

UNIVERSITY of  
**HOUSTON**

Student Government Association

**To:** Dr. Richard Walker  
Vice Chancellor / Vice President for Student Affairs and Enrollment Services

**CC:** Keith Kowalka  
Assistant Vice President for Student Affairs - Student Life

**From:** Shaun Smith  
Speaker of the Senate

**Date:** 16 February, 2015

**Subject:** No Confidence in the Division of Administration and Finance

The Student Government Association Senate proposed this legislation in response to a pattern of involvement of SGA leaders with the Division of Administration and Finance. A history of failed proposals, execution of agreements, and negotiations are presented in the bill below. The student body and its leaders have demonstrated a willingness and interest in coming to the table with the Division of Administration and Finance about the grievances, but agreements executed between the student body and the University were not entirely honored or fulfilled by the leadership of this division. In many cases, the division leadership did not provide a meaningful way to exhibit their usage of student fees to those elected bodies that oversee the usage of such resources. It was through consistent petitioning of the leadership for this information that the student government was able to have a response delivered to the Student Senate and the Student Fees Advisory Committee. This measure demonstrates the student body's lack of confidence in further diplomatic relations with the division.

This measure was called to question on 11 February, 2015 and passed from all present and voting members with a votes:

Aye – 19

Abstention – 1

Any further questions or inquiries regarding the nature or process of this legislation can be directed to myself. Thank you for your time in reviewing this measure.

All my best,



Shaun Smith  
Speaker of the Senate

**HOUSTON'S CARNEGIE-DESIGNATED TIER ONE PUBLIC RESEARCH UNIVERSITY**

**Label:** UB-51006

**Date Introduced:** January 28, 2015

**Date Passed:** February 11, 2015

**Author(s):** Senator Pooja Magadi, Senator Sunil Motwani

**Sponsors:** Senator Chelsea Moses, Senator Ahmad Shareef, Senator Will Fischer, Senator Hugo Salinas, Senator Max Ballands, Senator Issam Kadiwala, Senator John Fields, Senator Alan Garza, Senator Brandon Wilke

**Committee:** Administration and Finance

**Version:** Final

**No Confidence in the Division of Administration and Finance**

**Whereas,** Efforts of previous Student Government Association administrations to address students' concerns regarding contractors, auxiliary services, and departments under the purview and oversight of the Division of Administration and Finance have been ignored; and

**Whereas,** The Student Government Association has brought student concerns regarding HigherOne, Aramark Food Services, Parking and Transportation, bus contracts, and Aramark/VenuWorks management of facilities forward to the Division of Administration and Finance in the form of resolutions, bills, No Confidence Votes, private meetings and correspondence which have yielded no results; and

**Whereas,** The Student Government Association has brought student concerns regarding HigherOne forward to the Division of Administration and Finance in the form of a University Bill- 49002-No Confidence in HigherOne; and the Federal Deposit Insurance Corporation has required HigherOne to pay restitution and penalties in excess of \$11 million for a violation of consumers' rights, which include: charging an excessive fee per transaction, delaying student refunds, and instituting inactivity penalties; and

**Whereas,** The Student Government Association has brought student concerns regarding Aramark Food Services forward to the Division of Administration and Finance in the form of Student Government Association Resolution-50002-Halal and Healthy Food Options in addition to holding countless meetings on students' complaints regarding the quality and cost of Aramark provided food, which the division has failed to address; and

**Whereas**, The Student Government Association has brought student concerns regarding Parking and Transportation forward to the Division of Administration and Finance in the form of Student Government Association Resolution-51002-Opposition of Compulsory Auxiliary Services' Fees; and Esmerelda Valdez, in her capacity as the Executive Director of Auxiliary Services, failed to properly budget and allocate funds for busing and transportation on campus, and sought to create a new student service fee to offset the costs that Auxiliary Services accrued; and

**Whereas**, The Student body voted on the Student Service Fee Referendum to Support Athletic Facilities, which included a Memorandum of Understanding, on January 31 and February 1, 2012, which passed by a margin of 73.9% with 7,334 votes in the affirmative; and

**Whereas**, The Division of Administration and Finance under the leadership of Executive Vice President Dr. Carl Carlucci, Associate Vice President Emily Messa, and Assistant Vice President Esmerelda Valdez were responsible for oversight of both the construction and subsequent management of the new football stadium and Hofheinz Arena, as set forth in the Student Service Fee Referendum to Support Athletic Facilities; and

**Whereas**, The Memorandum of Understanding, as approved based on the referendum voted on by the student body, allocates half of the available funds to be utilized for the renovation of Hofheinz Arena, and half allocated to the construction of the football stadium. The Division of Administration and Finance failed to construct the football stadium on-budget and chose to use money allocated to the renovation of Hofheinz Arena to fund the additional cost of construction of the football stadium in direct conflict with the Memorandum of Understanding; and

**Whereas**, The task for the football stadium failing to be completed on-time and on-budget falls upon the Division of Administration and Finance Executive Vice President Dr. Carl Carlucci, Associate Vice President Emily Messa, and Assistant Vice President Esmerelda Valdez; and

**Whereas**, Aramark/VenuWorks submitted a nonconforming bid on the Request for Proposal for management of facilities including the football stadium and Hofheinz Arena, which was accepted despite the concerns expressed by athletics' senior administrators regarding Iowa based VenuWorks' ability to manage a 40,000 seat stadium, and compete in a major metropolitan market; and the nonconforming bid was accepted over the objections of both the Office of General Counsel and Internal Audit; and

**Whereas**, Executive Vice President Carl Carlucci and Associate Vice President Emily Messa both stated on several occasions that as part of the Request For Proposal Aramark/VenuWorks would guarantee \$1 million per annum to the University of Houston; however the final contract does not have a \$1 million guarantee, resulting in a nonconforming bid; and

**Whereas**, The Student Government Association has brought student concerns regarding Aramark/VenuWorks ability to effectively manage facilities forward to the Division of Administration and Finance in the form of private meetings and correspondence; and

**Whereas**, Aramark/VenuWorks has clearly demonstrated an inability to both manage facilities and monetize campus facilities; and has consequently resorted to dramatically increasing facility usage fees for student organizations and University of Houston departments; and

**Whereas**, Esmerelda Valdez, in her capacity as Assistant Vice President is responsible for overseeing Aramark/VenuWorks, failed to properly manage and oversee the operations of Aramark/VenuWorks, but was nevertheless recently promoted despite the inability to adequately manage the task assigned; and

**Whereas**, Executive Vice President Dr. Carl Carlucci, Associate Vice President Emily Messa, and Assistant Vice President Esmerelda Valdez failed to honor the terms of the Memorandum of Understanding until this Student Government Association made its objections publicly known which resulted in negative publicity in the Houston Chronicle; and

**Whereas**, Executive Vice President Dr. Carl Carlucci and Associate Vice President Emily Messa refused to present to the Student Fees Advisory Committee in a public forum, despite all other Student Service Fee funded units being required to; and

**Whereas**, the Student Government Association understands the need for, and supports, the construction of a Basketball Practice Facility, the Division of Administration and Finance failed to request the permission of the Student Government Association and/or the Student Fees Advisory Committee before reallocating \$5 million from the football stadium/Hofheinz Arena fund to the Basketball Practice Facility, a violation of the terms set forth in the Memorandum of Understanding and the Student Service Fee Referendum to Support Athletic Facilities; and

**Whereas**, Executive Vice President Dr. Carl Carlucci and Associate Vice President Emily Messa agreed to meet with only part of the Student Fees Advisory Committee in a private forum, but instead had Assistant Vice President Esmerelda Valdez attend in their absence where she failed to give substantive answers to the Student Fees Advisory Committee's questions; and

**Whereas**, Executive Vice President Dr. Carl Carlucci presented before the Student Government Association Senate on November 19, 2014 on issues regarding the Memorandum of Understanding where he misled the Student Government Association with his statements that Aramark/VenuWorks is not responsible for facilities management of the football stadium, Hofheinz Arena, baseball fields, softball fields, tennis courts, and Cullen Performance Hall at the University of Houston; and

# UNIVERSITY of HOUSTON

## Student Government Association

**Whereas**, Given the aforementioned issues, it is abundantly clear that Executive Vice President Dr. Carl Carlucci, Associate Vice President Emily Messa, and Assistant Vice President Esmerelda Valdez have created a culture within the Division of Administration and Finance that has institutionalized the marginalization of students; and

**Whereas**, The Student Government Association has exhausted all means of diplomacy and communication to resolve the aforementioned issues;

**Therefore be it enacted by the Fifty-First Administration of the University of Houston Student Government Association**, that on behalf of the student body of the University of Houston, we submit a vote of NO CONFIDENCE in Executive Vice President Dr. Carl Carlucci, Associate Vice President Emily Messa, and Assistant Vice President Esmerelda Valdez; and

**Be it further enacted**, that on behalf of the student body of the University of Houston, we call for the immediate resignations of Executive Vice President Dr. Carl Carlucci, Associate Vice President Emily Messa, and Assistant Vice President Esmerelda Valdez.



Shaun Smith  
Speaker of the Senate  
University of Houston – Main Campus

Date of Senate Approval: 11 FEBRUARY 2015



Charles Haston  
Student Body President  
University of Houston – Main Campus

**APPROVED**

Date of President's Approval: 2/16/15

Pursuant to Student Government Association Constitution Article IV, § 11, Clause 2, this legislation will be presented to the President of the University. Approval or disapproval by the President of the University, and their response, will be recorded in the Senate Journal on additional signature attachments to be included with this legislation.

**HOUSTON'S CARNEGIE-DESIGNATED TIER ONE PUBLIC RESEARCH UNIVERSITY**

# UNIVERSITY of HOUSTON

Student Government Association

This approved legislation is hereby presented to the President of the University by the Student Government Association. Article IV, § 11, Clause 2 of the Student Government Association Constitution requires the action of the President of the University before it becomes law.

**APPROVE** \_\_\_\_\_      **APPROVE WITH MODIFICATIONS** \_\_\_\_\_

**DISAPPROVE** \_\_\_\_\_

\_\_\_\_\_  
Renu Khator  
President  
University of Houston – Main Campus

\_\_\_\_\_  
Date

If the President of the University disapproves of the legislation, the Student Government Association requests that President record their comments below or an additional attachment.

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**HOUSTON'S CARNEGIE-DESIGNATED TIER ONE PUBLIC RESEARCH UNIVERSITY**

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