

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT
114 S. Del Rosa Drive, San Bernardino, California 92408

Minutes of the Regular Meeting of the Board of Trustees
Thursday, May 14, 2009 - 4:00 p.m. – Assembly Room

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mr. Ramos called the meeting to order at 4:00 p.m.

Members Present:

James C. Ramos, President
Carleton W. Lockwood, Jr., Vice President
Dr. Donald L. Singer, Clerk
John M. Futch
John Longville
Dr. Charles S. Terrell, Jr.
Jess C. Vizcaino, Jr. (arrived at 5:40 p.m.)
Javier Alcaarez, Student Trustee, SBVC
Stefan Colvey, Student Trustee, CHC

Members Absent:

None.

Administrators Present:

Dr. Noelia Vela, Chancellor
Dr. Debra Daniels, SBVC President
Gloria M. Harrison, CHC President
Larry Cicalone, President, KVCR-TV-FM
Robert J. Temple, Vice Chancellor Fiscal Services
Renee Brunelle, Vice Chancellor Human Resources

Administrators Absent:

None.

Pledge of Allegiance

Mr. Lockwood led the Pledge of Allegiance.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

- PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Government Code 54957

- CONFERENCE WITH LABOR NEGOTIATORS
Agency Negotiators: Renee Brunelle and Robert J. Temple
CTA
CSEA
Management/Supervisors
Confidentials
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code 54956.9(a)
Name of Case: Claim #1655-97-0050
- CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code 54956.8
Property: Located South of Rialto Avenue
 North of Enterprise Drive
 West of Current District Property
Agency Negotiator: Robert J. Temple
Under Negotiation: Price and Terms of Payment
- PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code 54957
Title: Chancellor

3. PUBLIC COMMENT ON AGENDA ITEMS

None.

4. CONVENE CLOSED SESSION

The Board convened to closed session at 4:03 p.m.

5. RECONVENE PUBLIC MEETING

Mr. Ramos reconvened the public meeting at 5:10 p.m.

6. REPORT OF ACTION IN CLOSED SESSION

Dr. Terrell moved, Dr. Singer seconded, and the board members voted as follows to accept the settlement authority by way of compromise and release of \$37,000 less than permanent disability advance of \$30,698, the final amount due of \$6,302, for claim #1655-97-0050:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell
NOES: None
ABSTENTIONS: None
ABSENT: Vizcaino

7. APPROVAL OF MINUTES

Mr. Futch moved, Mr. Longville seconded, and the Board members voted as follows to approve the minutes of April 9, 2009 with the following correction:

Page 7 – Approve Student Trustees’ Privilege to Receive Compensation and to Cast Advisory Vote – The third bullet point should read:

- Add the privilege to make or amend motions in addition to cast an advisory vote.

AYES: Futch, Lockwood, Longville, Singer, Terrell
Alcaez (advisory), Colvey (advisory)

NOES: None

ABSTENTIONS: Ramos

ABSENT: Vizcaino

Mr. Lockwood moved, Mr. Futch seconded, and the Board members voted as follows to approve the minutes of April 30, 2009:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Colvey (advisory)

NOES: None

ABSTENTIONS: Terrell
Alcaez (advisory)

ABSENT: None

8. PUBLIC COMMENT

None.

9. REPORTS

A. Board Members

- Dr. Terrell encouraged the trustees to attend the law enforcement dinner on June 4. He was very pleased with the latest publication of *Career Focus* and praised Donna Hoffmann for a job well done. He also asked Dr. Daniels to pass on his compliments to those faculty and students who put together this year’s *Phineus*. Dr. Terrell volunteered to represent the Board at the Middle College graduation which happens to fall on the same evening as CHC’s commencement.
- Dr. Singer reported that President Obama is looking to community colleges for leadership with workforce development. The nominee for the Under-Secretary of Education post is a California community college chancellor. Large foundations are now looking to community colleges to support them saying, “We need the best educated people and who better to do that than community colleges.”

- Mr. Futch attended the CHC gala, the police academy graduation, health day at CHC, and the “Together” concert at SBVC. He asked that the district look into the “debit card program” for financial aid services. Advantages to this system are a savings in postage and the students have access to the funds immediately.
- Mr. Longville participated in a tour of the CHC facilities. He also attended the “Safety Issues” meeting that the chancellor called and added his appreciation to the chancellor, the college presidents and staff who contributed significantly to the meeting. “I feel this meeting was helpful to try to improve our own performance so that we can have the safest possible environment on both campuses.” He acknowledged Sarah Miller’s contribution at the meeting saying that despite some trepidation, she spoke boldly about problems she thinks need to be addressed.
- Mr. Lockwood also commented on the *Career Focus* publication adding that this publication is one of the best items we send off. He congratulated Donna Hoffmann.
- Mr. Ramos recognized the 35 retirements and congratulated every one stating that all those years of service will be difficult to replace. He expressed his thanks and appreciation for the many years of service provided to the students of this district. He also suggested the district reach out to Mary’s Mercy Center in San Bernardino to see how we could help. He will be calling Dr. Vela to discuss this.

B. Student Trustees

- Mr. Colvey stated he spent the better part of his term as student trustee getting educated. In an attempt to assist the newly elected student trustee in being more effective, he has spent a great deal of time with her. He expressed his pleasure in serving on this Board and working with the trustees.
- Mr. Alcaez stated he was glad he was able to serve the students in the capacity as student trustee, and he, too, will be working with the incoming student trustee to familiarize that person with this role. He reported students have taken SBVC catalogs to the Mary of Mercy Women’s Center.

Mr. Vizcaino arrived at 5:40 p.m.

B. Chancellor

- Dr. Vela added her appreciation to Student Trustees Colvey and Alcaez for their commitment and service to the district’s students. The chancellor acknowledged her commitment to ensure that the suggested changes to Board Policy 2060 are brought up and considered in the regular shared governance process used for policy review.
- The chancellor reported a long and productive meeting on “Safety Issues” was recently held. The goal of the meeting was to identify the

concerns and develop a course of action. The group identified a list of those concerns. Over the last few years, Sarah Miller has reported some issues and concerns regarding safety to the Board. In addition, attendees at the meeting discussed those and other issues and identified a list of concerns. Dr. Vela commended the staff for their participation and noted that people felt comfortable identifying their concerns. The committee's recommendation was to request that the consultation arm of CalOSHA be called to request an overview and assistance for the District.

- Elaine Gaertner, the Statewide Director for the Center of Excellence, will be doing a site visit on May 15. Through Dr. Isaac's work in economic and workforce development, the Chancellor's Office has transferred grant money from another college to us because they are pleased with our work. These site visits come because they want to thank us, and they want to feel reassured before they make additional contributions of grant funds to our district.
- The chancellor attended many of the end-of-the-year events. These events are a great reminder as to why we are here and an opportunity to celebrate our students' success. It is also an opportunity to acknowledge the work of the faculty and staff who help the students succeed.
- Dr. Vela reported we had the opportunity to celebrate our retirees who have provided a total of 1,047 years of dedicated service to the district. These employees built a foundation on a premise and commitment to excellence inside and outside the classroom. We will continue to build on that foundation.
- Dr. Vela stated through newspaper articles we are beginning to see the national picture stabilize. Unfortunately that is not the case in California, and every day the situation becomes worse and more alarming. In November, 2008, the Board identified board priorities or guiding principles as we were beginning to see that we may have a budget challenge. Every employee was invited to participate, and we received over 1,000 suggestions for reductions. Our goal at that time was a \$1.9 million reduction mid-year immediately, but there was concern that it could grow to \$4.1 million so we did identify a possibility of a \$5 million cut. It was not enacted because in February the Governor came in with an 18-month budget and we thought it would take care of us. Since then property tax revenues are less than we have expected. We believe based upon the latest information that the state's deficit could reach \$23 billion which will have a huge impact on our district and every other community college. We are going to be challenged in the upcoming years. Mr. Temple noted that he anticipated the mid-year cuts, and we prepared for the early retirement incentive programs (SERPS) to position ourselves for next year. We can absorb the \$4.1 million hit because of the actions we have already taken. Mr. Temple will try to increase the reserves to a 9% level (2007-2008) to be prudent. Projections indicate that revenue

from the state will not get back to last year's level until the year 2013 under the best forecast. We are going to have to begin to plan for the next 4 years. We are well positioned for the immediate; however, the cuts for next year are devastating, which include approximately \$1.8 million in this district's apportionments. This does not count other yet unidentified cuts.

11. CONSENT AGENDA

The following changes were made in the Consent Agenda:

10.B.8. Consideration of Approval of New Classified Job Descriptions – Third paragraph under *Analysis* on cover page should read: *The Program Coordinator, Applied Technology Training Center (ATTC), coordinates the marketing...*

10.B.17. Consideration of Approval to Cash Out Load Bank Hours – Correction – Faculty member is Judith Ashton.

10.B.18. Consideration of Approval of Management Appointment – Deleted from the agenda.

D. Terrell moved, Mr. Futch seconded, and the Board members voted as follows to approve the Consent Agenda:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaez (advisory), Colvey (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

12. ACTION AGENDA

Approve Revised Management Job Description – Executive Director, Public and Governmental Relations

The board had some questions regarding this recommendation and several trustees indicated they would like an opportunity to address their concerns with the chancellor.

Dr. Singer moved, Mr. Vizcaino seconded, and the Board members voted as follows to approve the revised job description for the Executive Director, Public and Governmental Relations:

AYES: Singer
NOES: Futch, Lockwood, Longville, Ramos, Terrell, Vizcaino
Alcaez (advisory), Colvey (advisory)
ABSTENTIONS: None
ABSENT: None

Motion failed.

Approve Classified Retirement

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to accept the classified retirement of Patricia Saenz, Clerical Assistant II, Teaching Aids Office, CHC, effective May 30, 2009:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve Management Resignation

Mr. Lockwood moved, Mr. Futch seconded, and the Board members voted as follows to accept the management resignation of Ronald Gerhard, Business Manager, District, effective June 13, 2009:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve SBVC Reorganization

Mr. Longville's concern was that he was not provided with enough information to make a decision on an item that greatly impacts the college and the district.

Dr. Daniels stated that one of the things that was brought to her attention when she arrived was that SBVC had too many managers and deans. As opportunities came up, they began combining positions. The reorganization discussion began about two years ago with campus-wide discussions. Senates were involved, and models of reorganization structures were presented and discussed. Managers looked at how to combine things to become more efficient and came up with a plan that consolidated 12 divisions into 8 divisions. The premise was no one would lose their job. All classified staff would have similar jobs with the same duties and no change in workload. Other colleges and institutions were studied. Open forums were held and changes were made as the campus progressed

toward the final plan. There was wide-spread input and issues and concerns were solved in a collaborative and meaningful way.

Mr. Longville stated again that he did not feel he had sufficient information to vote.

Dr. Terrell moved, Dr. Singer seconded, and the Board members voted as follows to approve the SBVC Reorganizational Plan as presented:

AYES: Futch, Lockwood, Ramos, Singer, Terrell, Vizcaino
Colvey (advisory)
NOES: None
Alcaez (advisory),
ABSTENTIONS: Longville
ABSENT: None

Adopt Resolution – Reduction/Elimination of Classified Services for 2009-10 Academic Year

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to adopt a resolution to eliminate the following classified positions in the Child Development Center, First Five Program, SBVC, as of July 1, 2009, due to the discontinuance of a grant:

One Secretary II (C111403) – Full-Time 100%
Clerical Assistant II (C113204) – Full-Time 100%

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Adopt Board Resolution to Recognize the Week of May 17-23, 2009 as Classified School Employee Week

Mr. Futch moved, Mr. Longville seconded, and the Board members voted as follows to adopt a resolution to recognize the week of May 17-23, 2009 as Classified School Employee Week:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve Uniform Construction Cost Accounting Procedures Agreements

Dr. Terrell moved, Mr. Futch seconded, and the Board members voted as follows to approve Uniform Construction Cost Accounting Procedures Agreements:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaarez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve Planning and Development Director

Mr. Futch moved, Mr. Lockwood seconded, and the Board members voted as follows to approve the contract for Steven Lohr of SCL Associates as Planning and Development Director:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaarez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve Bond Program Director

Mr. Lockwood moved, Mr. Futch seconded, and the Board members voted as follows to approve the contract for Lawrence Klumas of Klumas Associates as the Bond Program Director:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaarez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve Change Order 01 for Nuway, Inc. Contract - CHC

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to approve Change Order 01 for Nuway, Inc., Community Recreation Facility/Infrastructure 5, Bid Category 4, Masonry Contract, CHC, in the amount of \$44,440.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaarez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve Change Order MSI-4 for Modular Structures International, Inc. Contract - SBVC

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to approve Change Order MSI-4 for Modular Structures International, Inc., Student Health Services Building contract, SBVC, in the amount of \$3,680.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve Change Order MSI-5 for Modular Structures International, Inc. Contract – SBVC

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to approve Change Order MSI-5 for Modular Structures International Inc., for the Student Health Services Building Contract, SBVC, in the amount of \$2,582.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve Amendment 1 to Kitchell CEM, Inc. Agreement for Program Management Services for Measure P Bond Program

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to approve amendment 1 to Kitchell CEM, Inc. Agreement for Program Management Services for Measure P Bond Program, in the amount of \$1,876,181.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve Amendment 004 to Steinberg Architects Infrastructure Contract for Additional Work – CHC

Mr. Futch moved, Mr. Vizcaino seconded, and the Board members voted as follows to approve Contract Amendment 004 for Steinberg Architects Infrastructure Contract for additional work at CHC, in the amount of \$6,908.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaarez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Award Bid and Approve Contract for the Snyder Gym Roof Replacement Project – SBVC

Mr. Futch moved, Mr. Lockwood seconded, and the Board members voted as follows to award bid and approve contract with Cabral Roofing and Waterproofing Corporation for the Snyder Gym Roof Replacement Project, SBVC, in the amount of \$321,656,000.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaarez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

Approve Bonds to Release Money Withheld on Stop Notices Against Oakview Constructors, Inc.

Mr. Lockwood moved, Mr. Longville seconded, and the Board members voted as follows to approve bonds to release money withheld on stop notices against Oakview Constructors, Inc.:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaarez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

First Reading of Revised Board Policies

Increasing the compensation for the student trustees was discussed. Dr. Vela stated there is a shared governance process to change board policy and all the suggestions made to the policy on student trustees will go through that process. Staff will research the Education Code regarding the proposed changes.

Mr. Longville's concern is that if we simply receive this today and do not take action then it will be another year to change the compensation. Dr. Vela reminded the Board that action was taken on this policy at the last board meeting. The only recommended change on this policy at this time is to decrease the student unit load requirement from 12 units to 5 semester units and this is coming to the Board for first reading.

Dr. Singer moved, Dr. Terrell seconded, and the Board members voted as follows to receive revised board policies:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaarez (advisory), Colvey (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: None

12. INFORMATION ITEMS

- A. Change Order Summary Report for Measure "P" Projects
- B. Budget Report
- C. Summary of Purchase Order Report
- D. Quarterly Investment Report
- E. Advancement in Rank – SBVC Faculty
- F. Advancement in Rank – CHC Faculty
- G. Advancement in Rank – CHC Managers
- H. Administrative Procedures
- I. Applause Cards

13. STAFF REPORTS

- A. CHC President
 - A written report was submitted to the Board.
- B. CHC Academic Senate
 - Mr. Hogrefe recapped what the faculty accomplished this year: A great deal of time has been spent addressing accreditation recommendations. Every discipline is participating in the SLO process. Over 100 new courses have been approved and added to the curriculum. The educational policy committee has been working on Title V changes.
 - The new faculty senate president will be introduced at the June board meeting.
 - Dr. Terrell expressed his appreciation to the senate presidents for the fine job of keeping the board apprised of what faculty is doing.

- C. CHC Classified Senate
 - Absent.
 - D. CHC ASB
 - Absent.
 - E. SBVC President
 - A written report was submitted to the Board.
 - F. SBVC Academic Senate
 - Absent.
 - G. SBVC Classified Senate
 - In an attempt to build unity a joint meeting of the student governments was held so the students would have a stronger voice with the board. Social events and a collaborative community service project were discussed.
 - The students thanked the board for the opportunity to attend the General Assembly. Attendees had an opportunity to learn how to write resolutions and to meet the Lt. Governor.
 - H. SBVC ASB
 - Absent.
 - I. KVCR
 - A written report was submitted to the Board.
 - J. CTA
 - Absent.
 - K. CSEA
 - John Napolitano, CSEA President, reported CTA and CSEA joined forces in a picnic for unit members. Fundraisers and mutual concerns were discussed. He thanked those who attended the "Safety Issues" meeting.
 - L. Chancellor
 - No further report.
13. CLOSED SESSION
- The board adjourned to closed session at 7:45 p.m.
14. RECONVENE PUBLIC MEETING
- Mr. Ramos reconvened the public meeting at 8:12 p.m.

15. REPORT OF ACTION IN CLOSED SESSION

Mr. Lockwood moved, Mr. Futch seconded, and the board members voted as follows to adopt a resolution authorizing the administration to make applications on behalf of the district for disability retirement of all employees and to initiate requests for reinstatement of such employees who are retired for disability:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Alcaez (advisory), Colvey (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

16. ADJOURN

Mr. Ramos adjourned the meeting at 8:15 p.m.

Donald L. Singer, Clerk
San Bernardino Community College District
Board of Trustees