WORKSHOP AND REGULAR MEETING OF
THE BOARD OF TRUSTEES
LONE STAR COLLEGE SYSTEM
CENTRAL SERVICES AND TRAINING CENTER
TRAINING AND DEVELOPMENT CENTER BOARD ROOM
5000 RESEARCH FOREST DRIVE
THE WOODLANDS, TEXAS 77381
December 3, 2009
5:00 p.m.

I. Call to Order

II. Pledge of Allegiance

III. Certification of the Posting of the Notice of the Meeting

IV. Introductions, Special Guests, Recognitions

V. Workshop

VI. Closed Session

The Board of Trustees, in accordance with Sections 551.001, et seq. of the Texas Government Code will move into Closed Session under one or more of the following provision(s) of the ACT:

Section 551.071 – Consultation With Attorney
Section 551.072 - Deliberation Regarding Real Property
Section 551.073 - Deliberation Regarding Prospective Gift
Section 551.074 - Personnel Matters
Section 551.076 - Deliberation Regarding Security Devices
Section 551.087 - Economic Development Negotiations

VII. Reconvene Regular Meeting

VIII. Approval of the Minutes of the November 5, 2009 Workshop and Regular Meeting and the November 20-21, 2009 Board Retreat

IX. Citizens Desiring to Address the Board

X. Special Reports and Announcements

1. Chancellor

2. College Presidents
3. Vice Chancellors

4. Faculty Senate Presidents

XI. Consideration of Consent Agenda

(The purpose of the consent agenda is to allow the Board to identify and approve action items which require no additional information or discussion and for which there is unanimous approval. Trustees receive agenda materials one week in advance of the meeting to prepare for the business to be conducted.)

XII. Policy Report

Consideration of Approval of the Recommended Revisions of the Lone Star College System Board Policy Sections IV.F.8, 10 and 13 - Employee Rights and Privileges (SECOND READING) (ACTION ITEM 1)

XIII. Financial Reports and Considerations

1. Monthly Financial Statements

2. Report of Contracts that Board Authorized the Chancellor to Negotiate and Execute

3. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement for the Purchase of Construction Services for New Buildings, Renovations and Infrastructure at LSC-North Harris (ACTION ITEM 2)

4. Consideration of Approval and Acceptance of the Comprehensive Annual Financial Report (CAFR) and the Independent Auditors’ Reports (ACTION ITEM 3)

5. Consideration of Approval Pursuant to Texas Tax Code Section 33.11 to Authorize a Collection Penalty of 20% of the Delinquent Tax, Penalty and Interest Owed to Lone Star College System (LSCS) on Tangible Personal Property in Harris and Montgomery Counties, for the 2008 Tax Year, and for Each Succeeding Year Thereafter (ACTION ITEM 4)

6. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement for the Purchase of Construction Services for Renovations and Infrastructure at LSC-Greenspoint Center (ACTION ITEM 5)

7. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement to Purchase Construction Services for LSC-Conroe Center (ACTION ITEM 6)
8. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute a Contract for the Purchase of Leasing and Property & Asset Management Services for LSC-University Park (LSC-UP) (ACTION ITEM 7)

9. Consideration of Authorization for the Chancellor to Negotiate and Execute a Ground Lease Agreement for the Lease of Real Property to the Harris County Emergency Services District 1 (ACTION ITEM 8)

10. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement for the Purchase of Construction Services for Infrastructure at LSC-Cy Fair (ACTION ITEM 9)

11. Consideration of Approval to Purchase Texas Cooperative Purchasing Network (TCPN) Relocation Services for Modular Buildings at LSC-CyFair (ACTION ITEM 10)

12. Consideration of Approval to Purchase Online Early Alert System (OEAS) for LSC-Online and Authorize the Chancellor or Designee to Negotiate and Execute Amendments to Extend the Contract for Services (ACTION ITEM 11)

13. Consideration of Approval to Purchase Internet Services and Authorize the Chancellor or Designee to Negotiate and Execute Contract Amendments for Subsequent Terms (ACTION ITEM 12)

14. Consideration of Approval to Extend Rack Distribution Services Agreement with DistribuTech, Inc. (ACTION ITEM 13)

15. Consideration of Acceptance of Gifts (ACTION ITEM 14)

16. Consideration of Approval to Purchase Advertisement Services (ACTION ITEM 15)

17. Consideration of Ratification for Utility Easements from Lone Star College System (LSCS) to CenterPoint Energy (ACTION ITEM 16)

18. Consideration of Approval of the Proposed License Agreement Between The Windsor Hills Homeowners Association, Inc. and Lone Star College System (System) Regarding Use and Maintenance of the Permanent Iron Bridge and Walking Path Connecting The Windsor Hills Residential Area and the LSC-Montgomery Campus (ACTION ITEM 17)

19. Consideration of Approval to Extend the Texas Cooperative Purchasing Network Lease of Temporary Modular Buildings at LSC-Montgomery and LSC-CyFair (ACTION ITEM 18)

20. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement to Purchase Food Services for LSC-University Park (ACTION ITEM 19)
XIV. Building and Grounds Report

Construction Projects Update

XV. Personnel Reports and Considerations

1. Consideration of Ratification of Appointments (ACTION ITEM 20)

2. Consideration of Acceptance of Resignations (ACTION ITEM 21)

3. Consideration of Approval of Commissioning of Peace Officer (ACTION ITEM 22)

XVI. Suggested Future Agenda Items

XVII. Adjournment

The Board of Trustees, may at any time prior to adjournment, in accordance with Sections 551.001, et seq. of the Texas Government Code, move into Closed Session under the following provision(s) of the ACT:

Section 551.071 - Consultation With Attorney
Section 551.072 - Deliberation Regarding Real Property
Section 551.073 - Deliberation Regarding Prospective Gift
Section 551.074 - Personnel Matters
Section 551.076 - Deliberation Regarding Security Devices
Section 551.087 - Economic Development Negotiations
Certification of Posting of Notice to the December 3, 2009
Workshop and Regular Meeting of the
Lone Star College System’s
Board of Trustees

I, Richard Carpenter, Chancellor of the Lone Star College System, do hereby certify that a notice of this meeting was posted on Monday the 30th day of November, 2009 in a place convenient to the public in the Administration Office of the Central Services and Training Center, on all college campuses and on the system website as required by Section 551.002 et seq., Texas Government Code. Special notice of the meeting was provided to the news media as required by Section 551.001 et seq., Texas Government Code.

Given under my hand this the 30th day of November, 2009.

[Signature]

Richard Carpenter
Chancellor
I. **CALL TO ORDER:** Mr. Bates called the workshop and regular meeting of the Board of Trustees to order at 5:02 p.m. after determining a quorum was present.

II. **PLEDGE OF ALLEGIANCE:** Mr. Adam led the Board and guests in reciting the Pledge of Allegiance

III. **CERTIFICATION OF THE POSTING OF THE NOTICE OF THE MEETING:** Chancellor Carpenter confirmed that the Notice for the meeting had been properly posted. No action was required. A copy is attached as Exhibit “A.”

IV. **INTRODUCTIONS, SPECIAL GUESTS, RECOGNITIONS:** Chancellor Carpenter welcomed Kassia Micek of the Conroe Courier and Kimberly Stauffer of the Community Impact.

Chancellor Carpenter announced that the wing of the new Tomball Health Science Building will be named in memory of Ryan Paul Whitaker and will be known as “The Ryan Paul Whitaker Nursing Laboratories.” Mr. Whitaker was a caring young man committed to serving others and driven by his love of helping people. Chancellor Carpenter introduced Ryan’s mother, Paula Whitaker, her husband, Ken Hancock, and Ms. Whitaker’s mother, Grace Faulkner and sister-in-law, Kathy Higdon from Atlanta, Georgia. Ms. Whitaker accepted the memorial and thanked the System for the recognition of Ryan’s legacy.
V. WORKSHOP:

Higher Education Teaching Institute: Rand Key, Senior Vice Chancellor/COO, introduced Jean Grove, Associate Vice Chancellor, Human Resources, Diversity and Professional Development. Ms. Grove introduced Dr. Zack Coapland, System Director of Professional Development and Ms. Pamela Womack, Director of Higher Education Teaching Institute (HETI), who gave an overview of the program. The purpose of HETI is to provide professional development for faculty members, specifically in the areas of teaching and learning. There is a cohort of 39 new faculty who attended a five-day conference before the fall 2009 semester. Monthly workshops will be held during the fall and spring and a four-day conference will be held in early summer. All sessions are led by faculty, most from within our System. Sessions are on adult learning, theory, classroom management skills, instructional design, how to reach students, students’ needs and how students are unique. Ms. Womack introduced the first class of HETI that were present at the Board meeting: from LSC-Montgomery – Ms. Desi Bittner, emergency medical services; Ms. Anitha Iyer, biology; Ms. Lana Myers, English, and Ms. Simone Rieck, English; from LSC-Kingwood – Ms. Amy Murphy, dental hygiene; from LSC-North Harris – Mr. Seth Batiste, developmental studies; from LSC-Tomball – Devika Lalsinghani, math; from LSC-CyFair – Mr. Mark Thorsby, philosophy. Dr. Coapland introduced three members of the steering committee: Ms. Nita Schiro, Ms. Lashun Griffin and Dr. Lawrence Brandyburg.

VI. CLOSED SESSION: At 5:29 p.m. Mr. Bates convened the Board in closed session, in accordance with Section 551.001 et. Seq. of the Texas Government Code under one or more of the following provision(s) of the Act:

Section 551.071 – Consultation With Attorney
Section 551.072 – Deliberation Regarding Real Property
Section 551.073 – Deliberation Regarding Prospective Gift
Section 551.074 – Personnel Matters
Section 551.076 – Deliberation Regarding Security Devices
Section 551.087 – Economic Development Negotiations

VII. RECONVENE REGULAR MEETING: Mr. Bates reconvened the open meeting at 6:44 p.m.

VIII. APPROVAL OF THE MINUTES OF THE OCTOBER 1, 2009 WORKSHOP AND REGULAR MEETING: upon a motion by Mr. Adam and a second to the motion by Ms. Kelly, the Board unanimously approved the minutes of the October 1, 2009 Workshop and Regular Meeting.

IX. CITIZENS DESIRING TO ADDRESS THE BOARD: Mr. George Harper spoke of the interest of firefighters that are working either in Montgomery or Harris counties to attend the LSCS police academy. The firefighters requested the classes to be held on days that would accommodate their work schedule and at one of LSCS locations in northern Montgomery County.
Mr. Glenn Ware expressed his concern of the Board approving the revisions of Policy IV F.8, 10 and 13 – Employee Rights and Privileges.

X. SPECIAL REPORTS AND ANNOUNCEMENTS:

1. **Chancellor:** Chancellor Carpenter reported that, with the University of Houston’s intent to increase their admission requirements to accept only the top 10% of graduating classes, the expectation is that community colleges will absorb those students that would otherwise be going to the University of Houston. LSCS has demonstrated the capacity to accept large numbers of new students in a short span and will be able to place these students in our System. The Texas Association of Community College enrollment data shows that LSCS is the fastest growing college in the State of Texas. A recent article in The Chronicle of Higher Education lists LSCS as one of fourteen community colleges in the nation with a Fulbright Scholar and the only community college in the State of Texas with a Fulbright Scholar.

2. **College Presidents:** Dr. Katherine Persson, president of LSC-Kingwood and Dr. Austin Lane, president of LSC-Montgomery, presented an overview of the LSCS strategic goal two: recruit and retain talented and innovative faculty, administrators and staff. Dr. Persson and Dr. Lane reported through developing consistent professional development and orientation; expanding mentoring program; creating a culture of feedback; providing a total rewards package; diversity and employee talent development this goal will be accomplished.

3. **Vice Chancellors:** Mr. Ray Laughter, Vice Chancellor, External Affairs, reported that Lone Star College System received 13 awards at the National Council for Marketing and Public Relation Conference October 20, 2009 in San Antonio. LSCS received gold awards in billboards, news writing and magazine; silver awards in folders, feature writing, radio advertisement and wild card category for table top decorations. LSCS received bronze awards in catalog, postcard, website, single print ad, poster and newsletter.

4. **Faculty Senate Presidents:** Dr. David Putz, faculty senate president of LSC-Kingwood, reported on the communication network at Lone Star College System. The faculty senate presidents speak before the Board of Trustees at each of the regular board meetings; meet with the Chancellor each month, open forums at the colleges; meet with the vice chancellor, academic affairs and student success, monthly; with vice chancellor, office of technology services, and newsletters are distributed throughout the year from the Chancellor and office of technology. Faculty senate presidents receive reports on Executive Council meetings, meetings with the Chancellor and feedback from the open forums. They meet once a month with their president.

XI. CONSIDERATION OF CONSENT AGENDA: Mr. Bates proceeded with the Consent Agenda. Dr. Holsey made a motion to approve Action Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,
11, 12 and 13. Mr. Wolfe seconded the motion and the Board unanimously passed the Consent Agenda. A copy is attached as Exhibit “B.”

XII. POLICY REPORTS AND CONSIDERATIONS

1. Consideration of the Recommended Revision of the Lone Star College System Board Policy Sections IV. F.8, 10 and 13 – Employee Rights and Privileges (FIRST READING): the Board unanimously considered the recommended revisions of the Lone Star College System Board Policy Sections IV.F.8, 10 and 13 – Employee Rights and Privileges. This constitutes a first consideration with a request for approval during the December Board meeting. A copy is attached as Exhibit “C.”

2. Consideration of Approval of the 2010-11 Academic Calendar (ACTION ITEM 1): the Board unanimously approved the proposed calendar. This item was passed in the Consent Agenda. A copy is attached as Exhibit “D.”

XIII. FINANCIAL REPORTS AND CONSIDERATIONS

1. Monthly Financial Statements: Ms. Cindy Gilliam, vice chancellor for administration and finance, presented the monthly financial statements. A copy is attached as Exhibit “E.”

2. Annual Investment Report for FY 2009: Ms. Cindy Gilliam, vice chancellor for administration and finance, presented the annual investment report. A copy is attached as Exhibit “F.”

3. Consideration of Approval to Purchase Printing Services for Small Projects (ACTION ITEM 2): the Board unanimously approved the purchase of printing services for small projects for an estimated amount of $500,000 annually and not to exceed $2,500,000 over five years from the following vendors: Houston Independent School District Printing Department, Ideal Printers, Nicholas Earth, Page International Communication, Printmailers, RR Donnelley, Southwest Precision Printers and Wrights Printing. This item was passed in the Consent Agenda. A copy is attached as Exhibit “G.”

4. Consideration of Approval to Purchase Datatel License and Maintenance Renewal and Consulting Services for Colleague Student, Human Resources, and Financial Systems (ACTION ITEM 3): the Board unanimously approved the purchase of the annual license and maintenance renewal and consulting services for Colleague student, human resources, and financial systems from Datatel, Inc., 4375 Fair Lakes Court, Fairfax, VA 22033, for an amount not to exceed $950,000 through the completion of the implementation of the new Enterprise Resource Planning (ERP) system. This item was passed in the Consent Agenda. A copy is attached as Exhibit “H.”
5. Consideration of Acceptance of Gifts (ACTION ITEM 4): the Board unanimously accepted and acknowledged gifts donated to the Lone Star College System in accordance with the donor’s wishes. This item was passed in the Consent Agenda. A copy is attached as Exhibit “I.”

6. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute a Contract for Purchase of Architectural Services for the Design of the LSC-Aldine Center (ACTION ITEM 5): the Board unanimously authorized the Chancellor or Designee to negotiate and execute a contract for the purchase of architectural services from Perspectiva, 3401 Louisiana Street, Suite 270, Houston, Texas 77002, in an estimated amount of $800,000 over the project term. This item was passed in the Consent Agenda. A copy is attached as Exhibit “J.”

7. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement for the Purchase of Construction Manager at Risk (CM-at-Risk) Services for Central Services and Training Center (CSTC) (ACTION ITEM 6): the Board unanimously authorized the Chancellor or designee to negotiate and execute an agreement for the purchase of CM-at-Risk services for CSTC from Turner Construction Company, 4263 Dacoma Street, Houston, Texas 77092, for an estimated amount of $4.2 million. This item was passed in the Consent Agenda. A copy is attached as Exhibit “K.”

8. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement for the Purchase of Construction Services for New Buildings and Infrastructure at LSC-Montgomery (ACTION ITEM 7): the Board unanimously authorized the Chancellor or designee to negotiate and execute an agreement for the purchase of construction services for new buildings and infrastructure at LSC-Montgomery from Satterfield & Pontikes Construction, Inc, 11000 Equity Drive, Suite 100, Houston, TX 77041, for an estimated amount of $26 million. This item was passed in the Consent Agenda. A copy is attached as Exhibit “L.”

9. Consideration of Approval of a Resolution to Express Intent to Finance Expenditures to be Incurred (ACTION ITEM 8): the Board unanimously approved the Resolution. This item was passed in the Consent Agenda. A copy is attached as Exhibit “M.”

10. Consideration of Approval of a Resolution Authorizing the Issuance of Lone Star College System Maintenance Tax Notes, Series 2009; Setting Certain Parameters for the Notes; Authorizing the Vice Chancellor for Administration and Finance/Chief Financial Officer to Approve the Amount, the Interest Rate, Price, and Certain Other Terms Thereof and Procedures and Provisions Related Thereto (ACTION ITEM 9): the Board unanimously approved the Resolution to issue maintenance tax notes to fund the Energy Management Performance project. This item was passed in the Consent Agenda. A copy is attached as Exhibit “N.”

11. Consideration of Authorization for the Chancellor or Designee to Negotiate and Execute an Amendment to the Ground Lease Contract with Tomball Regional
Medical Center (TRMC) **ACTION ITEM 10**: the Board unanimously authorized the Chancellor or designee to negotiate and execute an amendment to the contract for Lone Star College System’s ground lease of 5.57 acres of land from TRMC. The amendment is to reflect a fair market value rent of $55,800 over the 50 year lease term. This item was passed in the Consent Agenda. A copy is attached as Exhibit “O.”

**12 Consideration of Approval to Revise Project Assignments for Selected Architectural Firms and Authorize the Chancellor to Negotiate and Execute the Associated Contracts (ACTION ITEM 11)**: the Board unanimously approved the revision of project assignments for architectural services for the following firms and authorized the Chancellor to negotiate and execute the associated contracts: Kirksey whose original project was Central Services and Training Center and has been revised to LSC-University and SHW Group whose original project was LSC-University Center #2 and has been revised to Central Services and Training Center. This item was passed in the Consent Agenda. A copy is attached as Exhibit “P.”

**XIV. BUILDING AND GROUNDS REPORT**:

Construction Projects Update: the Board reviewed the report as presented. A copy is attached as Exhibit “Q.”

**PERSONNEL REPORTS AND CONSIDERATIONS**:

1. Consideration of Ratification of Appointments (ACTION ITEM 12): the Board unanimously ratified the appointments as presented. This item was passed in the Consent Agenda. A copy is attached as Exhibit “R.”

2. Consideration of Approval of Commissioning of Peace Officers (ACTION ITEM 13): the Board unanimously approved the commissioning of the following peace officers for the Lone Star College System: LSC-Kingwood – Nita Smith; LSC-CyFair – Elizabeth Garcia and LSC-University Park – Bruce H. Breckenridge, Derrick A. Harris and Ronald E. Headley. This item was passed in the Consent Agenda. A copy is attached as Exhibit “S.”

**XV. SUGGESTED FUTURE AGENDA ITEMS**: None

**XVII. ADJOURNMENT**: There being no further business, the meeting was adjourned at 7:16 p.m.

ATTEST:

_________________________________  ________________________
Board of Trustees, Chair  Board of Trustees, Secretary
I. CALL TO ORDER: Chairman Bates called the Retreat Meeting to order at 7:55 p.m. after determining a quorum was present.

II. CERTIFICATION OF THE POSTING OF THE NOTICE OF THE MEETING: The Chancellor certified that the Notice for the meeting had been properly posted. No action was required. A copy is attached as Exhibit “A.”

III. REVIEW OF 2010 PRIORITIES: Consultant Wayne Newton facilitated a workshop discussion of goals and underlying objectives for the Board in 2010.

IV. RECESS: Mr. Bates recessed the meeting at 10:24 p.m.

V. RECONVENE OPEN MEETING: Chairman Bates called the Retreat Meeting to order at 8:08 a.m. after determining a quorum was present.

VI. WORKFORCE PROGRAMS: Linda Head, Associate Vice Chancellor of Workforce Development, presented an overview of workforce program development.

VII. STUDENT SUCCESS: Donetta Goodall, Vice Chancellor, Academic Affairs & Student Success, discussed student success through a series of reports and slides.
VIII. **RESEARCH AND INSTITUTIONAL EFFECTIVENESS:** Siobhan Fleming, Associate Vice Chancellor, Research & Institutional Effectiveness, presented an overview of the reports that her department is producing.

IX. **INTERNATIONAL PROGRAMS:** Nithy Sevanthinathan, Director, International Programs & Services, presented information relating to international students.

X. **TECHNOLOGY:** Shah Ardalan, Vice Chancellor, Technology Services, presented an overview of technology services and progress towards the implementation of the new ERP.

XI. **BUDGET INITIATIVES:** Cindy Gilliam, Vice Chancellor, Administration & Finance, presented an overview of budget initiatives and accountability measures.

X. **MARKETING:** Ray Laughter, Vice Chancellor, External Affairs, gave a presentation of marketing strategies for the upcoming year.

XI. **ADJOURNMENT:** Chairman Bates adjourned the meeting at 1:25 p.m.

**ATTEST:**

________________________________________________________________________

Board Chair                                                   Board Secretary
**Consideration of Consent Agenda**

**Consent Agenda:** A roll call of individual action items will determine the consent agenda. If a trustee has a question or plans to cast a negative vote regarding a specific recommendation, then the trustee/trustees need to acknowledge their intention to the Chair by show of hand during the roll call: this action item will be considered in the regular order of business as an individual action item.

Those action items that the trustees plan to approve without further question or discussion will be placed on the consent agenda during roll call of individual action items. Upon the creation of the consent agenda, a motion, a second to the motion, and unanimous approval of the Board of Trustees is needed to approve the action items. Upon approval of the consent agenda, the Board of Trustees will proceed with the remainder of the agenda.

**Rationale:** The consent agenda format is an organization process for meetings that allows the governing board to focus their time and attention on action items that require more elaboration, information, and/or discussion. The intent of the consent agenda is to support efficiency and effectiveness of the meeting.

### Tally of Action Items:

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Policy Consideration (ACTION ITEM 1)  Board Meeting 12-3-09

Request: Consideration of Approval of the Recommended Revisions of the Lone Star College System Board Policy Sections IV.F.8, 10 and 13 – Employee Rights and Privileges (SECOND READING)

Chancellor’s Recommendation: That the Board of Trustees approve the recommended revisions of the Lone Star College System Board Policy Sections IV.F.8, 10 and 13 – Employee Rights and Privileges.

Rationale: This policy revision clarifies the process for an employee change of status, termination and appeal. Greater emphasis has been placed on due process prior to a change of status or termination which allows a more efficient and conclusive appeal.

Fiscal Impact: None.

Staff Resource: Brian S. Nelson 832-813-6655
8. Change in Contract Status

F.8.01 - Definition:

Change in contract status means a decision by the immediate supervisor to recommend:

a. in the case of faculty or administrator on an annual contract, the non-renewal of that contract.

b. in the case of faculty or administrator on a multi-year contract, the return to an annual contract.

c. in the case of a faculty member on an annual contract who is eligible to receive a multi-year contract, the continuation of an annual contract.

F.8.02 - Notice:

Professional and contractual staff are subject to change of status and non-renewal by the Board upon the recommendation of the Chancellor at the end of the contract period, if in their best judgment, the best interests of the College will be served thereby; provided, that notice of intention to change status shall be given by the Chancellor on or before March 1 preceding the end of the employment term fixed in the current contract.

In the event of failure to give such notice of intention to non-renew within the time above specified, the Board shall thereby elect to employ the faculty or non-faculty contractual employee in the same capacity for the succeeding school year. This process is not valid in the event that the Board of Trustees takes action for a reduction in force.

F.8.03 - Change of Status Grievance Rights

In the event that a faculty member or professional staff member is notified of the intention of the Chancellor to recommend a change of status, he or she shall have a right, upon written request filed with the Chancellor within fifteen (15) calendar days after the date of such notification, to a formal hearing before a hearing committee. At such hearing, the faculty member or professional staff member will be given an opportunity to present evidence that the change of status would not be in the best interests of the College, and/or would violate state or federal law. The hearing committee shall be comprised of at least three (3) individuals, which will be appointed by the Chancellor or designee.

The hearing shall be held within thirty (30) calendar days after written request for such hearing is filed with the Chancellor. After such hearing the
hearing committee, within fifteen (15) calendar days of the hearing, will recommend to the Chancellor to confirm or revoke the previous action or change of status. The hearing committee will issue a copy of the recommendation to the employee. The Chancellor will review the recommendation and issue the employee a written determination within fifteen (15) calendar days.

**F.8.04 - Appeal:**

If after receiving the recommendation of the hearing committee, the Chancellor confirms the change of status, the employee may appeal the decision to the Board of Trustees within fifteen (15) calendar days of his or her receipt of the Chancellor’s written decision by providing written notice to the Chancellor. The Chancellor shall notify the Secretary of the Board. The appeal will consist of a written position paper and review of the documents underlying the change of status from both the employee and the System. At its sole discretion, the Board may determine if a hearing will be allowed. The grounds for appeal are limited to a review of whether the change of status would be in the best interests of the College, and/or would violate state or federal law.

The Board shall review the position papers and documents submitted by the employee and the System within thirty (30) calendar days after the written request for appeal has been filed. The days the System is closed shall not count towards this timeline. Prior to the expiration of the thirty (30) calendar days, the Board shall take official action as required by its Policies and State law, and by notifying the employee in writing of its decision either to confirm or revoke the change in contract status. At its sole discretion, the time required by the Board to take official action may be extended within a period of sixty (60) calendar days upon notice to the employee. The Board’s decision on change in contract status shall be final.

**10. Review and Grievance Process**

**F.10.01 - Policy:**

The System is committed to providing a work environment that encourages an open atmosphere, in which problems or complaints are addressed promptly by supervisors and managers. This policy provides a process for employees to communicate and seek resolution of specific and important concerns about conditions of employment or System decisions which affect the employee, and which the employee considers unjust or inequitable.

**F.10.02 - Non-Retaliation Policy:**

No reprisal or retaliation of any kind shall be taken against an employee who communicates a concern or voices a complaint. Indications that the employee has used this complaint process shall not be included in the
employee's official personnel file, unless the employee specifically requests that such complaint be included in his or her file.

**F.10.03 - Determination of Applicability:**

The Associate Vice Chancellor for Human Resources, or his or her designee, is responsible for determining whether a complaint falls within the scope of this policy, and shall advise the employee if a different process is available.

**F.10.04 - Limits on Purpose and Applicability:**

This policy does not alter in any way the employment-at-will status of non-contractual employees. (See Non-contractual employees) Nor does it replace the established process for complaints about discrimination on the basis of an individual's race, color, religion, national origin, gender, citizenship, age, disability, veteran status, or sexual orientation. Further, this policy does not replace the policies and procedures relating to change in contract status, reduction in force or employee discharge, separately set out in other sections of Section IV. Human Resources, Board Policy Manual.

**F.10.05 - Prohibition of Serial Complaints:**

An employee is precluded from bringing separate or serial complaints concerning events about which the employee has previously complained, even if such complaint was brought pursuant to another complaint review process.

**F.10.06 - Representation:**

Subject to applicable laws of the State of Texas, including but not limited to Texas Government Code Chapter 617 and supporting opinions from the Attorney General of the State of Texas, an employee filing an administrative complaint or grievance, or an employee who is the subject of a complaint, or is discharged under this Policy, may be assisted by a person of his or her choice. This representation shall not include legal representation.

**F.10.07 - Administrative Review Process:**

Administrative review is the process by which an aggrieved employee requests that the second level supervisor reconsider a decision of the immediate supervisor that affects the employee, and that the employee believes to be unjust or inequitable. This process is available to all full- and part-time employees. This is the only review process available to contest the content of an evaluation, or the dismissal of a full- or part-time non-contractual employee.
Prior to initiating an administrative review, the employee must have first discussed his or her concerns with the immediate supervisor.

**F.10.08 - Administrative Review Procedure:**

A request for an administrative review is to be submitted in writing. The second level supervisor shall meet with the employee, conduct any necessary investigation, and respond to the employee within ten (10) calendar days. The response to an administrative review is communicated to the employee, in writing, by the reviewer.

**F.10.09 - Formal Grievance Process:**

The formal grievance process is available for a full-time contractual employee to seek resolution of a workplace dispute, disagreement with a performance evaluation, or other matter besides involuntary discharge of a contract employee, or a proposed change in contract status, which are addressed in other sections of Section IV. Human Resources, Board Policy Manual. The grievance must recite a violation or misapplication of a specific Board policy or a specific administrative procedure that is related to wages, hours or conditions of work. The formal grievance process is the next step if the issue is not resolved in the Administrative Review Process.

**F.10.10 - Formal Grievance Procedure:**

A grievance must be initiated in writing to the Location Executive Officer (LEO) within ten (10) calendar days of the completion of the Administrative Review Process. The grievance must detail the pertinent facts relevant to the problem, actions taken to date and specific reference to the rights the grievant believes have been violated.

Upon receipt of the grievance, the LEO will conduct an investigation, if necessary, and respond in writing to the grievant within fifteen (15) calendar days.

**F.10.11 - Appeal to Chancellor:**

A contractual employee who is not satisfied with the result of the Formal Grievance Process may appeal in writing to the Chancellor within fifteen (15) calendar days of his/her receipt of the ruling from the Formal Grievance Process. The Chancellor shall review the employee’s appeal submission and the written record of the grievance and, within fifteen (15) calendar days, shall determine whether to uphold or deny the grievance. The Chancellor’s decision shall be final.
**F.10.12 - Timelines:**

The time limits, as provided in this policy, are created in order to ensure that issues are raised and addressed promptly. Timelines for the filing of and response to a complaint may be extended by the mutual agreement of the employee and the person responsible for conducting the review. A grievance shall be considered resolved at the completion of any step, if all parties are satisfied or if neither party files a timely appeal to the next step.

**13. Discharge of Employees:**

**F.13.01 - Policy:**

Any System employee may be discharged by his/her supervisor (subject to the Location Executive Officer and Associate Vice Chancellor for Human Resources being apprised of, and consented to, the proposed discharge and terms of discharge) for any of, but not limited to, the following reasons:

a. Repeated failure to meet established performance standards as put forth in policy F.11
b. Failure to comply with official directives or established Board policies;
c. Violation of the System’s criminal background check policy; or
d. Repeated and continued neglect of job responsibilities.

A non-contractual employee may be discharged with or without reasons and has no due process right of notice and opportunity for a hearing prior to discharge.

The discharge of a contractual employee involves a decision to end the contractual relationship prior to the end of the contract, for cause. The Chancellor must be apprised of all discharges and terms thereof relating to contractual employees.

**F.13.02 - Discharge for Cause:**

Subject to consent of the Location Executive Officer and Associate Vice Chancellor for Human Resources, discharge of an employee shall be on the recommendation of the appropriate supervisor. An employee who is to be discharged for performance reasons will have been advised by his or her supervisor of problems during the evaluation process, or through other written means, and given an opportunity to correct the problems.

An employee may be discharged for misconduct, including by way of example, mistreatment of a subordinate, co-workers, students, or members
of the public, misuse of computing or other System resources, or violation of the System's civil rights policies.

Except for a discharge in accordance with Section F.13.03, a contractual employee will have the right to request a pre-discharge hearing and a written explanation of the reasons for the action, and any facts pertinent to the decision. Upon notification of discharge, the employee will have a right, upon written request filed with the employee’s LEO within fifteen (15) calendar days after such written notification, to a formal hearing before a hearing committee. At such hearing, the employee will be given an opportunity to present evidence, to cross-examine witnesses, and to summarize his or her argument that the discharge is improper. The hearing committee shall be comprised of at least three (3) individuals, which will be appointed by the Chancellor or designee.

The hearing shall be held within thirty (30) calendar days after written request for such hearing is filed with the LEO. After such hearing the hearing committee, within fifteen (15) calendar days of the hearing, will recommend in writing to the Chancellor to confirm or revoke the discharge. The hearing committee will issue a copy of the recommendation to the employee. The Chancellor will review the recommendation and issue the employee a written determination within fifteen (15) calendar days.

**F.13.03 - Immediate Discharge:**

Any employee may be discharged immediately and without prior warnings, Disciplinary Action or a pre-discharge hearing for serious offenses including, but not limited to:

- a. Serious acts of dishonesty, including misappropriation of System funds, destruction of records to cover up wrongdoing, or misuse of authority;

- b. A violation of the System's drug and alcohol policy;

- c. Violation of the System’s criminal background check policy; or

- d. Conduct that jeopardizes the health or safety of System employees, students, or others on System property.

A contractual employee, who is the subject of immediate discharge, will be provided with immediate notice of the reasons for the discharge, set out in sufficient detail to fairly enable him or her to show error that may exist at a post-discharge hearing.
F.13.04 - Suspension with Pay:

An employee may be suspended from employment with pay, pending further investigation of a matter, including possible official action by outside legal agencies. Suspension with pay requires approval of the Chancellor or his/her designee. There is no time limit for suspension with pay. Suspension with pay should be followed immediately with a thorough investigation of the case to determine the appropriate level of discipline, if any.

During the period of suspension with pay, an employee is considered on active assignment, may be required to make himself or herself available for business during normal work hours, and is required to observe System policies, procedures, and standards of conduct.

F.13.05 - Appeal for Contractual Employee:

Unless the Chancellor revokes the discharge, the employee may appeal the decision to the Board of Trustees, by providing written notice to the Chancellor within ten (10) calendar days of his or her receipt of the Chancellor's written decision. The Chancellor shall notify the Secretary of the Board. The appeal will consist of a written position paper and review of the documents underlying the termination from both the employee and the System. At its sole discretion the Board may determine if a hearing will be allowed.

The Board shall review the position papers and documents submitted by the employee and the System within thirty (30) calendar days after the written request for appeal has been filed. The days the System is closed shall not count towards this timeline. Prior to the expiration of the thirty (30) calendar days, the Board shall take official action, as required by its Policies and State law, and by notifying the employee of its decision in writing confirming or revoking the discharge. At its sole discretion, the time required by the Board to take official action may be extended within a period of sixty (60) calendar days upon notice to the employee. The Board’s decision shall be final.
Report: Monthly Financial Statements

The financial statements for the month ended October 31, 2009 are presented for Board review.
LONE STAR COLLEGE SYSTEM

STATEMENT OF CURRENT OPERATING FUNDS, EXCLUDING THE TECHNOLOGY FUND
REVENUES, EXPENDITURES AND OTHER CHANGES - BUDGET & ACTUAL
FOR THE TWO MONTHS ENDED OCTOBER 31, 2009
UNAUDITED

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>17% OF FISCAL YEAR</th>
<th>% ACTUAL TO BUDGET</th>
<th>PRIOR YEAR</th>
<th>% OF 08/31/09</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>REVENUES</td>
<td></td>
<td></td>
<td>ACTUAL</td>
<td></td>
</tr>
<tr>
<td>STATE APPROPRIATIONS</td>
<td>$ 61,610,000</td>
<td>$ 14,656,932</td>
<td>23.79%</td>
<td>$ 14,632,340</td>
<td>26.61%</td>
</tr>
<tr>
<td>TUITION AND FEES</td>
<td>53,980,000</td>
<td>25,015,153</td>
<td>46.34%</td>
<td>21,333,829</td>
<td>43.11%</td>
</tr>
<tr>
<td>TAXES</td>
<td>92,900,000</td>
<td>991,525</td>
<td>1.07%</td>
<td>979,985</td>
<td>1.12%</td>
</tr>
<tr>
<td>INVESTMENTS</td>
<td>1,580,000</td>
<td>34,364</td>
<td>2.17%</td>
<td>233,269</td>
<td>18.74%</td>
</tr>
<tr>
<td>OTHER</td>
<td>3,730,000</td>
<td>572,216</td>
<td>15.34%</td>
<td>155,167</td>
<td>4.54%</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td>213,800,000</td>
<td>41,270,190</td>
<td>19.30%</td>
<td>37,334,590</td>
<td>19.02%</td>
</tr>
</tbody>
</table>

|                                | EXPENDITURES    |                    |                    |            |               |
| INSTRUCTION - ACADEMIC        | 52,172,838     | 10,077,195         | 19.32%             | 9,207,811  | 18.24%        |
| INSTRUCTION - WORKFORCE       | 30,587,446     | 4,311,236          | 14.09%             | 4,014,718  | 15.83%        |
| PUBLIC SERVICE                | 1,360,474      | 120,040            | 8.82%              | 92,332     | 10.04%        |
| ACADEMIC SUPPORT              | 42,548,534     | 5,044,007          | 11.85%             | 4,547,171  | 12.01%        |
| STUDENT SERVICES              | 24,739,401     | 3,184,684          | 12.87%             | 2,662,486  | 14.41%        |
| INSTITUTIONAL SUPPORT         | 23,764,202     | 3,197,934          | 13.46%             | 3,232,852  | 15.68%        |
| PLANT OPERATION AND MAINTENANCE| 25,908,901     | 4,037,314          | 15.58%             | 3,778,820  | 14.62%        |
| STAFF BENEFITS                | 12,568,204     | 4,017,439          | 31.97%             | 3,080,022  | 27.89%        |
| TOTAL EDUCATIONAL AND GENERAL EXPENDITURES | 213,650,000 | 33,989,849 | 15.91% | 30,616,212 | 16.06% |

|                                | REPAIR, REPLACEMENT AND OTHER |                    |                    |            |               |
|                                | INTERNALLY DESIGNATED         | 2,750,000          | 725                | 0.03%      | 209,064       | 10.19%        |
| TOTAL EXPENDITURES             | 216,400,000                | 33,990,574         | 15.71%             | 30,825,276 | 16.00%        |

|                                | OTHER CHANGES - DEBT SERVICE & FUND TRANSFERS |                    |                    |            |               |
|                                | 4,600,000                   | -                  | 0.00%              | 0          | 0.00%         |

| NET INCREASE (DECREASE) IN FUND BALANCES | $ (7,200,000) | $ 7,279,616 | $ 6,509,314 |
REVENUES:

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget 2009</th>
<th>Actual 2009</th>
<th>% of Actual 2009</th>
<th>Prior Year 2008</th>
<th>% of Actual 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Technology fee</td>
<td>$6,650,000</td>
<td>$3,142,762</td>
<td>47.26%</td>
<td>$2,350,352</td>
<td>42.77%</td>
</tr>
<tr>
<td>Investments</td>
<td>-</td>
<td>1,688</td>
<td>0.00%</td>
<td>6,625</td>
<td>17.83%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>50,000</td>
<td>8,539</td>
<td>0.00%</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total revenues &amp; additions</strong></td>
<td><strong>6,700,000</strong></td>
<td><strong>3,152,989</strong></td>
<td><strong>47.06%</strong></td>
<td><strong>2,356,977</strong></td>
<td><strong>42.52%</strong></td>
</tr>
</tbody>
</table>

EXPENDITURES:

Automated Library System

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget 2009</th>
<th>Actual 2009</th>
<th>% of Actual 2009</th>
<th>Prior Year 2008</th>
<th>% of Actual 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Services</td>
<td>256,540</td>
<td>78,323</td>
<td>30.53%</td>
<td>200,960</td>
<td>70.10%</td>
</tr>
<tr>
<td>Travel and Professional Development</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Supplies</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Communications</td>
<td>24,000</td>
<td>-</td>
<td>0.00%</td>
<td>6,000</td>
<td>23.08%</td>
</tr>
<tr>
<td><strong>Total Automated Library System</strong></td>
<td><strong>280,540</strong></td>
<td><strong>78,323</strong></td>
<td><strong>27.92%</strong></td>
<td><strong>206,960</strong></td>
<td><strong>63.36%</strong></td>
</tr>
</tbody>
</table>

Datatel Services

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget 2009</th>
<th>Actual 2009</th>
<th>% of Actual 2009</th>
<th>Prior Year 2008</th>
<th>% of Actual 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Services</td>
<td>1,268,015</td>
<td>115,628</td>
<td>9.12%</td>
<td>361,001</td>
<td>40.75%</td>
</tr>
<tr>
<td>Travel and Professional Development</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Supplies</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Communications</td>
<td>215,933</td>
<td>42,561</td>
<td>19.71%</td>
<td>1,334</td>
<td>0.67%</td>
</tr>
<tr>
<td>Equipment</td>
<td>22,786</td>
<td>-</td>
<td>0.00%</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Datatel Services</strong></td>
<td><strong>1,548,334</strong></td>
<td><strong>158,189</strong></td>
<td><strong>10.22%</strong></td>
<td><strong>362,335</strong></td>
<td><strong>32.54%</strong></td>
</tr>
</tbody>
</table>

E-Mail Services & Telecommunications

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget 2009</th>
<th>Actual 2009</th>
<th>% of Actual 2009</th>
<th>Prior Year 2008</th>
<th>% of Actual 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Services</td>
<td>700,000</td>
<td>93,518</td>
<td>13.36%</td>
<td>154,775</td>
<td>22.88%</td>
</tr>
<tr>
<td>Travel and Professional Development</td>
<td>37,700</td>
<td>254</td>
<td>0.67%</td>
<td>495</td>
<td>2.46%</td>
</tr>
<tr>
<td>Supplies</td>
<td>66,000</td>
<td>1,376</td>
<td>2.08%</td>
<td>6,516</td>
<td>45.51%</td>
</tr>
<tr>
<td>Communications</td>
<td>204,720</td>
<td>5,677</td>
<td>2.77%</td>
<td>7,038</td>
<td>11.40%</td>
</tr>
<tr>
<td>Equipment</td>
<td>236,940</td>
<td>13,268</td>
<td>5.60%</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total E-Mail Services &amp; Telecommunications</strong></td>
<td><strong>1,245,360</strong></td>
<td><strong>114,093</strong></td>
<td><strong>9.16%</strong></td>
<td><strong>168,824</strong></td>
<td><strong>17.45%</strong></td>
</tr>
</tbody>
</table>

Campus Support

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget 2009</th>
<th>Actual 2009</th>
<th>% of Actual 2009</th>
<th>Prior Year 2008</th>
<th>% of Actual 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Services</td>
<td>376,920</td>
<td>376,920</td>
<td>100.00%</td>
<td>280</td>
<td>0.07%</td>
</tr>
<tr>
<td>Supplies</td>
<td>1,015,000</td>
<td>-</td>
<td>0.00%</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Equipment</td>
<td>2,215,000</td>
<td>-</td>
<td>0.00%</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Reserve</td>
<td>18,846</td>
<td>-</td>
<td>0.00%</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Campus Support</strong></td>
<td><strong>3,625,766</strong></td>
<td><strong>376,920</strong></td>
<td><strong>10.40%</strong></td>
<td><strong>280</strong></td>
<td><strong>0.01%</strong></td>
</tr>
</tbody>
</table>

**Total expenditures**

<table>
<thead>
<tr>
<th>Budget 2009</th>
<th>Actual 2009</th>
<th>% of Actual 2009</th>
<th>Prior Year 2008</th>
<th>% of Actual 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>$6,700,000</td>
<td>727,525</td>
<td>10.86%</td>
<td>738,399</td>
<td>14.06%</td>
</tr>
</tbody>
</table>

**NET INCREASE (DECREASE) IN FUND BALANCE**

<table>
<thead>
<tr>
<th></th>
<th>Budget 2009</th>
<th>Actual 2009</th>
<th>% of Actual 2009</th>
<th>Prior Year 2008</th>
<th>% of Actual 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>-</td>
<td>$2,425,464</td>
<td>$1,618,578</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### LONE STAR COLLEGE SYSTEM
**BALANCE SHEET**
**OCTOBER 31, 2009**
**UNAUDITED**

#### ASSETS

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Unrestricted</th>
<th>Auxiliary</th>
<th>Restricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>(24,962,673)</td>
<td>8,057,527</td>
<td>5,595,569</td>
</tr>
<tr>
<td>Accounts receivable (net of allowance for doubtful accounts)</td>
<td>3,905,038</td>
<td>15,218</td>
<td></td>
</tr>
<tr>
<td>Taxes receivable (net of allowance for doubtful accounts)</td>
<td>3,562,123</td>
<td>-</td>
<td>8,538,828</td>
</tr>
<tr>
<td>Due from grantor agency</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Due from other funds</td>
<td>16,136,549</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Investments</td>
<td>63,391,567</td>
<td>-</td>
<td>239,791,355</td>
</tr>
<tr>
<td>Accrued interest receivable</td>
<td>14,920</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Prepaid and deferred expenses</td>
<td>243,953</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Deposits</td>
<td>82,333</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Inventories, at cost</td>
<td>-</td>
<td>46,416</td>
<td>-</td>
</tr>
<tr>
<td>Land</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Buildings</td>
<td>-</td>
<td>-</td>
<td>349,894,035</td>
</tr>
<tr>
<td>Leasehold Improvements</td>
<td>-</td>
<td>-</td>
<td>5,589,001</td>
</tr>
<tr>
<td>Library books</td>
<td>-</td>
<td>-</td>
<td>12,619,171</td>
</tr>
<tr>
<td>Furniture, Fixtures &amp; Equipment</td>
<td>-</td>
<td>-</td>
<td>19,839,860</td>
</tr>
<tr>
<td>Capitalized Interest Costs</td>
<td>-</td>
<td>-</td>
<td>4,893,532</td>
</tr>
<tr>
<td>Construction in Progress</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

**TOTAL ASSETS**: $62,373,810

#### LIABILITIES AND FUND BALANCES

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Unrestricted</th>
<th>Auxiliary</th>
<th>Restricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts payable</td>
<td>$3,167,579</td>
<td>42,058</td>
<td>389,592</td>
</tr>
<tr>
<td>Accrued salaries</td>
<td>1,357,265</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Due to other funds</td>
<td>-</td>
<td>5,369,125</td>
<td>9,410,243</td>
</tr>
<tr>
<td>Deferred revenues</td>
<td>3,576,966</td>
<td>2,726</td>
<td>4,782,130</td>
</tr>
<tr>
<td>Accrued compensable absences payable</td>
<td>5,200,077</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Accrued Interest Payable</td>
<td>-</td>
<td>-</td>
<td>894,971</td>
</tr>
<tr>
<td>Bonds payable</td>
<td>-</td>
<td>-</td>
<td>485,751,246</td>
</tr>
<tr>
<td>Assets held in custody for others</td>
<td>(540)</td>
<td>(447,568)</td>
<td>-</td>
</tr>
</tbody>
</table>

**TOTAL LIABILITIES**: 13,301,347

#### FUND BALANCES

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Unrestricted</th>
<th>Auxiliary</th>
<th>Restricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loans</td>
<td>-</td>
<td>-</td>
<td>485,631</td>
</tr>
<tr>
<td>Restricted for construction</td>
<td>-</td>
<td>-</td>
<td>241,653,660</td>
</tr>
<tr>
<td>Investment in fixed assets</td>
<td>-</td>
<td>-</td>
<td>487,601,595</td>
</tr>
<tr>
<td>Debt service</td>
<td>-</td>
<td>-</td>
<td>(479,590,067)</td>
</tr>
<tr>
<td>To be provided for debt service</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

**TOTAL FUND BALANCES**: 49,072,463

**TOTAL LIABILITIES AND FUND BALANCES**: $62,373,810

### NOTE:
Subject to change pending completion of the August 31, 2009 audit.
# Lone Star College System
## Statement of Changes in Fund Balances
### For the Two Months Ended October 31, 2009
#### Unaudited

<table>
<thead>
<tr>
<th>Fund</th>
<th>Unrestricted</th>
<th>Auxiliary</th>
<th>Restricted</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FUND BALANCE, SEPTEMBER 1, 2009</strong></td>
<td>$39,367,383</td>
<td>$2,688,137</td>
<td>-</td>
<td>$42,055,520</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Revenue and Other Additions</th>
<th>Current Funds Revenue</th>
<th>Federal Grants and Contracts</th>
<th>State Grants and Contracts</th>
<th>Local Gifts, Grants and Contracts</th>
<th>Interest Income</th>
<th>Revenue Bond Debt Service Transfer from Operating</th>
<th>Proceeds from Sale of Assets</th>
<th>Bond Proceeds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES AND OTHER ADDITIONS:</strong></td>
<td>$43,395,603</td>
<td>$991,525</td>
<td>-</td>
<td>36,052</td>
<td>-</td>
<td>-</td>
<td>8,862,668</td>
<td>151,279,389</td>
<td>$44,236,731</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenditures and Other Deductions</th>
<th>Current Funds Expenditures</th>
<th>Expenditure for Plant Facilities</th>
<th>Disposal of Plant Assets</th>
<th>Administrative and Collection Costs</th>
<th>Revenue Bond Debt Service Transfer to Interest &amp; Sinking</th>
<th>Bond Issuance Cost</th>
<th>Bond Principal Payments/Amortization</th>
<th>Cost of Assets Sold</th>
<th>Bond Interest Expense</th>
<th>Bond Agency Fees</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EXPENDITURES AND OTHER DEDUCTIONS:</strong></td>
<td>$34,718,100</td>
<td>$824,013</td>
<td>18,908,517</td>
<td>54,450,630</td>
<td>-</td>
<td>-</td>
<td>151,279,389</td>
<td>-</td>
<td>-</td>
<td>500</td>
<td>$1,254</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Changes in Fund Balance</th>
<th>Non-Mandatory Transfers</th>
<th><strong>Total</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CHANGES IN FUND BALANCE</strong></td>
<td>$9,705,080</td>
<td>$17,115</td>
</tr>
</tbody>
</table>


### NOTE:
Subject to change pending completion of the August 31, 2009 audit.
## LONE STAR COLLEGE SYSTEM
### SUMMARY OF INVESTMENTS
#### AS OF OCTOBER 31, 2009

<table>
<thead>
<tr>
<th></th>
<th>Book Value</th>
<th>Market Value</th>
<th>Weighted Avg. Days to Maturity</th>
<th>Weighted Avg. Purchase Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OPERATING UNRESTRICTED</strong></td>
<td>(Includes Renewal and Replacement Funds)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>U. S. Government Agencies</td>
<td>$15,163,249</td>
<td>$15,179,858</td>
<td>1.13%</td>
<td></td>
</tr>
<tr>
<td>Logic</td>
<td>26,161,632</td>
<td>26,161,632</td>
<td>0.32%</td>
<td></td>
</tr>
<tr>
<td>Lone Star</td>
<td>16,864,427</td>
<td>16,864,427</td>
<td>0.30%</td>
<td></td>
</tr>
<tr>
<td>TexPool</td>
<td>4,121,518</td>
<td>4,121,518</td>
<td>0.28%</td>
<td></td>
</tr>
<tr>
<td>Overnight Sweep</td>
<td>1,080,741</td>
<td>1,080,741</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>63,391,567</td>
<td>63,408,176</td>
<td>138</td>
<td>0.50%</td>
</tr>
</tbody>
</table>

| **CONSTRUCTION IN PROGRESS** |          |              |                               |                             |
| Commercial Paper       | 5,008,177 | 5,010,240    | 0.69%                         |                             |
| JPMorgan Chase - MMF  | 55,283,714| 55,283,714   | 0.19%                         |                             |
| Logic                 | 55,019,315| 55,019,315   | 0.32%                         |                             |
| Lone Star             | 56,647,665| 56,647,664   | 0.27%                         |                             |
| TexPool               | 67,832,484| 67,832,483   | 0.28%                         |                             |
| **TOTAL**             | 239,791,355| 239,793,416  | 3                             | 0.28%                       |

| **INTEREST & SINKING** |          |              |                               |                             |
| Logic                 | 1,193     | 1,193        | 0.32%                         |                             |
| Lone Star             | 7,131,344 | 7,131,344    | 0.30%                         |                             |
| TexPool               | 207,912   | 207,912      | 0.28%                         |                             |
| **TOTAL**             | 7,340,449 | 7,340,449    | 1                             | 0.30%                       |

| **TOTAL INVESTMENTS** | $310,523,371 | $310,542,041 | 30                           | 0.32%                       |

Benchmark: 90 day U.S. Treasury Bill 0.05%
### LONE STAR COLLEGE SYSTEM
### INVESTMENT ACTIVITY REPORT
### FOR THE MONTH ENDED OCTOBER 31, 2009

<table>
<thead>
<tr>
<th>Operating Unrestricted*</th>
<th>Avg Buy Unrestricted*</th>
<th>Avg Buy Interest &amp; Sinking</th>
<th>Avg Buy Total</th>
<th>Avg Buy Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>BEGINNING BOOK VALUE</td>
<td>$78,842,660</td>
<td>0.50%</td>
<td>0.37%</td>
<td>$328,179,571</td>
</tr>
</tbody>
</table>

### PURCHASES:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
<th>Yield</th>
<th>Amount</th>
<th>Yield</th>
<th>Amount</th>
<th>Yield</th>
<th>Amount</th>
<th>Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Government Agencies</td>
<td>2,000,000</td>
<td>1.00%</td>
<td>2,000,000</td>
<td>1.00%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Logic</td>
<td>686,856</td>
<td>0.32%</td>
<td>5,014,524</td>
<td>0.32%</td>
<td>1</td>
<td>0.32%</td>
<td>5,701,381</td>
<td>0.32%</td>
</tr>
<tr>
<td>Lone Star</td>
<td>5,804,912</td>
<td>0.28%</td>
<td>303,833</td>
<td>0.30%</td>
<td>6,105,745</td>
<td>0.28%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TexPool</td>
<td>16,359</td>
<td>0.28%</td>
<td>37</td>
<td>0.28%</td>
<td>16,396</td>
<td>0.28%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overnight Sweep</td>
<td>26,848,010</td>
<td>0.00%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL PURCHASES</strong></td>
<td>35,336,778</td>
<td>0.11%</td>
<td>5,030,883</td>
<td>0.32%</td>
<td>303,871</td>
<td>0.30%</td>
<td>40,671,532</td>
<td>0.14%</td>
</tr>
</tbody>
</table>

### MATURITIES:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
<th>Yield</th>
<th>Amount</th>
<th>Yield</th>
<th>Amount</th>
<th>Yield</th>
<th>Amount</th>
<th>Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Paper</td>
<td>5,000,000</td>
<td>1.54%</td>
<td>5,000,000</td>
<td>1.54%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lone Star</td>
<td>2,568,413</td>
<td>0.27%</td>
<td>2,568,413</td>
<td>0.27%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TexPool</td>
<td>24,489,377</td>
<td>0.28%</td>
<td>24,489,377</td>
<td>0.28%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overnight Sweep</td>
<td>26,294,527</td>
<td>0.00%</td>
<td>26,294,527</td>
<td>0.00%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL MATURITIES</strong></td>
<td>50,783,904</td>
<td>0.14%</td>
<td>7,568,413</td>
<td>1.11%</td>
<td>-</td>
<td></td>
<td>58,352,317</td>
<td>0.26%</td>
</tr>
</tbody>
</table>

**Premium / ( Discount )**
- Premium / ( Discount )
  - 31,249
  - (5,824)
- Unrealized Gains ( Losses )
  - (35,216)
  - 34,376

**ENDING BOOK VALUE**
- 63,391,567
- 0.50%
- 239,791,355
- 0.28%
- 7,340,449
- 0.30%
- 310,523,371
- 0.32%

**Beg. Unrealized Gains (Losses)**
- 28,101
- 26,856
- 54,957

**Unrealized Gains ( Losses ) Chg.**
- (11,492)
- (24,795)
- (36,287)

**ENDING MARKET VALUE**
- $63,408,176
- $239,793,416
- $7,340,449
- $310,542,041
Report: The Board of Trustees periodically authorizes the Chancellor or designee to negotiate and execute contracts which require board approval. The following is a status report on these contracts.

<table>
<thead>
<tr>
<th>ITEM AUTHORIZED</th>
<th>DATE AUTHORIZED</th>
<th>DATE FINALIZED</th>
<th>BOARD ADVISED AMOUNT</th>
<th>ACTUAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Learning Management System for LSC-Online</td>
<td>3/5/09</td>
<td>3/30/09</td>
<td>$1,230,000* (3 years)</td>
<td>$954,600* (3 years)</td>
</tr>
<tr>
<td>Design-Build Services for a Parking Garage at LSC-Montgomery</td>
<td>3/5/09</td>
<td>7/29/09</td>
<td>$12M</td>
<td>$10,180,000</td>
</tr>
<tr>
<td>Engineering Services for Acoustical and Theater Design</td>
<td>3/5/09 and 6/4/09</td>
<td>5/6/09 and 6/4/09</td>
<td>$757,000</td>
<td>$737,000</td>
</tr>
<tr>
<td>Amend Construction, Lease and Maintenance of Fiber Optic Cable at LSC-University Park and Peakwood Sites</td>
<td>5/7/09</td>
<td>5/29/09</td>
<td>$551,900</td>
<td>$551,900</td>
</tr>
<tr>
<td>Amendment for Additional Project Management Services</td>
<td>8/6/09</td>
<td>9/29/09</td>
<td>$700,000</td>
<td>$700,000</td>
</tr>
<tr>
<td>Historically Underutilized Business Program Management Services</td>
<td>8/6/09</td>
<td>8/6/09</td>
<td>$400,000</td>
<td>$300,000</td>
</tr>
<tr>
<td>Sale of Willow Chase Center</td>
<td>8/6/09</td>
<td>9/17/09</td>
<td>$8,900,000</td>
<td>$8,900,000</td>
</tr>
<tr>
<td>Purchase Emergency Mass Notification System</td>
<td>10/1/09</td>
<td>11/18/09</td>
<td>$709,147</td>
<td>$709,147</td>
</tr>
<tr>
<td>Purchase Security Camera System</td>
<td>10/1/09</td>
<td>11/18/09</td>
<td>$415,769</td>
<td>$415,769</td>
</tr>
</tbody>
</table>

*Does not include the two one year renewal options.

Resource: Cindy Gilliam 832-813-6512
Request: Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement for the Purchase of Construction Services for New Buildings, Renovations and Infrastructure at LSC-North Harris

Chancellor’s Recommendation: That the Board of Trustees authorize the Chancellor or designee to negotiate and execute an agreement for the purchase of construction services for new buildings, renovations and infrastructure at LSC-North Harris from Linbeck Group LLC, 3900 Essex Lane Suite1200, Houston Texas 77027, for an estimated amount of $21,400,000.

Rationale: The May 10, 2008 bond election resulted in the approval for LSCS to issue up to $420M in general obligation bonds for the purchase, new construction, repair and replacement, or renovation of land and facilities. A construction general contractor is required for the construction of the new buildings and infrastructure at LSC-North Harris. The contractor will work directly with the System’s architects, project managers and staff to complete the construction on the campus.

The new buildings/renovations consist of:
- Student Services Building – 51,600 SF
- Fine Arts Addition – 16,779 SF
- Applied Technology Addition – 14,353 SF
- Academic Building Renovation
- Winship Building Renovation
- Campus Infrastructure Including Parking Expansion/Reconfiguration

Requests for proposals were sent to seventy-eight general contracting firms and thirteen construction brokerage firms, and twelve responses were received. Based upon an evaluation of each firm’s proposal and qualifications, five firms were interviewed.

During the evaluation/interview process, firms were given an opportunity to provide an overview of their experience and references relating to similar projects. The award could not be based upon low bid alone. Each firm was evaluated based upon cost of the project, company profile and references, including history, principals, project experience, and proposed personnel, Historically Underutilized Business (HUB) status, including percentage of participation and subcontracting plan, financial stability of the firm and the firm’s safety program. See attached Evaluation Tabulation.
To ensure the Board is informed, a status report will be presented to the Board with the contracted cost of services based upon the executed contract.

**Fiscal Impact:** Funds for this purchase are available from the 2008 general obligation bonds. The bid amount is lower than the estimated budget for these projects.

**Staff Resource:** Cindy Gilliam 832-813-6512
## Construction Services
**for New Buildings and Infrastructure**
**at LSC-North Harris**

**EVALUATION TABULATION**

<table>
<thead>
<tr>
<th>Firm</th>
<th>Max Points</th>
<th>Linbeck</th>
<th>Prime</th>
<th>Brookstone</th>
<th>Durotech</th>
<th>Martin-Harris/ State Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost of Project</td>
<td>40</td>
<td>40</td>
<td>39</td>
<td>35</td>
<td>34</td>
<td>39</td>
</tr>
<tr>
<td>HUB Certification or HUB subcontracting plan, including percentage of business and partnering firms</td>
<td>20</td>
<td>16</td>
<td>14</td>
<td>14</td>
<td>12</td>
<td>15</td>
</tr>
<tr>
<td>Credentials/Experience of assigned staff</td>
<td>15</td>
<td>13</td>
<td>12</td>
<td>13</td>
<td>14</td>
<td>7</td>
</tr>
<tr>
<td>Financial Stability of firm</td>
<td>10</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>Safety Program &amp; History</td>
<td>10</td>
<td>9</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>References</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
<td><strong>90</strong></td>
<td><strong>85</strong></td>
<td><strong>82</strong></td>
<td><strong>80</strong></td>
<td><strong>78</strong></td>
</tr>
</tbody>
</table>
Request:  Consideration of Approval and Acceptance of the Comprehensive Annual Financial Report (CAFR) and the Independent Auditors’ Reports

Chancellor’s Recommendation:  That the Board of Trustees consider the recommendation of the Audit Committee regarding acceptance of the Comprehensive Annual Financial Report and the independent auditors’ reports.

Rationale:  The CAFR for fiscal years ended August 31, 2009 and 2008 and the independent auditors’ reports thereon are presented for Board review and acceptance.  The independent auditing firm of McConnell & Jones has issued an unqualified or “clean” opinion on the System’s financial statements and federal financial assistance programs.  As required by state law, the CAFR will be filed with the Texas Higher Education Coordinating Board by January 1, 2010.

The reports are scheduled to be reviewed by the Board of Trustees Audit Committee prior to the December 3, 2009 Board meeting.

Fiscal Impact:  None

Staff Resource:  Cindy Gilliam  832-813-6512
Request: Consideration of Approval Pursuant to Texas Tax Code Section 33.11 to Authorize a Collection Penalty of 20% of the Delinquent Tax, Penalty and Interest Owed to Lone Star College System (LSCS) on Tangible Personal Property in Harris and Montgomery Counties, for the 2008 Tax Year, and for Each Succeeding Year Thereafter

Chancellor’s Recommendation: That the Board of Trustees approve the 20% collection penalty to defray the cost of collecting delinquent taxes on tangible personal property.

Rationale: Lone Star College System (LSCS) had contracted with the law firm of Linebarger, Goggan, Blair and Sampson to collect its delinquent taxes. The contract calls for a collection fee of 20% of the amount collected for delinquent taxes on real property and tangible personal property to be paid to the law firm. Sections 33.07 and 33.08 of the Texas Tax Code allow a taxing authority to authorize the addition of a collection penalty in an amount that does not exceed the amount of the compensation specified in the contract with the law firm in order to defray the collection cost for delinquent property taxes. On June 5th, 2003 the LSCS Board authorized a 20% collection penalty in accordance with Sections 33.07 and 33.08. Section 33.11 of the Texas Tax Code allows a similar collection fee to be assessed on delinquent taxes for tangible personal property. Board authorization is required to allow the law firm to collect the 20% penalty to defray the collection costs.

Fiscal Impact: None. The penalty will be used to offset the legal fees incurred by LSCS that are paid to the delinquent tax collection firm with which the System has contracted.

Staff Resource: Cindy Gilliam 832-813-6512
Brian Nelson 832-813-6655
Request: Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement for the Purchase of Construction Services for Renovations and Infrastructure at LSC-Greenspoint Center

Chancellor’s Recommendation: That the Board of Trustees authorize the Chancellor or designee to negotiate and execute an agreement for the purchase of construction services for renovations and infrastructure at LSC-Greenspoint Center from MAPP Construction, LLC, 16770 Imperial Valley Drive, Suite # 110, Houston, Texas 77060, for an estimated amount of $1,229,000.

Rationale: The May 10, 2008 bond election resulted in the approval for LSCS to issue up to $420M in general obligation bonds for the purchase, new construction, repair and replacement, or renovation of land and facilities. A construction general contractor is required for the renovation/update of existing buildings and infrastructure at LSC-Greenspoint Center. In addition, the contractor will work directly with the System’s architects, project managers and staff to complete the construction on the campus.

The project consists of:
- Demolition of the existing Bennigan’s Restaurant
- New Surface Parking Lot
- Refurbishment of Existing Parking Structure
- Converting Two (2) Classrooms to a Biology Lab & Prep Space
- New Entry Vestibule Between Building & Garage

Requests for proposals were sent to seventy-eight general contracting firms and thirteen construction brokerage firms, and six responses were received. Based upon a review of each firm’s proposal and qualifications, the two firms with the highest evaluation scores were interviewed.

During the evaluation/interview process, firms were given an opportunity to provide an overview of their experience and references relating to similar projects. The award could not be based upon low bid alone. Each firm was evaluated based upon cost of the project, company profile and references, including history, principals, project experience, and proposed personnel, Historically Underutilized Business (HUB) status, including percentage of participation and subcontracting plan, financial stability of the firm and the firm’s safety program. See attached Evaluation Tabulation.

To ensure the Board is informed, a status report will be presented to the Board with the contracted cost of services based upon the executed
contract.

**Fiscal Impact:** Funds for this purchase are available from the 2008 general obligation bonds.

**Staff Resource:** Cindy Gilliam 832-813-6512
## Construction Services for Renovations and Infrastructure at LSC-Greenspoint Center

### EVALUATION TABULATION

<table>
<thead>
<tr>
<th>Firm</th>
<th>Max Points</th>
<th>MAPP Construction</th>
<th>Prime Contractors</th>
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<tbody>
<tr>
<td>Cost of Project</td>
<td>40</td>
<td>40</td>
<td>36</td>
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<tr>
<td>HUB Certification or HUB subcontracting plan, including percentage of business and partnering firms</td>
<td>20</td>
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<tr>
<td>Credentials/Experience of assigned staff</td>
<td>15</td>
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<tr>
<td>Financial Stability of firm</td>
<td>10</td>
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</tr>
<tr>
<td>Safety Program &amp; History</td>
<td>10</td>
<td>7</td>
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</tr>
<tr>
<td>References</td>
<td>5</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
<td><strong>90</strong></td>
<td><strong>85</strong></td>
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</table>
Financial Report and Consideration No. 7 (ACTION ITEM 6) Board Meeting 12-3-09

Request: Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement to Purchase Construction Services for LSC-Conroe Center

Chancellor’s Recommendation: That the Board of Trustees authorizes the Chancellor or designee to negotiate and execute an agreement for the purchase of construction services for new buildings and infrastructure at LSC-Conroe Center from EMJ Corporation, 5525 N. MacArthur Blvd., Suite 400, Irving, Texas 75038, for an estimated amount of $13,000,000.

Rationale: The May 10, 2008 bond election resulted in the approval for LSCS to issue up to $420M in general obligation bonds for the purchase, new construction, repair and replacement, or renovation of land and facilities. A construction general contractor is required for the construction of the new buildings and infrastructure at LSC-Conroe Center. The general contractor will assume the risk of subcontracting the work and guarantee completion of the project. In addition, the contractor will work directly with the System’s architects, project managers and staff to complete the construction on the campus.

The new buildings consist of:
- Classroom/Office/Administration Building – 67,134 SF
- Workforce Building – 16,200 SF
- Central Plant – 3,300 SF
- Parking and Access Roads to FM 3083 and Conroe Park East Drive

Requests for proposals were sent to seventy-eight general contracting firms and thirteen construction brokerage firms, and thirteen responses were received. Based upon an evaluation of each firm’s proposal and qualifications, four firms were interviewed. The interview committee consisted of representatives from LSC-Montgomery and System Office who have a thorough understanding of the scope of work.

During the evaluation/interview process, firms were given an opportunity to provide an overview of their experience and references relating to similar projects. The award could not be based upon low bid alone. Each firm was evaluated based upon cost of the project, company profile and references, including history, principals, project experience, and proposed personnel, Historically Underutilized Business (HUB) status, including percentage of participation and subcontracting plan, financial stability of the firm and the firm’s safety program. See attached Evaluation Tabulation.
To ensure the Board is informed, a status report will be presented to the Board with the contracted cost of services based upon the executed contract.

**Fiscal Impact:** Funds for this purchase are available from the 2008 general obligation bonds. The bid amount is lower than the estimated budget for these projects.

**Staff Resource:** Cindy Gilliam 832-813-6512
## Construction Services
### for New Buildings and Infrastructure
#### at LSC-Conroe Center

### EVALUATION TABULATION

<table>
<thead>
<tr>
<th>Firm</th>
<th>Max Points</th>
<th>EMJ Corporation</th>
<th>Miner – Dederick</th>
<th>Tribble &amp; Stephens</th>
<th>Prime Contractors</th>
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<td>HUB Certification or HUB subcontracting plan, including percentage of business and partnering firms</td>
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<td>12</td>
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<td>13</td>
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<tr>
<td>Credentials/Experience of assigned staff</td>
<td>15</td>
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<td>7</td>
<td>6</td>
</tr>
<tr>
<td>Financial Stability of firm</td>
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<td>8</td>
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<td>6</td>
</tr>
<tr>
<td>Safety Program &amp; History</td>
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<td>References</td>
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<td><strong>80</strong></td>
<td><strong>71</strong></td>
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</table>
Request: Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute a Contract for the Purchase of Leasing and Property & Asset Management Services for LSC-University Park (LSC-UP)

Chancellor’s Recommendation: That the Board of Trustees approve the Chancellor or designee to negotiate and execute an agreement for the purchase of leasing and property & asset management services for LSC-UP from Caldwell Companies, 7904 N. Sam Houston Parkway West, 4th Floor, Houston, TX 77064, in an amount contingent upon lease income, but with an expected annual minimum of $54,000.

Rationale: LSCS recently completed the purchase of a portion of the former Hewlett Packard campus in northwest Houston. A large percentage of this facility will be used for educational purposes; currently, approximately 400,000-500,000 square feet has been identified as available for the commercial lease marketplace. Lone Star College System requires a real estate partner to assist in the development of the associated strategic marketing plan, coordination of leasing activities and to provide property management services, including onsite personnel, for the available commercial office space.

Property management services are estimated to be $4,500 monthly, until approximately 10% of the office space is leased, at which time the property & asset management services will revert to 1.5% of the annual gross rent with the added costs of the appropriate property management site staff. Lease brokerage services will not exceed 3 7/8th % for direct leases and an additional 2% when cooperating brokers are involved.

The term of this agreement will be for a period of three years with two one-year options to renew. This agreement will be cancellable with or without cause, upon thirty days written notice.

Proposals were requested from fifteen property management firms and three responses were received. The award could not be based upon low bid alone. Each firm’s proposal was evaluated based upon price, firm history, experience in proposed leasing, property management, and asset management services, knowledge and experience with public higher education entities, experience in subject property submarket, quality of firm’s comprehensive marketing and leasing plan for subject property, references, Historically Underutilized Business (HUB) Status or HUB Plan and completeness and thoroughness of the proposal. The
evaluation committee consisted of System Office employees who have a thorough understanding of the scope of work. See attached Evaluation Tabulation.

**Fiscal Impact:** Funds for these services are available from the FY 2009-10 auxiliary budget. Funds for subsequent fiscal years will be included in future proposed budgets. These fees are expected to be offset by lease rental income.

**Staff Resource:** Cindy Gilliam 832-813-6512
**Property Management Services**  
for LSC-UP

**EVALUATION TABULATION**

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Caldwell Companies</th>
<th>Colliers International</th>
<th>Tarantino Properties</th>
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<td>Price Proposals – 35 Points</td>
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<td>Respondent's History, principals and experience including: (Firm's experience in proposed leasing, property management, and asset management services; Firm's knowledge and experience with public higher education entities; Firm's experience in subject property submarket. – 15 Points</td>
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<td>Quality of firm's comprehensive marketing and leasing plan for subject property – 15 Points</td>
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<tr>
<td>References – 15 Points</td>
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<tr>
<td>Historically Underutilized Business (HUB) Status or HUB Plan – 15 Points</td>
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<tr>
<td>Completeness and thoroughness of submittal packet – 5 Points</td>
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<td>3</td>
<td>2</td>
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<td><strong>70</strong></td>
<td><strong>45</strong></td>
</tr>
</tbody>
</table>
Request: Consideration of Authorization for the Chancellor to Negotiate and Execute a Ground Lease Agreement for the Lease of Real Property to the Harris County Emergency Services District 1

Chancellor's Recommendation: That the Board of Trustees authorize the Chancellor or his designee to negotiate and execute at a fair market value rate a ground lease agreement for an initial term of twenty (20) years (with two 10-year options to extend) for the lease of one (1) acre of real property located at 3102 Turkey Dr.

Rationale: Harris County Emergency Services District 1 (HCESD-1) intends to construct a building to facilitate the emergency response operations for LSC-North Harris and the surrounding community. The proposed real property is not in the current or foreseeable future expansion needs for the LSC-NH campus. The HCESD-1 site will serve as a clinical training facility for the EMS and Paramedic from our LSC-NH site. As permitted by Texas law, (i) the real property subject to the ground lease does not interfere or conflict with its original intended use (ii) the real property does not need to be under continued LSC-NH exclusive control and management, (iii) the intended use as set forth in the ground lease serves a public purpose and (iv) the consideration for the ground lease is reasonable based on the real properties intended use. HCESD-1 will begin construction at its sole cost and expense within thirty-six (36) months of full execution of the ground lease.

In accordance with Board Policy Section III Business Services: D.2.02, a ground lease of this nature requires approval of the Board of Trustees.

Fiscal Impact: None

Staff Resource: Steve Head 281-618-5444
Brian Nelson 832-813-6655
Request: Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement for the Purchase of Construction Services for Infrastructure at LSC-Cy Fair

Chancellor’s Recommendation: That the Board of Trustees authorize the Chancellor or designee to negotiate and execute an agreement for the purchase of construction services for infrastructure at LSC-Cy Fair from DYAD, 8505 Holt Street, Houston, Texas 77054, for an estimated amount of $3,010,000.

Rationale: The May 10, 2008 bond election resulted in the approval for LSCS to issue up to $420M in general obligation bonds for the purchase, new construction, repair and replacement, or renovation of land and facilities. A construction general contractor is required for the construction of infrastructure at LSC-Cy Fair. The general contractor will assume the risk of subcontracting the work and guarantee completion of the project. In addition, the contractor will work directly with the System’s architects, project managers and staff to complete the construction on the campus.

The project consists of: northeast parking lot expansion; eastern portion of southwest parking lot expansion; western portion of southwest parking lot expansion/West Road entry; and Loop Road connecting southwest parking lot to north side of campus.

Requests for proposals were sent to seventy-eight general contracting firms and thirteen construction brokerage firms, and fifteen responses were received. Based upon an evaluation of each firm’s proposal and qualifications, four firms were interviewed.

During the evaluation/interview process, firms were given an opportunity to provide an overview of their experience and references relating to similar projects. The award could not be based upon low bid alone. Each firm was evaluated based upon cost of the project, company profile and references, including history, principals, project experience, and proposed personnel, Historically Underutilized Business (HUB) status, including percentage of participation and subcontracting plan, financial stability of the firm and the firm’s safety program. See attached Evaluation Tabulation.

To ensure the Board is informed, a status report will be presented to the Board with the contracted cost of services based upon the executed contract.
**Fiscal Impact:** Funds for this purchase are available from the 2008 general obligation bonds. The bid amount is lower than the estimated budget for this project.

**Staff Resource:** Cindy Gilliam 832-813-6512
# Construction Services for Infrastructure at LSC-Cy Fair

## EVALUATION TABULATION

<table>
<thead>
<tr>
<th>Firm</th>
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<th>DYAD</th>
<th>EMJ</th>
<th>SUMMIT BUILDERS</th>
<th>MINER DEDERICK</th>
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<td>HUB Certification or HUB subcontracting plan, including percentage of business and partnering firms</td>
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<td>Credentials/Experience of assigned staff</td>
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<td>Financial Stability of firm</td>
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<tr>
<td>Safety Program &amp; History</td>
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<td><strong>83</strong></td>
<td><strong>81</strong></td>
<td><strong>69</strong></td>
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</table>
Request: Consideration of Approval to Purchase Texas Cooperative Purchasing Network (TCPN) Relocation Services for Modular Buildings at LSC-CyFair

Chancellor’s Recommendation: That the Board of Trustees approve the TCPN purchase of relocation services for the temporary modular buildings at LSC-CyFair from Williams Scotsman Corporation, 7915 FM 1960 West, Suite 115, Houston, Texas 77070 in an amount not to exceed $380,000.

Rationale: In April and August 2008, the Board of Trustees approved two-year lease agreements for temporary buildings at LSC-CyFair for a total amount of $964,522. The temporary modular buildings were installed to provide ten instructional classrooms with 300 seats for students. To accommodate for the construction of the new 138,900 square feet General Classroom and Student Services Building, two of the modular buildings must be relocated.

The modular buildings, including the electrical and plumbing infrastructure, will be dismantled and relocated. Dismantling will consist of the removal and reinstallation of the interior walls and exterior skirting. The existing furniture will be stored until the buildings have been reassembled. Relocating the modular buildings during the winter break is necessary as student usage is required for the Spring 2010 semester.

This purchase is in accordance with Texas Government Code, Subchapter F, Sections 271.101-102. The Board of Trustees approved an interlocal agreement and resolution with TCPN, which is sponsored by the Region IV Education Service Center, at the May 2001 Board of Trustees meeting.

Fiscal Impact: Funds for this purchase are included in the FY 2009-2010 repair and replacement budget.

Staff Resource: Audre Levy 281-290-3940
Cindy Gilliam 832-813-6512
Request:  Consideration of Approval to Purchase Online Early Alert System (OEAS) for LSC-Online and Authorize the Chancellor or Designee to Negotiate and Execute Amendments to Extend the Contract for Services

Chancellor’s Recommendation:  That the Board of Trustees approve the purchase of an OEAS system from Starfish Retention Solutions, 1901 North Ft. Myer Drive, Suite 702, Arlington, VA 22209, for an estimated amount of $37,800 for the first year. In addition, authorize the Chancellor or designee to negotiate and execute amendments to extend the contract for services for an amount not to exceed $260,000 over five years.

Rationale:  The OEAS will integrate with and support the current Angel 7.4 Learning Management System (LMS) by providing data and analytical tools for reporting, tracking, and intervention measurements. It will also provide an outlet for academic advising and scheduling of appointments from within the LMS, allow for automated tracking of student progress for intervention purposes, and flag students based on criteria set by Lone Star College System. The annual fees include the costs of licensing for all users, maintenance, software usage and hosting.

The term for the OEAS will be for a period of one year beginning December 4, 2009 through December 3, 2010 with an option to renew for four additional one year terms. Price adjustments after the first year will be considered prior to each renewal option to adjust for student growth, but will not exceed the approved amount indicated above.

Proposals were requested from thirteen vendors and four responses were received. The award for the purchase of these services could not be based solely on low bid alone. A committee evaluated the proposals based on price, extent of the goods and/or services, quality of the product, references and completeness of the proposal, and Historically Underutilized Business (HUB) certification or participation. A demonstration of the product was required from the two vendors with the highest evaluation points. It is recommended to award this bid to the vendor with the highest points from the demonstration, Starfish Retention Solutions. See attached Bid Tabulations.

Fiscal Impact:  Funds for these purchases are included in the approved FY 2009-10 operating budgets for LSC-Online. Funds for subsequent fiscal years will be included in future proposed budgets.

Staff Resource:  Donetta Goodall 832-813-6597
## Online Early Alert System

### Bid Tabulation

<table>
<thead>
<tr>
<th>VENDOR CONTACT RECORD</th>
<th>Blackboard Connect (Proposal 1)</th>
<th>Hobsons (Proposal 2)</th>
<th>Hobsons (Proposal 3)</th>
<th>Starfish (Proposal 1)</th>
<th>Starfish (Proposal 2)</th>
<th>Starfish (Proposal 3)</th>
<th>Student Early Alert LLC</th>
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</thead>
<tbody>
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<td><strong>$37,800</strong></td>
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<td><strong>System Support</strong></td>
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### Evaluation Tabulation

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<tr>
<th>Criteria</th>
<th>Blackboard</th>
<th>Starfish</th>
<th>Starfish Alternate 1</th>
<th>Starfish Alternate 2</th>
<th>Hobson’s</th>
<th>Hobson’s Alternate 1</th>
<th>Hobson’s Alternate 2</th>
<th>Student Early Alert LLC</th>
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<td>Completeness and thoroughness of submitted proposal (10 points)</td>
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### Demonstration Evaluation Tabulation

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<tr>
<th>Criteria</th>
<th>BLACKBOARD</th>
<th>STARFISH</th>
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<tbody>
<tr>
<td>Integration with Current Systems (15 points)</td>
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<tr>
<td>Automation and Functionality (15 points)</td>
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<tr>
<td>Ease of Use at the Student, Staff and Advisor Level (15 points)</td>
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<td>Reporting (15 points)</td>
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<td>Security Demonstrations (10 points)</td>
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<tr>
<td>Customizability (10 points)</td>
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<tr>
<td>Training and Support Structure (10 points)</td>
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<tr>
<td>Implementation and Upgrade Models (10 points)</td>
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<tr>
<td>Total – 100 Possible Points</td>
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<td><strong>95.5</strong></td>
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</table>
Request: Consideration of Approval to Purchase Internet Services and Authorize the Chancellor or Designee to Negotiate and Execute Contract Amendments for Subsequent Terms

Chancellor’s Recommendation: That the Board of Trustees approve the purchase of internet services from Cogent Communications, 1015 31st Street, Washington, DC 20007 in the annual amount of $77,148, and from TW Telecom Holdings, 7060 Empire Central, Houston, TX 77040 in the annual amount of $72,000. In addition, authorize the Chancellor or designee to negotiate and execute contract amendments for subsequent terms for an amount not to exceed $745,740 over five years.

Rationale: Students, faculty and employees conducting normal business throughout the System, as well as those staff developing instructional curriculum, rely heavily on the internet to provide access to research databases, special websites and text books.

The agreements will be in effect for three years as of December 4, 2009 through December 3, 2012 with the option to extend for two additional one year terms. This agreement can be cancelled with or without cause by either party with a thirty day written notice.

Proposals were requested from fifteen internet agencies and four responses were received. The award could not be based on low bid alone. A committee evaluated the proposals based upon monthly recurring pricing, service level and monitoring response time, implementation timeline, qualifications and other value added services, Historically Underutilized Business (HUB) certification or participation, and completeness and thoroughness of the proposal. It is recommended to award the purchase of these services to the top two internet service providers with the highest points, Cogent Communications and TW Telecom Holdings. See attached Bid and Evaluation Tabulations.

The selection of two different providers with two physically separate service entry point locations, Central Services and Training Center and LSC--University Park (UP), will reduce the risk of outages across the entire system. Both vendors will provide internet services simultaneously to the entire college system. In the event of an outage or emergency, one provider will cover the load minimizing any disruption of services. The selected providers will improve the college system’s network capacity, reduce risks and reduce monthly costs by $5,571 per month compared to the previous provider.
Fiscal Impact: Funds for this purchase are included in the approved FY 2009-10 technology fund. Funds for subsequent years will be included in future recommended budgets.

Staff Resource: Shah Ardalan 832-813-6842
# Internet Services for Lone Star College System

## Bid Tabulation

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Monthly Cost Per Location</th>
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</thead>
<tbody>
<tr>
<td>Cogent Communications</td>
<td>$6,429</td>
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<tr>
<td>TW Telecom Holdings</td>
<td>$6,000</td>
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<tr>
<td>Meriplex Communications</td>
<td>$17,636</td>
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<tr>
<td>Phonoscope</td>
<td>$11,500</td>
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</table>

## Evaluation Tabulation

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Total Points</th>
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<th>TW Telecom Holdings</th>
<th>Meriplex Communications</th>
<th>Phonoscope</th>
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<tr>
<td>Monthly Costs for Internet Services</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>20</td>
<td>28</td>
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Request: Consideration of Approval to Extend Rack Distribution Services Agreement with DistribuTech, Inc.

Chancellor’s Recommendation: That the Board of Trustees approve the extension of the agreement for rack distribution services from DistribuTech, Inc., 2901 W. Sam Houston Parkway North, Suite D-280, Houston, Texas 77043, in an annual amount of $70,000 and a not-to-exceed amount of $140,000 over a two year period.

Rationale: The Board of Trustees approved the purchase of rack distribution services for the System’s credit schedule from DistribuTech, Inc. on September 7, 2007 in an amount not to exceed $51,495 annually. The original contract term represented a period of three years with an option to review and extend for two additional one year terms. A request for additional funds is requested to cover additional distribution locations.

Credit schedules are distributed on a monthly basis to a number of local retailers within the zip codes for the System’s service area. Retailers participating in the distribution program through DistribuTech, Inc. will be identified to the System prior to positioning publications. The rack distribution program will maintain consistent, well labeled displays with premium placement to provide maximum saturation of publications within the System’s outlined service area.

The agreement for rack distribution services will be for the remaining term of two years effective December 4, 2009 through December 3, 2011. The System reserves the right to cancel this agreement with a forty-five day written notice for any reason, including vendor non-performance.

The initial purchase of the rack distribution services was in accordance with the System’s Board policies and Texas Education Code 44.031 through a formal competitive sealed bid process.

Fiscal Impact: Funds for this purchase are available from the approved FY 2009-10 operating budgets for each college. Funds for subsequent years will be included in future recommended budgets.

Staff Resource: Ray Laughter 832-813-6621
Request: Consideration of Acceptance of Gifts

Chancellor’s Recommendation: That the Board of Trustees formally accept and acknowledge the following gifts donated to the Lone Star College System in accordance with the donors’ wishes:

One (1) Qwizdom Q7 Presenter Tablet donated by Qwizdom, Inc./Caroline Garner to LSC-CyFair.

Ninety (90) golf clubs donated by Gary Brown to LSC-CyFair.

One (1) refrigerator donated by Eric C. Skiles to the Drama Department at LSC-Kingwood.

Fabricated Steel and Engineering documents for a model steel building donated by NCI Building Systems/Scott Bradley to the Career Technology Division at LSC-North Harris.

Eight (8) nursing journal subscriptions including a continuation of a journal subscription – Oncology Times – donated by Melissa Pumarega to LSC-Tomball.

Rationale: In accordance with LSCS Board Policy Business Services: A3.01- Gifts, the authority to accept gifts is vested solely with the Board of Trustees.

Fiscal Impact: None

Staff Resource: Ray Laughter 832-813-6620
Request: Consideration of Approval to Purchase Advertisement Services

Chancellor’s Recommendation: That the Board of Trustees approve the purchase of advertisement services from the attached list of providers for an estimated amount of $500,000 annually for a total amount of $2.5 million over a period of five years.

Rationale: Advertisements serve as an avenue to reach potential students, to market workforce programs, continuing education and registration for Fall, Spring and Summer sessions. The purchasing department advertises public notices for competitive bids in order to comply with Texas Education Code 44.031(g) which requires a notice to be published in the newspaper of the county in which the System’s Central Administration office is located. In addition, to comply with Board Policy DL Hiring Practices, all new and vacant employment positions are advertised and posted. Advertisements are paid announcements provided in the form of newspapers, internet, billboards, posters, magazine circulations, and various other medium.

The attached list consists of advertising vendors who currently provide services to Lone Star College System (LSCS). Additional vendors will be utilized as needed to effectively market offerings to students and employment and business opportunities. The term of this approval shall be for a period of five years beginning December 4, 2009 through December 3, 2014. The estimated amount is based on historical expenditures for advertisements for the entire college system.

Pursuant to Texas Education Code Sec. 44.031(j), a sole source purchase is justified for an item for which competition is precluded because of the existence of a monopoly. Advertisement services are uniquely positioned in that they provide coverage to specific individual geographic locales and readers to boost marketing and circulation strategies, which prevents LSCS from receiving comparable competitive bids.

Fiscal Impact: Funds for these purchases are included in the approved FY 2009-10 operating budgets. Funds for subsequent years will be included in future recommended budgets.

Staff Resource: Cindy Gilliam 832-813-6512
Local Area Newspapers

The Houston Chronicle
Helen Gordon Interests LTD dba Greensheet (all areas)
African-American News & Issues
Montgomery County News
Lake Conroe Splash
The Villager
North East News
Houston Newcomer Guides
Houston Employment Guide
The Daily Cougar – University of Houston
ASP Westward L.P. dba Houston Community Newspapers
Leader Newspaper
People Scene
Various High School newspapers, yearbooks, directories and sports programs
The Conroe Courier
That Texas Magazine
Tomball Tribune
Hispanic Outlook
The Eagle – Bryan College Station Communication
Tribune Newspaper
The Observer
Spanish News, Inc. dba Periodico Buena Suerta
Community Impact Newspaper
Northwest Coffee News
Houston Style Magazine
CyFair Magazine
CyFair Newcomer Guide
Kid’s Directory
Chansen Publishing, Inc. dba Living Magazine
Houston Press
Krenek Printing Co.
Peel, Inc.
Champions Printing & Publishing
Lawton Printing, Inc. – Lawton Publications
Houston Community Newspaper
Request:  Consideration of Ratification for Utility Easements from Lone Star College System (LSCS) to CenterPoint Energy

Chancellor’s Recommendation: That the Board of Trustees ratify the utility easements to CenterPoint Energy for access to property located on the LSC-Cy Fair site.

Rationale: CenterPoint Energy is constructing another main electrical distribution feed to a new section of the Towne Lake development. It also contributes to CenterPoint’s strategy to provide electrical feeds from different routes to improve redundancy of the electrical distribution. To provide this service, CenterPoint must acquire two utility easements from LSCS to construct the new electrical feed. The new utility easement includes an aerial easement and an underground easement. CenterPoint is requesting an aerial easement that runs north and south on the extreme western border of LSCS property adjacent to the residential development and a connecting underground easement running across the northwest corner of the new land and adjacent to E. Hamilton Hills Drive. The aerial easement totals 5,929 square feet and the underground easement totals 1,918 square feet for a total of 7,847 square feet. All of the aerial easement is within an existing HL&P access easement.

The new feed benefits LSC-CyFair because it provides a closer electrical connection for future development of the recently acquired LSC-CyFair land north of Horsepen Creek and improves the redundancy of the electrical distribution.

CenterPoint will operate the distribution system in the easement without damaging any existing infrastructure or facilities previously installed within the easement. CenterPoint will restore the easement parcel as nearly as possible to its condition prior to construction.

LSCS retains the right of the use of the surface of the easement tracts for any and all purposes except construction of fences, buildings, and structures.

It was necessary to execute the easements so that electrical service could be provided to homes that had been built and sold, or are currently under construction.

Fiscal Impact:  The developer will compensate LSCS at fair market value for the granting of the easement.

Staff Resource:  Audre Levy  281-290-3940
               Cindy Gilliam  832-813-6512
Request: Consideration of Approval of the Proposed License Agreement between The Windsor Hills Homeowners Association, Inc. and Lone Star College System (System) Regarding Use and Maintenance of the Permanent Iron Bridge and Walking Path Connecting The Windsor Hills Residential Area and the LSC-Montgomery Campus

Chancellor’s Recommendation: That the Board of Trustees approve the proposed license agreement for the term of five years with automatic five-year extensions unless either party cancels the agreement pursuant to the terms of the license agreement, for use and maintenance of the bridge and walking paths.

Rationale: On November 6, 2003, the Board approved a 5-year licensing agreement with The Windsor Hills Homeowners Association, Inc. (WHHOA) to continue to use the bridge and walking path on the LSC-Montgomery campus in order to give its Windsor Hills residents access to the college and its many activities and classes. LSC-Montgomery retains ownership and maintenance of the bridge and walking path. LSC-Montgomery will continue to provide power and maintenance of the lighting for the walking path and bridge (approximately $200/year)

Fiscal Impact: Funds are available from the FY 2009-10 operating budget. Funds for subsequent years will be included in the future proposed budgets.

Resource: Austin Lane 936-273-7222
Request: Consideration of Approval to Extend the Texas Cooperative Purchasing Network Lease of Temporary Modular Buildings at LSC-Montgomery and LSC-CyFair

Chancellor’s Recommendation: That the Board of Trustees approve a two year extension of the lease agreements for temporary modular buildings for LSC-Montgomery and LSC-CyFair from Williams Scotsman Corporation, 7915 FM 1960 West, Suite 115, Houston, Texas 77070 in the amount of $268,440.

Rationale: In September and October 2007 respectively, the Board of Trustees approved two year agreements for the lease of modular buildings from William Scotsman for LSC-Montgomery in the amount of $269,925 and LSC-CyFair in the amount of $488,991. The initial term of these agreements was for a period of two years commencing January 2008 and ending in December 2009 with the option to renew for additional one year terms. These modular buildings have been required to accommodate student enrollment growth and provide much needed instructional classrooms, conference rooms, and storage rooms.

The initial lease of the modular buildings was in accordance with the college system’s Board policies and Texas Education Code 44.031. The college system has made a substantial investment in the delivery, installation and site preparation of these buildings. Therefore, it is requested to approve the renewal of these agreements for two additional years which will provide sufficient time to complete the construction of the new facilities at LSC-Montgomery and LSC-CyFair. The monthly lease rates remain unchanged.

Fiscal Impact: Funds for this purchase are included in the approved FY 2009-10 operating budget for the System. Funds for future fiscal years will be included in future recommended budgets.

Staff Resource: Austin Lane 936-273-7222
Audre Levy 281-290-3940
Cindy Gilliam 832-813-6512
Request: Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement to Purchase Food Services for LSC-University Park

Chancellor’s Recommendation: That the Board of Trustees authorize the Chancellor or Designee to negotiate and execute an agreement to purchase food services from Luby’s Culinary Services, 13111 Northwest Freeway Suite 600, Houston, TX 77040, for an annual contribution of 3% of revenue after depreciation.

Rationale: Food service operations provide a complete dining experience for students, faculty, and staff including cafeteria, coffee and catering services. Outsourcing these operations will enable an experienced, professional management team to provide quality food and satisfying portions at a reasonable cost, trained and experienced personnel, convenient service schedules, positive public relations, and economically sound operating practices.

The recommended vendor will be able to provide routine as well as upscale catering for business and social events supporting LSC-Corporate College, and other college activities. In addition, the vendor will be able to offer catering services to other LSCS college campuses.

Luby’s Culinary Services will operate the food service facilities on a profit and loss basis and will provide the best rate of return for the system. This agreement will be for a period of five years effective the date of the execution of the contract by both parties, and may be cancelled with or without cause with sixty days (60) written notice.

Requests for Proposals were sent to fourteen contract food service vendors and four responses were received. A committee reviewed all proposals and evaluated them based on proposed net monetary contribution to LSCS and proposed menu pricing, proposed plans for food service including Commons Café, Coffee Shop, Catering, and Culinary Arts programs, experiences and references, personnel qualifications, completeness and thoroughness of the proposal, pre-bid attendance, and HUB certification or participation. An interview for the two vendors with the highest scores was conducted and evaluated based on separate criteria. It is recommended to award this bid to Luby’s Culinary Services. See attached evaluation tabulation.

Fiscal Impact: Luby’s Culinary Services will contribute 3% of annual revenues after depreciation to LSCS with an estimated benefit to LSCS of an average of $15K annually based on $500,000 annual net profit. Revenue will be determined by actual net profit.

Staff Resource: Cindy Gilliam 832-813-6512
# LSC-University Park
## Food Services Operation

**PROPOSAL EVALUATION TABULATION**

**PRESENTATION EVALUATION TABULATION**

<table>
<thead>
<tr>
<th>FACTORS</th>
<th>MAXIMUM POINTS</th>
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<td>Overall Presentation and Implementation Plan</td>
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<td>Catering Coordination/Delivery Plan</td>
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<td>20.2</td>
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<td>Marketing Plan to Target Two Demographics – Higher Ed and Corporate/Manufacturing</td>
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<td>Financial Proposal and basis for Revenue/Expense Projections</td>
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<td>Capital Investment Plan</td>
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<tr>
<td>Other Services (Culinary Arts Program)</td>
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<td><strong>TOTAL POINTS</strong></td>
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Report: Construction Projects Update

The System’s plant operations and facilities department has provided a summary report of the System’s construction projects. See attached report.
General Obligation Bond Project Summaries – 2008 Election:

- **LSC-North Harris**
  - Design development for the Health Professions building continues.
  - The competitive sealed proposal process for the Student Services, Fine Arts Addition, Applied Technology Addition, and the Academic and Winship renovation projects is complete and the architect has completed the permitting process. A general contractor recommendation to the Board is on the December Board agenda.
  - The competitive sealed proposal process for the Greenspoint Center project has been completed and the architect has begun the permitting process. A general contractor recommendation to the Board is on the December Board agenda.
  - Programming for the Aldine Center is in process of being initiated.

- **LSC-Kingwood**
  - A constructability review and cost estimates have been performed on the design development documents by the program manager and architect. The 95% construction documents submittal was made on November 30.
  - The architect and civil engineer are completing the parking lot revisions in order to obtain City of Houston approval of campus parking requirements.
  - The civil engineer is preparing alternative methods of surface water detention that will be included as additive alternates in the competitive sealed proposals.

- **LSC-Atascocita Center**
  - Schematic design and budget approval has been obtained.
  - Preparation of the construction documents is on track for a December 14 submittal.
  - A technology/document review meeting was held with OTS to coordinate IDF room locations.

- **LSC-Tomball**
  - Preparation of construction documents is in progress for the Performing Arts, Veterinary Technology and Health Science buildings. Design development approval was obtained from the campus on November 10.
  - Coordination meetings continue for IT/AV systems.
  - Coordination of chilled water supply to the Performing Arts Center is in progress between the design team and energy conservation consultant.
  - Schematic design for renovation of the existing Tomball facilities is in progress.
Parking and building height variance requests have been submitted to the City of Tomball for the Health Science building.

**LSC-Montgomery**
- The Construction Services Agreement has been executed with the general contractor.
- Design of the new Central Plant building was completed during November.
- Design of the parking garage is complete.
- Construction of the parking garage has commenced. Final completion of construction is scheduled for July 2010.
- Design documents are under review for the improvement of traffic flow and parking. Improvements to the West Drive may include a right turn lane exiting to SH 242 and road widening to the new parking garage. Additional temporary parking is being prepared in an effort to minimize the significant number of spaces taken out of service due to construction activity.

**LSC-Conroe Center**
- The competitive sealed proposal process for the Conroe Center project has been completed and the architect has begun the permitting process. A general contractor recommendation to the Board is on the December Board agenda.

**LSC-Cy Fair**
- Construction documents for the Student Services/Classroom, the Science Laboratory building, and the renovation of the student services area in the Learning Commons will be complete in December. Request for proposals for the general contractor will be issued in December, evaluated in January, and submitted to the Board for consideration and approval at the February Board meeting.
- Proposals were received for the construction of the new campus parking lots and related site utilities. Evaluations and interviews were completed on November 12. A general contractor recommendation to the Board is on the December Board agenda.

**LSC-Cy Fair Center**
- The owner of the land parcel proposed for the Cy Fair Center has agreed to terms for the purchase of approximately 12 acres. A purchase and sale agreement is now being prepared, the due diligence is complete, and closing is planned for the end of November. The architect is scheduled to complete construction documents during January.

**LSC-Central Services and Training Center**
- A Construction Manager at Risk Services Agreement is being negotiated with the general contractor for renovation of Central Services.
- Schematic design for District Services I has been finalized. Schematic design meetings for the Houston Advanced Research Center (HARC) building renovations continue.
LSC-University Park

- Construction is in progress for the renovation of floors 2-5 in building 13 and the renovation of restrooms / installation of new stairs in buildings 12 and 13. Site work has commenced for new fire lanes and the furniture for building 13 has been ordered and will arrive during December. The project is on schedule to accommodate Spring semester registration on January 4 and for classes to begin January 19.
- Design work is complete for the Commons Conference Center technology upgrade and refresh of the space. Construction proposals have been received and are being evaluated.
- Space planning and design related to the relocation of System Office staff to building 11 is complete and groups will begin moving during the Thanksgiving break.
- Design of the university partner’s space on floors 2 and 3 in building 12 is underway. The building 12.2 core space will be constructed and completed by January 4.
- The graphics team has completed design of the site way finding, building identification and code required signage for the campus. Coordination meetings with HP are complete and the expense will be shared with HP. Graphics fabrication and installation proposals have been received and installation is scheduled for completion before Spring registration.
- A recommendation for selection of the University Park leasing/property management firm is on the December Board agenda.

Revenue Bond Project Summaries - 2007:

- LSC-North Harris
  - MUD Conversion Project – Surveying and site utility location/validation work has been completed. The construction documents are 75% complete and the permitting process is underway.

- LSC-Kingwood
  - Fire Alarm System Upgrade for LSC-Kingwood – Remaining punch-list items have been completed and all buildings are being monitored. Scope to cover additional elevator controls is still being evaluated.

- LSC-Tomball
  - Replace Switchgear – The switchgear replacement is scheduled for winter break. Modifications to the central plant are in progress to accommodate the switchgear installation.
  - Repair Exterior Windows – The pre-bid was on November 9 and proposals were received on November 19. A general contractor recommendation to the Board is on the February 2010 Board agenda.
  - Repair Entrance Columns – The pre-bid was on November 9 and proposals were received on November 19. A general contractor recommendation to the Board is on the February Board agenda.

- LSC-Montgomery
  - Card Access System Replacement - The installation of additional components for the card access system is scheduled to be completed by the end of the year.
Remediation

❖ **LSC-Montgomery**
  ♦ Building F (Library) Patio Drainage Enhancement – Construction of a secondary drainage system for the patio is complete.

Energy Management Project

❖ **Energy Performance Contract Project Summary**
  ♦ Contractor is developing the overall project implementation schedule, initiated procurement of materials, and is engaging their subcontractors. This project is an 18 month program.

❖ **LSC-Kingwood**
  ♦ Contractor commenced installation of the window film on November 16.

❖ **LSC-University Park**
  ♦ Contractor has commenced the lighting retrofit project.

❖ **LSC-Tomball**
  ♦ Contractor has commenced field preparation activities to accommodate chilled water line installation over the winter break.

Operations Budget Project Summaries – 2009/10:

❖ **LSC-North Harris**
  ♦ Fence for the Health Professions Building at Peakwood and Red Oak Drives – Punch list items have been completed. North Harris security/facilities to provide locks.
  ♦ Office 108 – Preparing documentation for legal and purchasing.

❖ **LSC-Kingwood**
  ♦ Cosmetology Renovation – Preparing scope-of-work for RFP.

❖ **LSC-Tomball**
  ♦ Miscellaneous Painting Projects – Cafeteria and Bursar’s office painting are complete.

❖ **LSC-Central Services and Training Center**
  ♦ Operations Contracts – Assisting with preparing documentation.
  ♦ Moves – Assisting with furniture moves.
  ♦ Furniture Purchases – Assisted with selection of pieces, prepared documentation for purchasing and scheduled delivery for Chancellor and General Counsel.
At the August 2009 regular Board meeting, the Board of Trustees approved the purchase of construction services for the System from approved purchasing cooperative program contractors. This approval authorized the System to use the AJOC method for individual projects up to $200,000 and to make collective purchases not to exceed $1,000,000 for FY 2009-2010. Projects that exceed $200,000 are to be presented to the Board of Trustees individually for consideration of approval. To ensure the Board of Trustees continues to have information regarding the AJOC projects under $200,000, a brief summary of projects is included in the Facilities Planning and Construction Report each quarter.

No AJOC projects have been completed this quarter.
Request: Consideration of Ratification of Appointments

Chancellor’s Recommendation: That the contractual appointments listed on the following pages be ratified for the positions indicated.

Rationale: These contractual appointments include ratification of Administrators from the CyFair, Kingwood, North Harris, and System Office.

Fiscal Impact: Positions and salaries have been budgeted for 2009-2010.

Staff Resource: Rand Key 832-813-6522
a. LSC-CyFair

Thomas Cunningham, Echocardiography, Assistant Professor

**Effective:** Twelve month contracted employee at an annual salary of $55,028 beginning November 16, 2009.

**Education:** A.S., Butler University, Major: Ultrasound Technology.

**Experience:** Technical Director, Diagnostic Cardiology of Houston; Owner, Cardiovascular Ultrasound Consultant, Cardiovascular Ultrasound Consultant; Supervisor, The Methodist Hospital; Chief Technologist, Storer, Schmidt, and Associate; Director of Mobile Service, Northside Cardiology; Technical Director of Cardiac Testing Service, Metro Health.

b. LSC-Kingwood

Rebecca Riley, Vice President, Instruction

**Effective:** Twelve month contracted employee at an annual salary of $109,500 beginning November 16, 2009.

**Education:** EdD, Sam Houston State University, Major: Higher Education Leadership; M.F.A. & B.F.A., Texas Tech University, Major: Printmaking & Art History and Painting & Art History.

**Experience:** Dean, Art & Humanities, Associate Dean, Professor of Art, and Adjunct Faculty, Lone Star College-Kingwood.

Kathleen Adkins, Director, Advising & Counseling

**Effective:** Twelve month contracted employee at an annual salary of $62,000 beginning November 16, 2009.

**Education:** M.L.A., University of St. Thomas, Major: English Concentration; B.S., University of Houston-Downtown, Major: Interdisciplinary Studies.

**Experience:** Assistant Director of Admissions, and Student Support Specialist, Lone Star College-Kingwood.

Carolyn Wade, Dean, Student Development

**Effective:** Twelve-month contracted employee at an annual salary of $84,084 beginning November 2, 2009.

**Education:** M.S., Texas A & M University, Major: Guidance and Counseling; B.A., Prairie View A&M University, Major: Sociology.
**Experience:** Director of Financial Aid, Interim Dean of Student Services, and Coordinator, Lone Star College-Kingwood; Academic Counselor, University of Texas Health Science Center; Planner/Technical Assistant, Houston Galveston Area Council of Government; Counselor, Adjust Learning Center, Texarkana ISD; Coordinator of Intake and Assessment, City of Texarkana, Arkansas.

c. **LSC-North Harris**

**Marilyn Dement, Dean, Student Development**

**Effective:** Twelve-month contracted employee at an annual salary of $84,084 beginning November 1, 2009.

**Education:** M.A., Our Lady of the Lake University, Major: Psychology and Sociology; B.S., Southwest Texas State University, Major: Applied Sociology; A.A., Blinn Junior College, Major: General.

**Experience:** Assistant Dean-Admissions, Upward Bound Director, Coordinator of Degree Planning Services, Lone Star College-North Harris.

**Maria Isabella Fisher, Math, Instructor**

**Effective:** 4.5-month contracted employee at a semester pro-rated (70%) salary of $14,642 beginning January 16, 2010.

**Education:** M.A., DePaul University, Major: Mathematics Education; B.B.A., Texas A&M University, Major: Information Management.

**Experience:** Adjunct Faculty, Lone Star College-North Harris and CyFair; Student Teacher, Sullivan High School; Graduate Assistant and Graduate Assistantship, DePaul University; Consultant, PricewaterhouseCoopers, LLP (Now IBM).

**Christopher W. Lane, English, Instructor**

**Effective:** 4.5-month contracted employee at a semester pro-rated (70%) salary of $15,233 beginning January 16, 2010.

**Education:** M.A. & B.S., Jacksonville State University, Major: English & Education (English Language Arts).

**Experience:** Temporary Part-Time Instructor and Adjunct Faculty, Lone Star College-North Harris; Adjunct Faculty, Jefferson State Community College and Jacksonville State University; Teacher, Calhoun County Board of Education; Senior Analyst/Editor/Writer, EAI Corporation; Graduate Assistant, Jacksonville State University.
d. LSC-System Office

Reggie Brazzle, System Director, Financial Aid

Effective: Twelve-month contracted employee at an annual salary of $73,000 beginning November 16, 2009.

Education: Ph.D., Louisiana Baptist University, Major: Counseling; M.E.D., Texas A&M University, Counseling; B.S., East Texas State University, Major: Education; A.A., Tyler Jr. College, Major: Basics.

Experience: Vice President of Enrollment Services, and Director of Financial Aid, Texas College; Director of Financial Aid, AIU-Dallas, Bill J. Priest Institute, Wiley College, Richland College; Director of Admissions, Lon Morris College; Director of Financial Aid & Academic Advising, and Adjunct Faculty, Tyler Junior College.
Request: Consideration of Acceptance of Resignations

Chancellor’s Recommendation: That the resignations listed below be accepted and acknowledged.

LSC-CyFair

Marion Wynne Alexander, Associate Professor, Math
Effective December 31, 2009

LSC-North Harris

Pamela Lydon Heard, Professor, Dance
Effective January 15, 2010

Staff Resource: Rand Key 832-813-6522
Request: Consideration of Approval of Commissioning of Peace Officers

Chancellor’s Recommendation: That the Board of Trustees approves the commissioning of the following peace officers for the Lone Star College System.

**Lone Star College-Tomball**
Sylvester Jones

**Lone Star College–CyFair**
Christopher W. Chavez
Ramario M. Sandoval

**Lone Star College-University Park**
Chenard A. Robinson
Tramaine D. Ruiz
James K. Tompkins

Rationale: These officers are eligible to be commissioned by this Board because they:
1. Have a current license from the Texas Commission on Law Enforcement Officer Standards and Education;
2. Have taken and filed the oath required of peace officers; and
3. Possess a sufficient number of college credit hours to meet the minimum standard for a Lone Star College System peace officer.

Fiscal Impact: None

Staff Resource: Rand Key 832-813-6522