

San Bernardino Community College District
Regular Meeting of the Board of Trustees
114 S. Del Rosa Drive, San Bernardino, CA 92408
Thursday, April 25, 2013 – 4:00 p.m. – Board Room

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE
2. PUBLIC COMMENT

The San Bernardino Community College District Board of Trustees welcomes public comment on issues within the jurisdiction of the District. Comments should be limited to five (5) minutes per speaker and twenty (20) minutes per topic if there is more than one speaker. At the conclusion of public comment, the Board may ask staff to review a matter or may ask that a matter be put on a future agenda. Members of the Board, however, may not discuss or take legal action on matters raised during public comment unless the matters are properly noticed for discussion and legal action. Be advised that District personnel and processes are available for further communication.

Anyone who requires a disability-related modification or accommodation in order to participate in the public meeting should contact the Chancellor's Office at (909) 382-4091 as far in advance of the Board meeting as possible.

3. APPROVAL OF MINUTES – April 11, 2013 (p.
4. ACCJC BOARD TRAINING WORKSHOP
5. ADJOURN – The next regular meeting of the Board of Trustees will be Thursday, May 9, 2013.

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, April 11, 2013 – 2:30 p.m. – Board Room

1. CALL TO ORDER

Dr. Singer called the meeting to order at 2:30 p.m.

Members Present:

Dr. Donald L. Singer, President
John Longville, Vice President (arrived at 4:00 p.m.)
Donna Ferracone, Clerk
Gloria Macias Harrison
Dr. Kathleen Henry
Joseph Williams
Nickolas W. Zoumbos
Ferny Arana Garcia, SBVC (arrived at 4:00 p.m.)
Kyle Hundley, Student Trustee, CHC (arrived at 4:00 p.m.)

Members Absent:

None.

Administrators Present:

Bruce Baron, Chancellor
Charlie Ng, Vice Chancellor Fiscal Services
Tanya Rogers, Interim Vice Chancellor Human Resources
Dr. Cheryl Marshall, President, CHC
Dr. Gloria Fisher, Interim President, SBVC

Administrators Absent:

None

2. PLEDGE OF ALLEGIANCE

Trustee Henry led the Pledge of Allegiance.

3. PRESENTATION ON THE BROWN ACT

Jack P. Lipton, Ph.D., Esq from the firm of Burke Williams & Sorenson, LLP, presented a workshop on the Brown Act. The trustees had the opportunity to ask questions. He will be invited back at a later time to complete the presentation on the Open Records Act.

4. ANNOUNCEMENT OF CLOSED SESSION ITEMS

CONFERENCE WITH LABOR NEGOTIATORS

Government Code 54957.6

Agency Negotiators: Bruce Baron and Tanya Rogers

CTA

CSEA

Management/Supervisors

Confidential Employees

EMPLOYEE DISMISSAL/DISCIPLINE/RELEASE

Government Code 54957

CONFERENCE WITH LEGAL COUNSEL

ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Section 54956.9(d)(2)

Number of cases: 48

Employee ID Numbers: 8279, 4246, 6925, 6766, 24557, 2050, 25421, 8619, 5900, 23583, 5594, 8752, 1874, 23513, 8575, 298, 437, 4584, 9364, 3290, 8380, 8607, 5284, 25225, 5003, 6496, 26110, 649, 3598, 9672, 4887, 2999, 7627, 7084, 10096, 25752, 3986, 7835, 872, 24971, 23916, 24323, 23663, 25523, 7196, 6243, 4050, 25253

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code 54957.6

Title: Chancellor

5. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

None.

6. CONVENE CLOSED SESSION

The Board convened to closed session at 4:05 p.m.

7. RECONVENE PUBLIC MEETING

Dr. Singer reconvened the public meeting at 4:50 p.m.

8. REPORT OF ACTION IN CLOSED SESSION

Trustee Henry moved, Trustee Harrison seconded, and the Board members unanimously approved the settlement claim for employee #5900 in the amount of \$45.00 and authorized Charlie Ng to settle any similar claims on the same terms that arose out of the errors on W-2s for the following employee ID numbers: 8279, 4246, 6925, 6766, 24557, 2050, 25421, 8619, 23583, 5594, 8752, 1874, 23513, 8575, 298, 437, 4584, 9364, 3290, 8380, 8607, 5284, 25225, 5003, 6496, 26110, 649, 3598, 9672, 4887, 2999, 7627, 7084, 10096, 25752, 3986, 7835, 872, 24971, 23916, 24323, 23663, 25523, 7196, 6243, 4050, 25253.

9. INSTITUTIONAL PRESENTATION

Dr. Susan Bangasser introduced faculty members Amy Avelar and Tatiana Vazquez, STEM team members, and several students who participate in the Supplement Instruction (SI) program at SBVC.

SI targets challenging courses such as biology, chemistry, engineering, mathematics and physics and provides learning sessions with trained student leaders. Activities are planned and student-student interaction is promoted and mutually supported.

The students said the program is beneficial because it builds communication, leadership, organizational and collaborative skills. The SI leaders are learning what the other students are learning so they are better able to get through the tough material in the courses. Student leaders are gaining confidence and students are more interactive in the classrooms.

Dr. Singer thanked the students and faculty for a fine presentation.

10. CONSIDERATION OF APPROVAL OF CANDIDATES FOR THE 2013 CCCT BOARD OF DIRECTORS

Trustee Ferracone moved, Trustee Williams seconded, and the Board members voted as follows to cast one vote for each of the following seven candidates for the 2013 CCCT Board: Dianne B. McKay, Cy Gulassa, Louise Jaffe, Isabel Barreras, Susan M. Keith, Jerry D. Hart, and Jeffrey Lease:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos

NOES: None

ABSENT: None

ABSTENTIONS: Garcia (advisory), Hundley (advisory)

11. PUBLIC COMMENT

Dennis Zane, a former resident of the district, recommended the Board consider and support some legislative opportunities to boost transit ridership and reduce traffic. He also congratulated the district on its partnership with Omnitrans.

Local resident, John Wurm, commended the district on some of its curriculum modifications and taking a look at KVCR so the district can continue to focus on its mission. He commented on legal and investigative services, change orders, checks written for large amounts, and subcontracting out the district police department, suggesting the district look closely at these areas.

12. APPROVAL OF MINUTES

Trustee Harrison moved, Trustee Longville seconded, and the Board members voted as follows to approve the minutes of March 28, 2013, with one correction:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos

NOES: None

ABSENT: None

ABSTENTIONS: Garcia (advisory), Hundley (advisory)

13. REPORTS

A. Board Members

- None.

B. Student Trustees

- Mr. Garcia reported students had an opportunity to advocate for student issues such as the PELL grant and the Dream Act when they were in Washington, D.C. The ASG is currently in the process of rewriting their constitution.
- Kyle Hundley reported students are advocating for the passage of AB 27 to support a medical school, AB 1358 which allows for a \$1 increase in the student representation fee should students vote to increase the fee, and AB 995 which allows community colleges to have extension classes at an unsubsidized rate as long as subsidized classes are not offered.
- Dr. Singer asked to be kept updated on AB 995.

C. Chancellor

- Mr. Baron thanked Susan Bangasser and Amy Avelar for bringing the STEM team to the meeting.
- The chancellor announced that Dr. Glen Kuck, Interim President at SBVC, has taken a personal leave for family reasons. Dr. Gloria Fisher will be acting president.
- The Assembly and Senate budget committees rejected the Governor's proposal to change the census date. This is good news

because we will not be penalized for those students who, for a number of reasons, must leave school prior to the end of classes.

- SBCCD was selected as the only community college in the state to participate in the Appreciating Classified Employees (ACE) Day on May 1st. About 30-40 managers and trustees will have the opportunity to gain a better understanding of what it is like to be a classified employee by shadowing a CSEA member on May 1. A lunch and discussion will follow that day. This event is sponsored by the CSEA central administration.

14. CONSENT AGENDA

The following items were pulled for discussion:

Item 13.C5. Consideration of Approval of District/College Expenses

Trustee Henry moved, Trustee Harrison seconded, and the Board members voted as follows to approve the Consent Agenda:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve District/College Expenses

Although Trustee Harrison will vote for this item, she pulled it because there is no comprehensive marketing plan for the district and she would like to see one developed. She added the district needs to strategically look at what is best for the district and how we spend the money.

Trustee Harrison moved, Trustee Williams seconded, and the Board members voted as follows to approve District/College expenses:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

15. ACTION AGENDA

Accept Classified Retirements

Trustee Henry moved, Trustee Williams seconded, and the Board members voted as follows to accept the retirement of Nongnuch Meechubot, Secretary II, SBVC; James Kurkoske, Maintenance Technician, SBVC; Arnold Regalado,

Storekeeper II, CHC; and Brian Mullgrav (disability retirement), Admissions & Records, SBVC:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Unpaid Leave of Absence for Classified Confidential Employee

Trustee Ferracone moved, Trustee Zoumbos seconded, and the Board members voted as follows to approve an unpaid leave of absence for Cheryl Burge, Human Resources Generalist, District:

AYES: None

NOES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos

ABSENT: None

ABSTENTIONS: Garcia (advisory), Hundley (advisory)

Motion defeated.

Approve Placement of Classified Confidential Employee on the 39-Month Reemployment List

Trustee Harrison moved, Trustee Ferracone seconded, and the Board members voted as follows to approve the placement of Cheryl Burge, Human Resources Generalist, District, on the 39-month reemployment list:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Adopt Resolution Authorizing Layoff Due to Lack of Work and/or Lack of Funds Implementing Education Code Section 88017

Trustee Harrison moved, Trustee Zoumbos seconded, and the Board members voted as follows to adopt a resolution authorizing the layoff to eliminate the following due to lack of work and/or lack of funds implementing Education Code Section 88017 effective July 1, 2013:

One Project Analyst, Logistic Technology Grant, District, 100% of full time

One Administrative Secretary, Library, SBVC, 100% of full time

One Multimedia Specialist, District EduStream Grant, 47.5% of full time

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Adopt Resolution to Recognize April as Sexual Assault Awareness Month

Trustee Harrison moved, Trustee Henry seconded, and the Board members voted as follows to adopt a resolution and designate April 2013 as Sexual Assault Awareness Month:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Consideration of Approval of Bond Measure M Construction Change Orders and Contract Amendments

Trustee Ferracone moved, Trustee Harrison seconded, and the Board members voted as follows to approve the following Bond Measure M construction change orders and amendments:

ADA Signage - SBVC

C.S. Legacy, CO-1, in the amount of \$2,048.00

Business Building - SBVC

Doug Wall Construction, CO-03, in the amount of \$54,821.00

Central Plant – SBVC

Plumbing, Piping & Construction, CO-5, in the amount of (-\$190,902.00)

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve Change Order #1 with Coutts Heating and Cooling, Inc.

Trustee Harrison moved, Trustee Henry seconded, and the Board members voted as follows to approve Change Order #1 with Coutts Heating and Cooling, Inc., in the amount of (-\$4,073.00):

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve Amendment 001 to the Snipes-Dye Associates Contract

Trustee Harrison moved, Trustee Henry seconded, and the Board members voted as follows to approve Amendment 001 to the Snipes-Dye Associates contract, in the amount of \$6,600.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve Amendment 003

Trustee Harrison moved, Trustee Henry seconded, and the Board members voted as follows to approve Amendment 003 to the Steinberg Architects Contract, in the amount of \$15,100.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Appoint Members to the Citizens Bond Oversight Committee

Trustee Henry moved, Trustee Harrison seconded, and the Board members voted as follows to appoint Robert Erikson, Patrick Kirk Dorsey and Robert Shields for two-year terms to the Citizens Bond Oversight Committee:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve Contract with Hay Group, Inc.

Trustee Longville moved, Trustee Ferracone seconded, and the Board members voted as follows to approve a contract with Hay Group, Inc. for classification and compensation consulting services, in the amount of \$197,500.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Adopt Resolution Authorizing the Use of Selected Pass-Through Payments

Trustee Harrison moved, Trustee Zoumbos seconded, and the Board members voted as follows to adopt a resolution authorizing SBCCD to use selected pass-through payments from former redevelopment agencies:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Board Policy 2060 Student Trustees

Mr. Hundley moved, Mr. Garcia seconded, and the Board members voted as follows to approve Board Policy 2060 Student Trustees:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

16. INFORMATION ITEM

- A. Summary of Bond Measure M Capital Improvement Program Change Orders and Amendments for Construction Contracts
- B. Budget Report
- C. Purchase Order Report
- D. General Fund Cash Flow Analysis
- E. Clery Act Compliance Report
- F. Advancement in Rank
- G. MOU – CSEA Alternative Work Schedule Summer 2013
- H. Administrative Procedures
 - 5030 Fees
 - 5033 Refunds

- I. Applause Cards
17. STAFF REPORTS
- A. SBVC President
 - A written report was submitted.
 - B. SBVC Academic Senate
 - Jeremiah Gilbert reported statewide resolutions were discussed at the Area D meeting recently held on the campus. Locally, the Senate is reviewing the faculty ethics statement and is forming an ad hoc committee to look at student success infrastructure. He thanked Tanya Rogers for moving forward on the faculty vacancies. The chancellor will be speaking to senate members on May 15.
 - C. SBVC Classified Senate
 - Cassandra Thomas and Aaron Beavor reported they raised \$250 for a scholarship award. Several members will be attending the Classified Leadership Institute. They commended the district on expanding the approved classification study to all the employees of the district.
 - D. SBVC ASB
 - Mr. Garcia reported elections are currently being held. The trustees were invited to attend *Carnival Day* on April 17.
 - E. CHC President
 - A written report was submitted.
 - F. CHC Academic Senate
 - Denise Allen said faculty has been identified to participate in the Vice President of Instruction hiring process. They are excited about the addition of two new faculty members and thanked the Board for making that possible. Faculty is looking forward to the spring plenary session where they have the opportunity to learn and understand and get better informed about the academic senates. The trustees were invited to attend the classified appreciation luncheon hosted by the faculty on April 25.
 - G. CHC Classified Senate
 - None.
 - H. CHC ASB
 - Students participated in 11 legislative visits while they were lobbying in Sacramento. Upcoming events include *Multicultural Day* on May 1 and a student recognition dinner on May 3. Trustees were invited to attend both events.

- I. CTA
- Absent.

- J. CSEA
- Absent.

18. ADJOURN

Dr. Singer adjourned the meeting at 6:00 p.m.

Donna Ferracone, Clerk
San Bernardino Community College District
Board of Trustees