

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT
114 South Del Rosa Drive, San Bernardino, CA 92408

Minutes of the Regular Meeting of the Board of Trustees
Thursday, September 15, 2011 - 4:00 p.m. – Assembly Room

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mr. Lockwood called the meeting to order at 4:04 p.m.

Members Present:

Carleton W. Lockwood, Jr., President
John Futch, Clerk
Donna Ferracone
John Longville
James C. Ramos
Jess C. Vizcaino, Jr.
Jaime Sanchez, Student Trustee, SBVC
Christopher Walsh, Student Trustee, CHC

Members Absent:

Dr. Donald L. Singer, Vice President

Administrators Present:

Bruce Baron, Chancellor
Dr. Debra Daniels, SBVC President
Gloria M. Harrison, CHC President
Charlie Ng, Interim Vice Chancellor Fiscal Services
Dr. Jack Miyamoto, Consultant, Human Resources

Administrators Absent:

Larry Cicalone, President, KVCR-TV-FM

Pledge of Allegiance

Trustee Futch led the Pledge of Allegiance.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

- A. CONFERENCE WITH LABOR NEGOTIATORS
Government Code 54957.6
Agency Negotiators: Jack Miyamoto and Bruce Baron
CTA
CSEA
Management/Supervisors
Confidential Employees
- B. CONFERENCE WITH LEGAL COUNSEL
EXISTING LITIGATION
Government Code Section 54956.9(a)
Claim #1654-06-0004
Claim #1655-06-0001
- C. EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Government Code Section 54957

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

None.

4. CONVENE CLOSED SESSION

The Board convened to closed session at 4:06 p.m.

5. RECONVENE PUBLIC MEETING

Mr. Lockwood reconvened the public meeting at 5:03 p.m.

6. REPORT OF ACTION IN CLOSED SESSION

Ms. Ferracone moved, Mr. Futch seconded, and the Board members voted as follows to approve the Settlement Authority of Claim #1654-06-004 and Claim #1655-06-0001 by way of Stipulation with Request of Award for 41% in the amount of \$45,760.00 plus 15% (\$6,352.14) add on for no offer to return to work, with provision for future medical care. Total amount is \$52,112.14. Permanent disability advancement of \$33,932.46 has already been paid out, leaving an amount due of \$18,179.68:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
NOES: None
ABSENT: Singer
ABSTENTIONS: Walsh, Sanchez

7. APPROVAL OF MINUTES

Mr. Longville moved, Mr. Futch seconded and the Board members voted as follows to approve the minutes of August 11, 2011:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: Singer

ABSTENTIONS: None

Mr. Futch moved, Ms. Ferracone seconded and the Board members voted as follows to approve the minutes of August 25, 2011:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: Singer

ABSTENTIONS: None

8. REPORTS

A. Board Members

- Mr. Longville mentioned that he had recently attended a meeting of the ASB at Crafton Hills and was very impressed by the manner in which their president, Student Trustee Chris Walsh, chaired the meeting. He complimented Mr. Walsh's ability to move the agenda quickly, while still spending adequate time on the issues.
- Mr. Lockwood complimented Crafton Hills College on the kickoff to their 40th anniversary year, saying it was a perfect day and that he was looking forward to a year of celebration.

B. Student Trustees

- Mr. Sanchez advised that he has received positive feedback from students about parking for free at the Pro Swap Meet, and he thanked Dr. Daniels for that. He has also received positive comments about the women's soccer team whose current record is 5 and 1. He went on to thank Mr. Felix Cortez-Littlefield for enabling students to acquire replacement ID cards at the bookstore. Mr. Sanchez also advised the Board of student concerns surrounding the cancellation of an ASG meeting, the removal of the M.E.Ch.A Club from the student conference room, and the possible dismissal of Mr. Felix Cortez-Littlefield without due process. He stated that the Board would hear from students regarding these matters during public comment.
- Mr. Walsh reported that he felt the trustee conference he and Trustee Sanchez attended last month was helpful in learning to manage his dual roles as ASG president and student trustee. He

thanked President Harrison for her continued support of himself and the Student Senate.

C. Chancellor

- Mr. Baron presented two articles from The San Bernardino Sun. These articles are part of a new monthly column on education which will afford SBCCD an opportunity to join together with the San Bernardino Unified School District and Cal State San Bernardino to jointly address educational issues relative to our community. Mr. Baron went on to express his pride in the District's role as host of an Early Assessment Program conference. This program is a tool to assess K-12 students' grasp of Math and English in order to better prepare them for college while they are still in high school. He thanked Dr. John Stankas for working with the Math and English Chairs to pilot use of the Early Assessment Program for two years.. Finally, he congratulated President Gloria Harrison on the start of the 40th anniversary of Crafton Hills College.

9. PUBLIC COMMENT

Mr. Scott Peattie from Amonix spoke to the Board about the Solar Farm Request for Proposal (RFP). He advised that a consortium featuring Amonix was denied consideration because their submission was eight minutes late. He requested their submission be reconsidered and presented a short video to the Board. Mr. Lockwood advised Mr. Peattie that this item would be considered later in the agenda.

Ms. Monique Magana, Finance Director, Ms. Cadelia James, Student Center Affairs Director, Mr. Christian Jacobs, Public Relations Director, and Mr. Anthony Victoria, Student Organizations Director, of the SBVC ASG addressed the Board regarding their ongoing concerns about the ASG president and requested that the ASG Board of Directors be allowed to do its job even if it meant impeachment of the current president.

Leobardo Rubio, Co-Chair of M.E.Ch.A at SBVC advised the Board that he was not speaking on behalf of the entire club, but rather with the support of some of its members. He expressed feelings that Mr. Felix Littlefield has been a strong supporter of their club and should be granted due process.

Mr. Lockwood thanked the students for coming forward. Mr. Ramos asked if there was a way to request clarification of the issues presented. Mr. Baron advised that this has been a highly complex and volatile situation for the past several months. He advised the Board that he will meet with the parties and will prepare a report that describes the situation and remedies.

Ms. Mary Valdemar, SBVC Classified Senate Vice President spoke to the Board as a former ASG member. She felt that previously the ASG received independent and unbiased support from tenured faculty whose goal was to bring the ASG together when they disagreed over various issues. Now, however,

since the administration is over the ASG, the ASG no longer receives strong and independent advice.

Mr. Richard Bellis of Calimesa advised the Board that he was concerned about the pool being shut down. He also mentioned that some of the showers in the gym do not work, and felt that perhaps there was not enough custodial staff to support the facility. Mr. Bellis also mentioned having incurred a problem receiving technical support.

Ms. Joan Harder-Speers, a part-time faculty member at SBVC spoke about the need to foster a can-do attitude. She was searching for a more supportive approach.

10. PUBLIC HEARING AND ADOPTION OF THE 2011-2012 BUDGET

Mr. Lockwood opened the public hearing on the proposed 2011-2012 budget. Hearing no comments, Mr. Lockwood closed the budget hearing.

Mr. Charlie Ng delivered a presentation to the Board on the budget. Mr. Ramos felt it was important to highlight the fact that the campuses were able to save 103 sections while maintaining support services for those sections.

Mr. Walsh moved, Mr. Ramos seconded, and the Board members voted as follows to adopt the 2011-2012 budget:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: Singer

ABSTENTIONS: None

CONSENT AGENDA

Mr. Ramos moved, Ms. Ferracone seconded, and the Board members voted as follows to approve the Consent Agenda:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: Singer

ABSTENTIONS: None

11. ACTION AGENDA

Approve Midterm Accreditation Report - SBVC

Dr. Larry Buckley presented a report to the Board.

Mr. Futch moved, Ms. Ferracone seconded, and the Board members voted as follows to approve SBVC's Midterm Accreditation Report:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Singer
ABSTENTIONS: None

Mr. Lockwood recessed the meeting at 6:40 p.m. for a short break and reconvened at 6:45 p.m.

Approve Midterm Accreditation Report - CHC

Dr. Cheryl Marshall made a presentation to the Board.

Mr. Ramos moved, Mr. Vizcaino seconded, and the Board members voted as follows to approve CHC's Midterm Accreditation Report:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Singer
ABSTENTIONS: None

Accept Classified Retirement

Ms. Ferracone moved, Mr. Walsh seconded, and the Board members voted as follows to accept the retirement of Rickey Chatman, Custodian, SBVC, effective July 28, 2011:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Singer
ABSTENTIONS: None

Approve Bond Measure P Construction Change Orders and Contract Amendments

Mr. Futch moved, Mr. Ramos seconded, and the Board members voted as follows to approve Bond Measure P Construction Change Orders and Contract Amendments:

Chemistry/Physical Science - SBVC

Arrowhead Mechanical, CO-03, in the amount of (-\$7,758.00)

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Singer
ABSTENTIONS: None

Approve Amendment 001 to the C.H.J. Inc. Contract – SBVC

Mr. Ramos moved, Mr. Futch seconded, and the Board members voted as follows to approve Amendment 001 to the C.H.J. Inc. contract, SBVC, in the amount of \$285,255.00:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Singer
ABSTENTIONS: None

Approve Amendment 001 to the LPA Inc. Contract - SBVC

Mr. Ramos moved, Mr. Futch seconded, and the Board members voted as follows to approve Amendment 001 to the LPA, Inc. contract for the cancellation of their contract, SBVC, in the amount of -\$3,290,817.71:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Singer
ABSTENTIONS: None

Approve Amendment 003 to the DLR/WWCOT Group Contract - SBVC

Mr. Ramos moved, Mr. Futch seconded, and the Board members voted as follows to approve Amendment 003 to the DLR/WWCOT Group contract, SBVC, in the amount of \$34,880.00:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Singer
ABSTENTIONS: None

Approve Amendment 003 to Snipes-Dye Contract - SBVC

Mr. Ramos moved, Mr. Futch seconded, and the Board members voted as follows to approve Amendment 003 to the Snipes-Dye contract, SBVC, in the amount of \$50,000.00:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Singer
ABSTENTIONS: None

Award Request for Proposal and Approve Contract Negotiations for Sol Focus/Rosendin Design Build Team - CHC

Mr. Lockwood asked Mr. Ng to respond to the public comment by Mr. Scott Peattie from Amonix. Mr. Ng advised the Board that Amonix's response to the District's RFP was procedurally late.

Ms. Ferracone moved, Mr. Walsh seconded, and the Board members voted as follows to award the Request for Proposal for the Solar Farm project, CHC, to Sol Focus/Rosendin Design Build Team and approved contract negotiations:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Singer
ABSTENTIONS: None

Approve Budget Adjustments

Mr. Baron advised the Board that this adjustment to the budget was necessary to establish a fund for capital improvements and projects.

Mr. Ramos moved, Mr. Sanchez seconded, and the Board members voted as follows to approve budget adjustments:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Singer
ABSTENTIONS: None

Mr. Lockwood requested that a presentation be made to the Board about the Solar Farm project at CHC and Ms. Harrison advised that this could be done.

12. INFORMATION ITEMS

- A. Summary of Bond Measure P Capital Improvement Program Change Orders and Amendments for Construction Projects
- B. Budget Report
- C. Purchase Order Report
- D. Applause Cards

13. STAFF REPORTS

- A. CHC President
 - A written report was submitted to the Board.

- B. CHC Academic Senate
- Mr. Scott Rippe reported that in August the Senate members held a retreat and reviewed the 10 + 1 items from Title V. They have developed some priorities for the year and have already started on that list. He thanked the Board for the infusion of funds for student success.
- C. CHC Classified Senate
- Absent
- D. CHC ASB
- Mr. Kyle Hundley, Vice President of External Affairs for the CHC ASB, advised the Board of some upcoming events, including Constitution Day on September 16, and Club Rush on September 28. He also reported that they are working hard to better their recycling program.
- E. SBVC President
- A written report was submitted to the Board.
- F. SBVC Academic Senate
- Dr. John Stankas advised that he had attended last Friday's Early Assessment Program (EAP) conference, which dealt with sustained community change to improve education in the region. This is very exciting to the faculty. He mentioned that the accreditation reports heard at tonight's meeting were the culmination of the District's collegial consultation processes, which work well and can effect change.
- G. SBVC Classified Senate
- Ms. Cassandra Thomas reported that Senate members were concerned about the parking fee increases and Vice Chancellor Ng will be addressing those concerns at an upcoming meeting.
 - Ms. Mary Valdemar reported that she had attended her first Legislative Advisory Committee meeting for the California Community College League. One topic of concern at that meeting was the possibility of Pell Grant cuts.
- H. SBVC ASB
- A written report was submitted to the Board by SBVC ASG President Joyce Green. Ms. Green also mentioned her concern about an October 20 Board item for an October 21 event. Mr. Longville responded, asking that the item be presented at the upcoming Board study session on September 29 instead. Chancellor Baron advised that Ms. Green could work with Mr. Herb English and Dean Cota to accomplish this. Mr. Longville went on to say that historically, student government has been underappreciated, and he would like to see a follow up to this discussion.
- I. KVCR
- A written report was submitted to the Board.

- J. CTA
- Absent.

- K. CSEA
- Ms. Sarah Miller, Appointed Safety Representative for the CSEA, addressed the Board regarding the District's compliance with the Clery Act. Ms. Miller referenced an incident in which student Stanley Roring was arrested for allegedly posting on Facebook that he was planning a "Virginia Tech-style" shooting at Crafton Hills. On September 1, a CSEA member asked about the details of the incident and questioned why no warning was issued to the campus. Ms. Miller reported that to date there has been no response. She mentioned that she appeared before the Board on May 5, 2011 expressing concern about the District's failure to comply with the Clery Act, and advised that she is again requesting that the Board seek an investigation and report regarding the District's compliance with the Clery Act.
 - Mr. Ben Gamboa, State Communications Chair for CSEA, also spoke to the Board regarding the District's handling of the Stanley Roring incident, citing the Clery Act's Timely Warning and Emergency Notifications requirements. He asked that the Board direct the District to comply with the Clery Act immediately. Mr. Gamboa also mentioned District's Board Policy 7250, regarding the evaluation of managers and administrators. He recommended that the Board direct the District to review its managers and administrators, in order to hold them accountable.

Mr. Lockwood requested that Mr. Gamboa submit to the Chancellor the information presented to the Board.

14. ADJOURN

Mr. Lockwood adjourned the meeting at 8:10 pm.

John M. Futch, Clerk
San Bernardino Community College District
Board of Trustees