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BROWARD COLLEGE

Define yourself.

To: Members of the Board of Trustees

From: J. David Armstrong Jr., President

Date: February 23, 2010

Place: Regular Meeting of the Board of Trustees
Broward College
North Campus, Bldg. 46/Room 152
1000 Coconut Creek Boulevard
Coconut Creek, Florida

Subject: Agenda Item III- Approval of Minutes

This item contains the minutes of the Regular Board meeting held on January 26, 2010.

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
January 26, 2010

PRELIMINARIES

President Armstrong welcomed everyone to the December Board of Trustees meeting. Chair Guerin called upon Dr. Holcombe 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. President Armstrong called upon Neil Cohen to introduce the members of the Observer. The President thanked the attendees from the Observer.

RECOGNITION OF ROLAND MOORE (Michael Metcalf Scholarship)

President Armstrong called Nancy Botero to the podium. Ms. Botero acknowledged three individuals who have created a scholarship to benefit Broward College students. Mr. Roland Moore, an international aviation attorney and Executive Director of the ISTAT Foundation; Diana Metcalf, the major gift development officer for Junior Achievement (the scholarship being established is a tribute to her husband, Michael Metcalf, a leader in the aviation industry); and Ed Collins, a member of ISTAT and the founder and CEO of Complete Turbine Service. Ms. Botero recognized Mrudul Gupta, the recipient of the scholarship from ISTAT. Mr. Roland Moore spoke about the Michael Metcalf Scholarship and mentoring students. Ms. Gupta thanked the Board and the College for the scholarship.

A motion was made and seconded by Ms. Douglass/Mr. Williams to move Item VIII up on the agenda after the consent agenda and it passed unanimously.

I. MEETING CALLED TO ORDER

The regular meeting of the Board of Trustees of Broward College was called to order at 2:25 p.m. on Tuesday, January 25, 2010 by Chair Sean Guerin at the Judson A. Samuels South Campus, 7200 Pines Boulevard, Pembroke Pines, Florida. In attendance were Chair Sean Guerin, Vice-Chair Georgette Sosa-Douglass, Trustee Paul Tanner, 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 January 26, 2010 and it passed unanimously.

A motion was made by Ms. Douglass/Mr. Williams to move Item VIII-Presentation by Dr. Willis Holcombe up on the agenda.

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III. APPROVAL OF MINUTES

Ms. Douglass asked that language be added regarding her gratitude on behalf of the Board to Dr. Edna Chun for the excellent job on the TRS policies and the Equity Report. Dr. Chun has strongly supported the Board's diversity initiatives. A motion was made and seconded by Mr. Tanner/Mr. Williams to approve the Minutes of the Board of Trustees meeting of December 1, 2009 with amendments and it passed unanimously.

A motion was made and seconded by Ms. Douglas/Mr. Tanner to approve the minutes with revisions and it passed unanimously.

IV. OLD BUSINESS – None.

V. CONSENT AGENDA ITEMS

- A. Human Resources
 - 1. Employment of full-time and part-time Personnel
 - 2. Resignation and Termination of Personnel
- B. Purchasing
 - 1. Disposal of property – Authorize disposal, donation or sale by bid of surplus property assets (None)
- 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
 - 8. Summary of Articulation Agreements (None)
 - 9. Ratification of Previously Approved Contracts
- D. Student Receivable Debt Reduction (None)
- E. Budget Amendments – (None)- **Pulled/Mr. Williams**
- F. Warrants
 - 1. November & December warrants for payroll and accounts payable expenditures
- G. Curriculum Committee Recommendations – **Pulled/Mr. Williams**
 - 1. 2009 Course Termination List-**Pulled/Ms. Douglass**
 - 2. Multimedia Technology Program Revisions
 - 3. Multimedia Technology Revised and New Courses
 - 4. Visual and Performing Arts Department Course Revisions III

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H. Donations – (None)

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

VI. ITEMS REMOVED FROM CONSENT AGENDA

Item V-E-Budget Amendments - Mr. Williams asked why there were no budget amendments. President Armstrong stated there were a number of budget amendments at the last meeting and there would be more coming forward next month.

Item V-G-1-Terminated Courses, Various Disciplines – 159 Courses - Ms. Douglass requested description details of the course abbreviations. This has been provided and placed in the Trustees books. President Armstrong stated that regarding the course termination list, the State and the College both have policies requiring a review of course offerings on a periodic basis and any outdated courses should be deleted from the course schedule. Ms. Douglass asked about the deleted music courses. Vice President Adkins and Mr. Martin McClinton, District Director for Curriculum Services, came to the podium. It was determined that the music courses have not been deleted, but have been replaced with new courses. Mr. Williams wanted to be sure that determination of the deleted courses will not impact any student's migration through their studies at the College. Vice President Adkins stated it would not impact any student in that manner.

Item V-G-2-3 & 4 - Mr. Williams asked what consideration was taken in how these courses would impact our new Bachelor's program in technology. Vice-President Adkins stated these were free-standing courses which were very specific to digital media creation as opposed to technology management. Discussion ensued regarding articulation into the new Bachelor's Technology Program.

A motion was made and seconded by Ms. Douglass/Mr. Williams to approve the items pulled from the consent agenda and it passed unanimously.

VIII – College Presentation - Dr. Willis Holcombe came to the podium. Dr. Holcombe thanked President Armstrong for the invitation to the board meeting. Dr. Holcombe spoke about the goals to balance budgets, service students and address student and faculty concerns, all with limited resources. Dr. Holcombe discussed the challenges for the College and the college system with the current economic conditions. The Florida College System and Broward College will play a large role to get through these economic times. Dr. Holcombe stated that Florida follows students better than any state in the country and determining how the systems work. Dr. Holcombe spoke about One System-One College and presented data relating to Rate Attending Postsecondary in the Fall Following Graduation; Standard Diplomas To Postsecondary; Florida College Transfers and SUS Enrollment; Growth Rates for Broward College and the Rest of the State; Operating Funds Per FTE; FCS Baccalaureate Programs including specialized disciplines; Supply and Demand Math, Science and Exceptional Student Education and Targeted Degrees. The Board and the President thanked Dr. Holcombe for his leadership on the State level and the support for Broward College and the 27 other community colleges.

President Armstrong requested that the following items be moved up on the agenda:

VII-J-7 – Policy – Small Disadvantaged Business Program and VII-I-4 – Mad 4 Marketing. A motion was made and seconded by Mr. Tanner/Ms. Douglass to move these items up on the agenda.

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ACTION ITEMSENCLOSURE

Item VII-J-7 – Policy 6Hx2-6XX-New – Small Disadvantaged Business Program - Mr. Alex Denis introduced Ms. Sherry Williams of Miller3. A presentation was previously made at the December board meeting on the Small Disadvantaged Business Program. Human Resources is continuing to move forward with the portion regarding staff evaluation based on effort which will be included in the performance evaluation, as well as changes in the job descriptions. Mr. Williams stated under “Violation of Policy,” it should include any remedy by the President including equity, contract, tort as well as decertification for a specific number of years. Mr. Williams referred to page 7 of 9, and suggested that Business Law be added under “Business operations course offerings.” Mr. Williams referred to VII (E) on page 4 of 9 and stated the President or his designee should replace “Vice President of Finance” having the final decision regarding certification/de-certification. Mr. Williams suggested striking “~~upon request of the affected party~~” and adding as Item G referring to the program for certification. Discussion ensued regarding de-certification and/or denial of certification, identifying any problem with a vendor and linking this policy to sustainability policies. Ms. Douglass had several meetings with Mr. Denis regarding sustainability policies where she discussed the recommendation of products as listed by the State of Florida for use of sustainable products that are environmentally sound. Mr. Denis stated that most small vendors are moving towards sustainability. Further discussion ensued regarding the College’s commitment to sustainability and sole source contracting. Mr. Williams suggested referencing the College’s sustainability policy. Ms. Douglass thanked Mr. Denis for getting the policies to the Board in record time and commended the excellent work. Ms. Douglass stated that Mr. Williams’ comments regarding policies have always been very concise, precise and clear. Ms. Douglass asked Mr. Williams if he was comfortable approving this policy subject to the inclusion of his comments and based upon the clear direction given to Mr. Denis. Ms. Douglass stated that Mr. Denis has a clear commitment to complete these policies. Ms. Douglass suggested that Mr. Williams consult with Mr. Fernander and Mr. Denis to make sure his comments were included. Mr. Fernander stated that the “Vice President of Finance” would be replaced with “the President or his designee” as suggested in Item VII (E). Discussion ensued regarding a centralized procurement function. Mr. Williams stated that no one had discussed a centralized procurement or purchasing system with him and he had an issue with that. Ms. Douglass stated she was prepared to vote for this policy incorporating Mr. Williams’ suggestions.

A motion was made and seconded by Mr. Tanner/Ms. Douglass to approve this policy with recommended changes and it passed with Ms. Douglass, Mr. Guerin, Mr. Tanner and Mr. Alveshire voting in favor and Mr. Williams voting against.

Item VII-A-1 – LEMAP Review

President Armstrong stated the College has been looking at the overall issues surrounding safety, security and emergency preparation. The College requested an internal review by the International Association of Campus Law Enforcement Administrators, Loaned Executive Management Program (LEMAP) Review. A report has been issued containing several recommendations including the hiring of a District Director of Safety, Security and Emergency Preparedness to implement these recommendations and to serve as a central point for training, development, policy and procedure development, coordinating special events as well as emergency planning for the College. Dean Wood indicated that the consultants visited all three campuses and talked with campus safety officers, faculty and staff. Dean Linda Wood came to the podium and introduced Jennifer Furan, the lead consultant. Ms. Furan is the Associate

Director of Campus Safety for St. Cloud State in Minnesota and has been consulting with LEMAP for 6 years.

The Loaned Executive Management Assistance Program is a program sponsored by the International Association of Law Enforcement Administrators (IACLEA) for the purpose of providing management consultation and technical assistance to Association members. The LEMAP team was charged by IACLEA and Broward College with responsibility for conducting a general review of safety and security operations in order to make the recommendations that would lead to improvements in the quality of public safety and security services offered by Broward College Safety departments. Ms. Furan discussed the various topic areas as follows: methodology which included review of college and department documents; review of relevant college regulations; state and federal laws; on-site interviews with involved persons; and on-site observations of college safety office space. The On-Site Visit occurred August 30-September 2, 2009 and all three campuses were visited. Ms. Furan commented that attendance at the sessions was outstanding. There were five significant recommendations: including: (1) the creation of a director position to lead the college-wide safety and emergency response operations; (2) establishment of a training program relevant to current expectations and industry standards; (3) achieving compliance with the Jeanne Clery Act; (4) providing equipment to support industry expectations of a college safety department; and (5) continued investment in the professionalization of the safety department. Ms. Furan stated there should be two positions created, one for college-wide safety and the other for emergency response operations. The director position should include the clear definition of the expectations of the safety and emergency response operations, the creation of standardization among campuses, development of a mission statement, goals, policies and procedures, evaluation of budget and staffing levels and expansion of established relationships with local and regional agencies.

Ms. Furan spoke about training and indicated there should be effective utilization of the relationship with the Institute of Public Safety, in addition to a training program for current and new officers and growth of partnerships with local law enforcement agencies. There was further discussion about compliance with the Jeanne Clery Act including identification of a qualified administrator, training for the administrator, standardization of incident reporting to improve compliance and training all necessary employees and administrators. Discussion ensued regarding review of all existing equipment to determine functionality, purchase of one vehicle for each campus, maintenance and replacement schedule for all equipment including radios and golf carts and appointment of an officer at each campus to oversee equipment. Ms. Furan spoke about improved professionalism in campus safety. Ms. Furan stated the College was fortunate to have the Institute of Public Safety headed by Dean Linda Wood and commented on the dedication of the staff officers. Ms. Furan spoke about the relationship of the college safety officers and local law enforcement. President Armstrong thanked Dr. Linda Wood and her management team for their assistance.

President Armstrong spoke about the item in the President's Report notebook which contained a summary of the College's progress on the LEMAP recommendations. The President discussed the need to hire a district director of campus safety, implementation of appropriate policies and procedures, reporting of incidents and compliance, training and licensing issues. Ms. Furan recommended keeping the security staff in-house rather than outsourcing. Mr. Williams thanked Ms. Furan for the excellent presentation. Discussion ensued regarding the hiring salary of a district director. President Armstrong stated that he was working with HR to research salary ranges at other institutions. Mr. Williams stated he has not seen a job description for this position. Mr. Guerin stated that the Board supports safety and security issues and as State appointees, the Board is responsible for supporting the safety at the College. Discussion ensued

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regarding contracting with law enforcement agencies and the development of the duties of the District Director of Safety and Security. President Armstrong stated the approval of this item would give him the authority to move forward to establish the new position.

A motion was made and seconded by Mr. Tanner/Mr. Alveshire to approve this item and it passed with Ms. Douglass, Mr. Guerin, Mr. Tanner and Mr. Alveshire voting in favor and Mr. Williams voting against. Dean Wood stated it has been an honor to work with the College on this project and the College will have her full cooperation. President Armstrong stated that Dean Wood has been invaluable. Ms. Douglass requested that when the policies are presented to the Board, she would like to have a copy of the report included as well.

Item VII-I-4 – 50th Anniversary of Broward College – Mad 4 Marketing

The College will be celebrating its 50th anniversary beginning in the fall of 2010 and will need assistance from Mad 4 Marketing to provide additional services beyond their contract. Ms. Nancy Botero came to the podium and introduced Chris Madsen of Mad 4 Marketing. Discussion ensued regarding the committee that has been created for the 50th Anniversary of Broward College. Mr. Williams asked about Mad 4 Marketing's contribution. Ms. Botero talked about services to be provided, including the creation of a 50th anniversary logo and branding. Ms. Madsen stated her firm would work with the committee to bring creative strategies and a marketing plan with slogans, specialty items and design of all collateral materials. Discussion ensued regarding the number and duties of the employees at the Foundation with regard to development, outreach and fundraising events of the Foundation. Ms. Douglass discussed the employment of 17 people at the Foundation and stated she had an issue with outreach and fundraising. Ms. Douglass stated that Mad 4 Marketing does an excellent job for the College and has done so for many years. Mr. Guerin stated he felt that the College needed to get the word out about the 50th Anniversary Celebration. Mr. Fernander clarified that this item is requesting an additional \$30,000.

A motion was made and seconded by Ms. Douglass/Mr. Tanner to approve this item and it passed with Mr. Williams, Mr. Guerin and Mr. Tanner voting in favor and Mr. Alveshire and Ms. Douglass voting against. Ms. Douglass stated that Christine and her company do great work for the College.

Item VII-A-2 – City of Pembroke Pines - License Agreement/Temporary Distribution Site

The City of Pembroke Pines requests temporary use of a portion of Broward College South Campus for the temporary distribution of ice, water and other necessities during times of disaster. Mr. Williams stated he was in agreement as long as the City of Pembroke Pines provides security personnel.

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

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Item VII-A-3 – Coconut Creek Police Detail Services – Outstanding Invoices

ENCLOSURE

This item is a request to pay an outstanding invoice of \$38,000 for services rendered. Mr. Williams stated that the back-up data provided by legal did not support the memoranda and did not appreciate the contention between legal and the Provost of North Campus. Mr. Williams

stated that in the past, he had asked if every campus had coverage, and the answer was affirmative. Mr. Williams questioned what happened between then and now. Mr. Fernander stated that this item had come before the Board on several different occasions and for the past year and one-half, Mr. Fernander has been reiterating that this item is not in compliance with DOE Rules. The last time that this item came before the Board in December 2008, he stated this fact and we should be moving forward with something different. Mr. Fernander felt he should make the record clear. However, Mr. Williams felt nothing in the enclosed minutes represent what Mr. Fernander stated in his memoranda. Mr. Fernander stated that the minutes represented to the Board that this item should move forward with an RFP in order to become compliant with DOE Rules by going out to bid to make sure that each campus was covered. Mr. Williams asked who decided that a campus would not have police protection when other campuses do. Mr. Fernander stated that the procurement process for obtaining security services should be in compliance with the DOE Rules. Mr. Williams stated that unless it is a board decision, no one should decide that a particular campus should go without protection when other campuses have same.

Mr. Williams stated we just passed a contract for another campus and the issues did not come up at that time. Mr. Fernander stated that when the issue came up for Central, he refused to sign because of inconsistencies. Mr. Williams stated the Board voted in favor at that time. President Armstrong indicated that Mr. Fernander came to the conclusion, based upon his legal analysis, that we needed to go out for RFP. This item is not out as a college wide ITN. This item for North campus had not been approved and there is still an outstanding balance due. As a result, the services from Coconut Creek are no longer available until we pay the bill or a contract is in place. Mr. Williams stated it was unacceptable that a campus does not have police protection and it was a liability. Ms. Douglass stated this was not the first time this has come before the Board. Ms. Douglass stated the College has a very good lawyer that renders advice to people at the College regarding the legality of contracting for services. Ms. Douglass suggested consequences be imposed on employees if they ignore legal advice. Ms. Douglass has requested that we institute a policy to create a chain of command between counsel and the employee seeking legal advice and getting that matter before the President to avoid litigation. President Armstrong stated he would work with Mr. Fernander on this.

Discussion ensued regarding the lack of services at North. The President stated it was his suggestion to pay the outstanding balance with recognition that Mr. Fernander is on the record with his recommendation, as well as to authorize continuation of Coconut Creek police services. Mr. Tanner commented that he remembers this discussion from 2008 and commented that North Campus is out of compliance. Discussion ensued regarding the existence of a policy now in place stating that if an employee contracts without the authority of the Board, the liability rests with the employee who obligated the College. Dr. Barbara Bryan came to the podium and stated that the contract was presented and Mr. Fernander had determined it to be legally insufficient. Dr. Bryan stated that Mr. Fernander had worked with North Campus and the Coconut Creek to develop the contract. The contract expired in June and did not reach legal in time. However, Dr. Bryan asked for the extension long before September and was told it was legally insufficient. Dr. Bryan was granted an extension by Coconut Creek at that time. Dr. Bryan stated that North Campus has not operated under a contract since she started there. Ms. Douglass stated that the Board has asked for some time for the police services to be moved forward in a proper manner. Dr. Bryan stated the sum had not reached \$38,000 when they attempted to resolve this issue. This is the total bill as of December 12, 2009 and currently there are no services at North campus. President Armstrong's recommendation is to consider amending the motion to pay the bill for services past due and to authorize continuation of services of the Coconut Creek Police Department.

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A motion was made and seconded by Mr. Williams/Mr. Tanner to pay the \$38,000 and start services until the ITN is approved and it passed with Mr. Williams, Mr. Guerin, Mr. Tanner and Mr. Alveshire voting in favor and Ms. Douglass voting against.

Item VII-B-1 – Study Abroad in France

This item is for a new study abroad program in France for the summer of 2010, 2011 and 2012. President Armstrong requested that we conceptually move forward to allow marketing of the program. A motion was made and seconded by Ms. Douglass/Mr. Williams to move this item for discussion. Mr. Fernander stated that this topic will be covered at the upcoming conference on legal issues and suggested advertising the program, but would look at the format of the contract with regard to compliance and liability issues.

A motion was made and seconded to approve the program subject to contract approval and it passed unanimously.

Item VII-B-2 – College Readiness Testing – SBBC/BC

This item is regarding an agreement between the School Board of Broward county and Broward College to support administration of the College Placement Test (CPT) to high school juniors. A motion was made and seconded by Ms. Douglass/Mr. Tanner to approve this item and it passed unanimously.

Item VII-D-1- MEP Hourly Work Sheet – Pulled.

Item VII-D-2- College Wide Furniture Purchases

This is a request to purchase new furniture for completion of Building 50/51 and Building 6 renovation projects along with academic and student areas on all campuses utilizing the Department of Management Service (DMS), State of Florida Contracts. President Armstrong stated the work was being performed by a large number of minority-owned businesses. Ms. Douglass stated that in the December 1, 2009 minutes, Item VII-J, she requested that the item be tabled until this board meeting, and until such time as Mr. Fernander provided a verbatim transcript of the January 2009. President Armstrong's representation was that from this point forward the College was going to begin the process of implementing Miller3. President Armstrong stated we have not commenced the implementation of Miller3 and that policy was discussed at this meeting. Mr. Williams wanted to clarify that the College would not be locked into a single-source or a standardized schematic. President Armstrong stated that the College would not be locked in.

A motion was made and seconded by Mr. Williams /Mr. Tanner to approve this item and it passed with Mr. Williams, Mr. Guerin, Mr. Tanner and Mr. Alveshire voting in favor and Ms. Douglass voting against.

Item VII-F-1 – Microsoft License Agreement

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

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Item VII-F-2 – Apple Computers

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

Item VII-H-1 – Federation of Public Employees Collective Bargaining Agreement

This item is the revised edition of the 2009-10 FPE CBA reflecting revision of title changes recommended in the TRS project.

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

Item VII-H-2 - TRS – Recommended Incumbent Slotting

The Board had approved the system of the Total Rewards Strategy and approved the policies. All full-time represented and non-represented professional technical staff and full-time administrators who are below the minimum of the new band minimum of the new TRS program will be brought up to the minimum. Mr. Williams congratulated Dr. Chun and President Armstrong for an excellent job. Ms. Douglass asked if the Foundation employees were included on the list. Dr. Chun stated if they are employed by the College, they appear on the list. A motion was made and seconded by Ms. Douglass/Mr. Williams to approve this item and it passed unanimously.

Item VII-H-3 – COBRA Administrative Service Agreement

Dr. Chun and Mr. Lloyd Rhodes came to the podium. Mr. Rhodes spoke about COBRA regulations continuing to evolve in complexity and scope. In an effort to secure an agreement with a third-party administrator to assist the College in the administration of COBRA plans, an RLI was released by the College. One proposal was received from Flexible Corporate Plan, Inc. and Mr. Rhodes stated this company was thoroughly checked out.

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

Item VII-I-1 – Settlement of Estate of Aloneftis

Mr. Costas S. Aloneftis passed away and left a bequest to Broward College. Probate litigation was filed and a Stipulation for Settlement was reached at mediation awarding Broward College 30% of the estate (estimated at \$23,000.00) which would be approximately \$6,500.00.

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

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Item VII-I-2 – Attorney Contract

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This item is the contract for Bryant Miller Olive to provide legal services regarding labor and employment matters. Mr. Fernander stated there are requirements that need to occur because the price is in excess of the maximum hourly rate that the Attorney General will allow the College to

pay. Bryan Miller Olive has complied with all statutory requirements to request the waiver. Mr. Williams spoke about the current rate paid for paralegals and law clerks are being billed at the \$115.00 per hour and he recommended a range from \$75.00 - \$115.00 based on the experience of the paralegal working on the matter. A motion was made and seconded by Ms. Douglass/Mr. Williams to approve this item subject to paralegal range and it passed with Mr. Williams, Mr. Guerin, Ms. Douglass and Mr. Alveshire voting in favor and Mr. Tanner voting against.

Item VII-J-1 – Policies - Motion to Rescind

This item is a motion to rescind a policy that was passed at the last board meeting. A motion was made and seconded by Mr. Alveshire/Mr. Tanner to move this item for discussion. Mr. Fernander stated there was communication after the last board meeting that one of the Trustees realized that his vote was not correct and this item be brought back to the board. Mr. Williams questioned if this was a motion for reconsideration or rescission and how it was noticed. Mr. Fernander stated that the board would be considering a motion to rescind. Discussion ensued regarding Robert's Rules of Order on reconsideration and rescission. Mr. Fernander stated that a requirement of Robert's Rules of Order is to give public notice of the intent to rescind and this was given in the College's Public Notice and on the agenda. Mr. Williams stated this was a motion to rescind the policy, not a reconsideration of the vote. Mr. Fernander stated that this was a motion to rescind an action approved by the Board. Mr. Fernander stated that the motion to rescind was based on the fact that it was after the last meeting had closed and it had been properly noticed. Mr. Williams felt it was not properly notice. Mr. Williams stated the College has never had a Board member rescind a Board action whether they liked the outcome or not.

A motion was made and seconded by Mr. Alveshire/Mr. Tanner in favor of the motion to rescind and it passed with Mr. Alveshire, Mr. Guerin, Ms. Douglass and Mr. Tanner voting in favor and Mr. Williams voting against.

Item VII-J-2 – 6Hx2-7.03 – Physical Plant, Sites and Facilities

Mr. Francisco Hoyos came to the podium. Ms. Douglass asked about the red-lined portion of the policy. Mr. Hoyos stated that this was added language pursuant to the Board's request at the October 2009 meeting.

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

Item VII-J-3 – 6Hx2 – 7.11 -Safety, Sanitation and Fire Inspection of Property

A motion was made and seconded by Ms. Douglass/Mr. Tanner to table this policy until the next board meeting and it passed unanimously.

Item VII-J-4 – 6Hx2 – 7.15 – Compliance with the Florida Building Code

Mr. Francisco Hoyos came to the podium. Ms. Douglass asked about the red-lined portion of the policy. Mr. Hoyos stated that this was added language pursuant to the Board's request at the October 2009 meeting.

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

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Item VII-J-5 – 6Hx2-6.29 – Sustainability in Procurement Practices

Mr. Alex Denis has been working with all of the Vice Presidents on sustainability. Mr. Denis indicated the policies included this month are procurement, student affairs, building construction and the IT policy. A motion was made and seconded by Ms. Douglass/Mr. Williams to move this item for discussion. Ms. Douglass congratulated Alex Denis and his team on the excellent work on the policies. Ms. Douglass suggested under Item III, line one, the word “should” shall be changed to “shall” and to add at the end of III “to be placed into RFPs.” Ms. Douglass suggested this policy come back next month with red-lined changes. Ms. Douglass suggested a policy regarding recycling and Mr. Denis stated that would be included under a new Facilities Management policy. Ms. Douglass suggested the inclusion of language regarding double-sided copies on one of the College policies. Ms. Douglass thanked Mr. Denis again for a wonderful job.

A motion was made and seconded by Ms. Douglass/Mr. Williams to move this policy with amendments and it passed unanimously.

Item VII-J-6 – 6Hx2-5.xx – Sustainability in Student Affairs**Item VII-J-8 - 6Hx2-New – Sustainable Building Policy****Item VII-J-9 – 6Hx2-8.07- Sustainable Technology Practices**

A motion was made and seconded by Ms. Douglass/Mr. Alvshire to approve these policies and it passed unanimously.

Item VII-I-3 – Performance Evaluation of the President

A motion was made and seconded by Ms. Douglass/Mr. Tanner to move this item for discussion. Ms. Douglass stated this was the Contract of Employment between Broward College and J. David Armstrong. Ms. Douglass proposed changes to the contract. Ms. Douglass stated that her review reflects that the President is doing an outstanding job, particularly in these difficult times. Ms. Douglass did not suggest that the President get a salary increase, but proposed that the following changes be made to the contract: (1) The starting date be changed to January 1, 2010 and end on December 31, 2014; (2) a raise in the annuity payments from \$30,000.00 to \$49,000.00, which is a \$19,000.00 increase; (3) to provide a car allowance in the amount of \$14,400.00. Ms. Douglass stated that the President of this College is currently ranked eighth or ninth in salary in comparison to other Presidents in the State of Florida. Mr. Williams talked about the tenure issue and was not inclined to go along with the increases which totaled approximately \$33,000.00. Discussion ensued regarding 403(b) tax-deferred annuities. Mr. Williams stated that the \$19,000.00 increase in the annuity level is more than a 50% increase. Ms. Douglass stated that she is proposing these figures because the President is doing an excellent job, the College has not had to cut any programs or lay off any employees. The President has been outstanding in his support and implementation of the diversity initiatives that have been proposed by the Board. Mr. Williams agreed that the President has been supportive regarding diversity initiatives, but stated this should be under a merit increase, not an annuity payment increase. Ms. Douglass said she was not proposing a salary increase. President Armstrong waived the merit increase for the year. Further discussion ensued regarding employee pay raises; rewarding employees for jobs well done and the growth rate of the College.

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ENCLOSURE _____

Ms. Douglass called the question. A motion was made and seconded by Ms. Douglass/Mr. Tanner to approve this item and it passed with Ms. Douglass, Mr. Tanner, Mr. Alveshire and Mr. Guerin voting in favor and Mr. Williams voting against.

Ms. Douglass stated that several Board meetings ago, the Provost of South Campus requested money for landscaping. At that time, Ms. Douglass requested that the funds be spent on native plants and it was represented that this would be the case. Ms. Douglass noticed the newly planted areas did not contain native plants. Ms. Douglass requested a report indicating a description of the plants, the cost of the plants and how the President plans to remedy the money spent if they were not native plants.

VIII . COLLEGE PRESENTATION – Presented at beginning of meeting.

IX. INFORMATION ITEMS

- A. **Project Status Report** – President Armstrong discussed the status of all college wide projects.
- B. **Information Items/President’s Report** - The President spoke about the calendar of events; the event on North Campus for the opening class of the new Bachelor’s Degree in Supervision and Management; the invitation for the Governor’s reception in Tallahassee; and the upcoming event for the Dalai Lama.
- C. **Board Comments** - Mr. Williams thanked Provost Lourdes Oroza for hosting the meeting and thanked the students.

Mr. Guerin thanked the students.

X. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 6:30 p.m.

10stember

J. David Armstrong, Jr.
President, Broward College

Sean Guerin
Chair, Board of Trustees

AGENDA ITEM

FEB 23 2010

ENCLOSURE _____