment to Fort Lauderdale Parking Agreement** - This item represented an amendment to the parking agreement between Broward College and the City of Fort Lauderdale to allow Broward College to lease an additional 94 parking spaces. A motion was made and seconded by Ms. Douglass/Mr. Tanner to approve this item and it passed unanimously.

**Item VII – I – Banking Services** – PULLED

**Item VII – J – Williams Scotsman, Inc.**

This item represented a follow up on the portables/trailers/relocatables. Mr. Fernander has been working with all the campus Business Deans and will suggest some conditions in order to approve this item. A motion was made and seconded by Ms. Douglass/Mr. Tanner to move this item for discussion. Mr. Fernander stated that we had our architectural engineer conduct inspections of all of the portables to determine condition and compile a list of necessary repairs. The list was broken down into work to be performed by the College and work to be performed by Williams Scotsman. Williams Scotsman indicated they do not think they are responsible for some of the work. Mr. Fernander recommended this item for approval subject to the condition that any work determined to be the responsibility of Williams Scotsman be completed. Discussion ensued on determination of who prepared the site for the trailers and the discrepancy in the figures on the lease extensions. Mr. Fernander will review the original RFP and the original contract to determine whether or not it allows for Williams Scotsman to increase the rates. Ms. Douglass asked why no contracts were submitted to the Board subsequent to the date when the original leases were signed in 1997. Mr. Fernander stated that prior to 2008, this matter was being handled through purchase orders outside of the contractual process. Discussion ensued regarding the process of lease review by the Board. Mr. Fernander could not speak as to what transpired prior to this matter coming to his attention. Ms. Douglass stated that the Board may have some undisclosed potential liability and asked the President and Mr. Fernander to address this issue and advise the Board immediately. Ms. Douglass asked about audits of public funds. Discussion ensued regarding auditing and compliance issues (including a determination of who signed the checks), policy issues and liability issues. Ms. Douglass suggested that the Board meet with legal counsel and the President to discuss this issue.

Ms. Douglass stated she just returned from the ACCT Conference and Broward College is the only college that does not have an auditor. Ms. Douglass recommended that the Board and the President consider whether or not this particular instance has exhibited the immediate need for consideration of hiring an auditor. President Armstrong stated that he will meet with Mr. Fernander to review these issues and come back to the Board with their recommendations. President Armstrong asked the Board to consider approval of this item as these trailers are being used for classrooms. Ms. Douglass asked about the College's liability due to the fact that the trailers are 13 years old. President Armstrong stated that annual inspections have been conducted. Mr. Fernander stated South campus is requesting an extension until June 30, 2010 and Central campus is requesting an extension until 2014 or until the renovation of Building 22 is completed. Ms. Douglass stated that Mr. Tanner had suggested that the College look into renting space. President Armstrong stated with our high enrollment, every facility is being maximized. Ms. Douglass asked if the Board's vote would give authority to enter into a binding contract. Mr.

AGENDA ITEM III

Fernander stated that was the case with any imposed conditions. Mr. Fernander stated he first received knowledge in October 2008 when he was notified that procurement would not sign off on this item. In July of 2009, Mr. Fernander received the lease extension and original leases were received in September of 2009. Mr. Fernander has reviewed terms and conditions of the original lease. Discussion ensued regarding binding authority, reasonable diligence of the Board and time frame for renewal of this item. Ms. Douglass asked if this will all be part of the policy regarding purchasing/procurement, and if an audit system was in place to verify and identify persons who are signing checks. Ms. Douglass also indicated we are the only College that does not have a finance committee. President Armstrong stated that these policies will be brought to the next Board meeting and will meet with Attorney Fernander to bring to the Board recommendations addressing these kinds of practices. President Armstrong stated the new Master Plan will assist the College in developing the longer term solutions to address these issues. Ms. Douglass stated that if she were to support this approval, it would be no longer than until June 30, 2010. Ms. Douglass stated that the responsible parties should look at leasing additional classroom space to eliminate potential liability. The current recommendation is to extend the lease for the 13 units on South campus through June 30, 2010 and for the four existing units on Central campus to be extended until the renovation of Building 22 is completed, which is currently anticipated to be 2014.

A motion was made and seconded by Ms. Douglass/Mr. Tanner to approve this item with a recommendation to bring this item back within six months prior to June 30, 2010 for Board discussion and further recommendations and it passed unanimously. Ms. Douglass requested a verbatim transcript of this item.

#### VIII . COLLEGE PRESENTATION – Presented at beginning of meeting.

#### IX. INFORMATION ITEMS

- A. **Project Status Report** – President Armstrong discussed the status of all collegewide projects.
- B. **Information Items- C. President's Report** - President Armstrong discussed the follow up items including the ADA Status Report, Museum Collection, MWBE Minority Report, Fixed Assets Report, Update on Wireless Network, newspaper articles and ~~Good News~~ **AGENDA ITEM III** Articles.
- C. **Board Comments**

DEC 1 2009

Mr. Williams stated that anything dealing with SACS should be on the Action Item agenda. **ENCLOSURE** \_\_\_\_\_  
 President Armstrong stated all the SACS reports are posted on the web.

Mr. Williams asked about the memorandum on the maintenance agreements. Mr. Pennell stated this was a listing of all the maintenance agreements which has been run from the finance data base and totals the sum of \$4,118,000. Mr. Williams asked about verification of each contract being matched to a product or service. There is no system in place to track the maintenance agreements. Alex Denis stated there is a contract management module which will act as a contract depository and will have workflow built in.

President Armstrong stated that he was working with Mr. Fernander to get a response from the School Board regarding the tower on North Campus. President Armstrong has spoken directly with Superintendent Notter and requested that they provide us with a sign-off to be

able to move forward. Mr. Fernander stated the School Board is requesting permission to place items on the new tower, and in exchange they would participate in some of the maintenance costs of the tower. Mr. Fernander stated we would pay a maintenance company annually and the School Board would pick up a part of that cost. It is our position that we own the tower; however, there is a restriction in the warranty deed that we are required to have the consent of the School Board to demolish the tower. Discussion ensued regarding the safety and liability issues, reasonable refusal of the School Board, the mediation process and possible institution of legal action. Mr. Guerin stated he did not want to sue the School Board of Broward County and would like to attempt settlement to avoid litigation. Mr. Tanner stated there is a public safety issue. A motion was made and seconded by Mr. Tanner/Ms. Douglass to remove the tower within thirty (30) days. Mr. Tanner, Mr. Williams, Ms. Douglass and Mr. Alveshire voted in favor. Mr. Guerin voted against. Mr. Fernander was directed to give immediate notice to the School Board of Broward County.

Ms. Douglass confirmed that Miller<sup>3</sup> will come before the Board at the December 1, 2009 meeting.

Ms. Douglass thanked the President for supporting the sustainability policy initiatives and thanked Alex Denis for working closely with the President on getting these policies to the Board. Ms. Douglass asked Mr. Denis to prepare an update every month on the status of the process.

Ms. Douglass requested that the ethics policy be presented at the next board agenda.

Ms. Douglass requested that Mr. Pennell provide, prior to the next board meeting, copies of the RFPs and contracts (the prior contract that has expired and been renewed), regarding garbage and recycling.

Mr. Douglass asked about her request for a 60-day update regarding Henderson Mental Health Center. Mr. Fernander stated that the contract has been reviewed and revised and VicePresident Millender and Neil Cohen are still negotiating this contract.

Ms. Douglass asked for the status of the contracts for security and police. Mr. Fernander stated that this is currently going out for immediate RFP for security for the North and South campus. Central campus is currently under an affiliation agreement with the Town of Davie which was approved in June 2009. President Armstrong stated a report from the consultants regarding security will come to the Board shortly.

Ms. Douglass presented a Freedom of Information Request to the Chair of the Board and a copy to President Armstrong. Ms. Douglass stated she has served on the Board for more than ten years and under three Presidents, and has never had to do something like this. Ms. Douglass has been requesting Mr. Pennell for over six months to provide her with information. Mr. Pennell has refused to provide the information. The information contained in the Freedom of Information Request is more extensive than the information she had originally requested from Mr. Pennell. Discussion ensued concerning a prior situation regarding Miami-Dade School Board and the law being clear in the State of Florida that if a board member requests information from an employee of an agency, the board member is entitled to receive that information. Ms. Douglass thanked President Armstrong for his strong support and thanked Mr. Fernander and Mr. Denis for their diligence.

**AGENDA ITEM** 

DEC 1 2009

Mr. Guerin asked about the response time. Mr. Fernander stated there was a reasonable time line to respond depending on the request, but the information from facilities should be available within the next three weeks. Ms. Douglass suggested that if any board members are interested, a place should be designated at the College for review of the items.

Mr. Williams is looking forward to review of the procurement/purchasing policies and Miller3. Mr. Williams thanked everyone for all their hard work. Mr. Williams thanked the President for an excellent job.

Ms. Douglass wished Mr. Williams a Happy Birthday.

Mr. Guerin spoke about the Seahawks Baseball Team event and the Blue-Gray Challenge.

**X. ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at 4:45 p.m.

*1st semester*

---

J. David Armstrong, Jr.  
President, Broward College

---

Sean Guerin  
Chair, Board of Trustees

AGENDA ITEM 111

DEC 1 2009

ENCLOSURE \_\_\_\_\_