

INTERVIEW OF ABEL DAVILA (FORMER HCC TRUSTEE)
JUNE 30, 2010

Interview conducted by Larry Veselka (primary) and Tim Byrd. Mr. Davila's counsel, Paul Nugent and Heather Peterson of Foreman DeGeurin & Nugent, also attended. Purpose of investigation explained and Request for Confidentiality was made.

Mr. Davila was Board Chair in 2009.

A. Matters that lead to opening of investigation:

1. Relationship between Trustee/former Trustee Abel Davila and HCC subcontractor and prime contractor J's Quality Construction.

Jocelyne Ramirez was one of Mr. Davila's pharmacy students at San Jacinto College. She then worked as a pharmacy tech at one of Mr. Davila's pharmacies, Care RX, beginning in 2007. That pharmacy closed after Hurricane Ike. Mr. Davila was not sure when Ms. Ramirez started J's Quality Construction. He had nothing to do with her starting that business. She told him she had been in the painting business with her father. He had a "casual conversation" with her about doing business with public entities, certification, bonding, etc. He recommended she approach Metro for certification. Mr. Davila told her to go to HCC Board meetings and introduce herself to Dr. Tyler.

He knows J's did work for Fort Bend Mechanical and RHJ. He spoke to Pete Medford "in generalities" about J's. He did not demand that Fort Bend Mechanical use them.

Mr. Davila said the idea for a separate painting contract came from the Administration. He first heard of the idea about two months before it came before the Board. He was aware that J's was bidding for the contract; Jocelyne told him. He recalled nothing unusual about the Board approval process. When confronted with the anomalous process (no consideration at Committee of the Whole; no discussion at Board meeting), his explanation was to pin responsibility on Spangler/Tyler for its late addition to the agenda.

Mr. Davila denies any special efforts on J's behalf regarding the Chevron energy savings contract. He reported that he "always pushed for small business." He did not especially push for J's. He said Dr. Tyler first proposed J's be granted a mentor/protégé arrangement with Chevron. He does not think the Administration was pushing J's as a favor to him; he had told Dr. Spangler he was leaving the Board. Dr. Tyler and Dr. Spangler told him the mentor contract would not work. He was aware that J's was going to be the electrical subcontractor. He later heard from Dr. Tyler that J's could not get bonded.

Mr. Davila disputes the characterization by others of the meeting at Rico's restaurant. According to Mr. Davila, he was angry, but not about J's Quality. Rather, he had received a report from Alan Johnston (who was at the meeting)

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stating that the Chevron-promised savings were illusory. Mr. Davila says he never brought up J's at that meeting.

Regarding the internet information listing him as an owner of J's, Mr. Davila reported that Jocelyne Ramirez had taken over his lease at the North Loop address. He further reported that the phone number in use remained with that address.

Mr. Davila reported no financial interest, current or anticipated, in J's Quality Construction.

2. Relationship between Trustee Yolanda Navarro Flores and HCC subcontractor Full Moon Builders/Services.

Mr. Davila said he did not help [redacted] get a job. He did not recall ever talking about that subject to anyone. To his knowledge, [redacted] sells real estate. Mr. Davila knows John Farrar to be State Representative Jessica Farrar's brother, and knows Full Moon as "[John] Farrar's company." He knows of no involvement by [redacted] in Full Moon.

- B. Matters uncovered during investigation justifying further investigation of potential violations of state law:

1. Dealings between Trustee Yolanda Navarro Flores and Trustee/former Trustee Diane Olmos Guzman, on the one hand, and HCC contractor Yaffe Deutser, on the other.

Brad Deutser and the Chancellor told him about pressure on Mr. Deutser to hire then fire Nef Partida, and then to replace him with Linda Morales. He told Mr. Deutser to do what's right for HCC and use whomever is best qualified.

2. Peter Nguyen's proposal to lease old Macy's space at Sharpstown Mall to HCC with implied potential financial benefit for Trustee Yolanda Navarro Flores and/or former Trustee Abel Davila.

Mr. Davila knows C.C. Lee and knew of Sharpstown proposal. He knows Mr. Lee and Dr. Tyler met. Mr. Davila does not know Peter Nguyen. He has no financial investment in the Sharpstown proposal. There is no commission sharing agreement. He has heard a lot of rumors, with people using his name.

- C. Matters uncovered during investigation:

Regarding billboard work by Yaffe Deutser featuring Mr. and Mrs. Davila, Mr. Davila said he paid what "Brad said he was owed." Politically, it "blew up in our face."

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Mr. Davila took a trip to Costa Rica with Pete Medford and Alan Johnston. Mr. Davila reported that he paid his expenses and those of [redacted]

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