

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, June 13, 2013 – 4:00 p.m. – Board Room

1. CALL TO ORDER

Dr. Singer called the meeting to order at 4:00 p.m.

Members Present:

Dr. Donald L. Singer, President
John Longville, Vice President (arrived at 4:10 p.m.)
Donna Ferracone, Clerk
Gloria Macias Harrison
Dr. Kathleen Henry
Joseph Williams
Nickolas W. Zoumbos
Rosalinda Sosa-Sanchez, Student Trustee SBVC
Yasmeen Flores, Student Trustee, CHC

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 Williams led the Pledge of Allegiance.

3. 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

CONFERENCE WITH LEGAL COUNSEL

EXISTING LITIGATION

Pursuant to Government Code Section 54956.9

Paragraph (1) of subdivision (d)

Case Name Unspecified: To identify case would jeopardize service of process or existing litigation.

EMPLOYEE DISMISSAL/DISCIPLINE/RELEASE

PUBLIC EMPLOYEE APPOINTMENT

President, SBVC

4. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

Community member Ratibu Jacocks addressed the Board for the second time urging the Board to make the "right decision" concerning the hiring of Dr. Ed Bush for the SBVC president. He distributed a document which contained questions and concerns raised by the West End Action Group (WAG) regarding the hiring process of the SBVC president.

5. CONVENE CLOSED SESSION

The Board convened to closed session at 4:04 p.m.

6. RECONVENE PUBLIC MEETING

The public meeting was reconvened at 6:25 p.m.

7. REPORT OF ACTION IN CLOSED SESSION

In consultation with legal counsel, the following comments were authorized by the Board in response to the questions raised by the West Side Action Group (WAG):

WAG: Since there was transparency during the initial hiring process, why was there no transparency during the salary and benefits negotiation?

SBCCD: In order to protect the privacy rights of applicants, pursuant to state law and the state constitution.

WAG: Exactly, who is responsible for making the final decision regarding the hire?

SBCCD: The Board.

WAG: Why hasn't the latest individual been advised/kept in the loop as to where the negotiations stand?

SBCCD: All applicants have been kept informed of the process.

Trustee Henry moved, Trustee Harrison seconded, and the Board members unanimously voted to extend the contract of Gloria Fisher as Interim President, SBVC, to June 30, 2014 or until a permanent president is selected.

8. INSTITUTIONAL PRESENTATION

2012-2013 Student Trustee Service Awards

Dr. Singer presented service awards to outgoing Student Trustees Kyle Hundley, SBVC, and Ferny Arana Garcia, CHC, for their "dedicated service to students and commitment to shared governance."

Dr. Singer gave the Oath of Office to newly elected student trustees Yasmeen Flores, CHC, and Rosalinda Sosa-Sanchez, SBVC.

Appreciating Classified Employees' Day Award

CSEA executive board members Colleen Gamboa, Michelle Crocfer, Grayling Eaton, Corrina Baber, Rocio Delgado, Fermin Ramirez and Rosita Moncada presented a plaque to the Board and Chancellor for their support of the ACE program.

Keenan & Associates – Statewide Educational Wrap-Up Safety Award

Mr. John Rodriguez, Director of SEWUP Loss Control Services at Keenan & Associates, presented to the district the "Statewide Educational Wrap-Up Safety Award" for the completion of the Central Plant/Infrastructure project at SBVC.

Program Review

The District Program Review Process was presented by Albert Maniaol, ATTC Director and Chair of the District Program Review Steering Committee.

Program Review is a systematic process of data gathering for effective planning and performance review and is a required element of the accreditation process. Objectives include:

- Unit goals aligned with the mission and goals of the district.
- Improve quality of service.
- Evaluation and documentation of the effectiveness of services conducted by each unit of the District.
- Utilization of data in planning and decision-making processes and for budgetary purposes in prioritizing requests for resources.
- Complying with accreditation standards, federal and state law, Title 5 and other legal requirements.

Program Review Plans are updated annually and new plans are developed every three years. Units of the district include: Fiscal Services, Human Resources, Technology and Educational Support Services, Police Department, Economic Development and Corporate Training and KVCR. The committee developed a very aggressive timeline. District Satisfaction Survey results are posted on the website. Nineteen of the 66 total resources needs were prioritized.

9. PUBLIC COMMENT

Student Dewey Kelleygram said she requested a reasonable accommodation be made for her while attending classes at SBVC, but the request was not fulfilled.

Trustee Henry asked that the Chancellor follow up on her request and report back to the Board. Trustee Longville added that it is “absolutely forbidden” for any employee to take umbrage with a student who speaks before the board.

10. APPROVAL OF MINUTES

Trustee Ferracone moved, Trustee Zoumbos seconded, and the Board members voted as follows to approve the minutes of May 30, 2013:

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

NOES: None

ABSENT: None

ABSTENTIONS: Flores (advisory), Sosa-Sanchez (advisory)

11. REPORTS

A. Board Members

- Trustee Henry thanked the college for the fine literary magazine put out by SBVC students. She added it showcases our students, and she is supportive of every opportunity we have to do that. We need to take every opportunity to learn about our students and our programs. She said she will communicate with the presidents whenever

possible. She congratulated the students who took home awards and added she would like to see this in the Highland Community News.

- Trustee Williams suggested the district participate in the Great California Shakeout on October 17. He added an emergency Board meeting should be called so the trustees have an opportunity to participate.
- Trustee Longville thanked CSEA for giving him the opportunity to participate in the ACE program. He said he was pleased to accompany others on a tour of the Orange County Sanitation District. He was interested in the tour because our district trains people to do these kinds of jobs. He said when he first was elected the Board, he made it his focus to address safety and health concerns. He shared an email sent to Whitney Fields, Safety Manager, by SBVC employee Sarah Miller congratulating him on the safety award and for making significant progress dealing with safety and hazardous conditions which were reported some time ago.

B. Student Trustees

- Ms. Flores said she is a second year political science student and is looking forward to her participation on the Board.
- Ms. Sosa-Sanchez is beginning her second year and is looking forward to paying back SBVC and representing its 10,000 students.

C. Chancellor

- Chancellor Baron welcomed the new student trustees. He assured the students they will be well-prepared for the board meetings.
- The Chancellor thanked CSEA for the opportunity to shadow classified staff and is looking forward to continuing the program next year.
- The Board will be asked to approve the tentative budget to allow the district to begin spending on July 1. Between now and September, staff will be looking at the state numbers and the direction for the year to complete a final budget. Hopefully the district will receive money for deferred maintenance because legislators added to the budget.
- The Chancellor acknowledged Dr. Matthew Isaac for giving high school students from three high schools an opportunity to pick up classes during a summer program partnership.
- Mr. Baron also acknowledged the partnership with the radio and film program and KVCR for broadcasting the graduations and streaming them on the internet.

12. CONSENT AGENDA

The following changes were made in the Consent Agenda:

Item 12.B.2. Consideration of Approval of Interim Management Appointment – Tim Oliver, Interim Vice Chancellor, Fiscal Services, effective June 26, 2013.

Item 12.B.17. Consideration of Approval of Retreat Rights for Management Employees – Marie Mestas, Librarian, SBVC, 200 Service Day position.

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

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

13. ACTION AGENDA

Approve Academic Employee Retirement

Trustee Ferracone moved, Trustee Longville seconded, and the Board members voted as follows to accept the retirement of Judith Harrington, Counselor, CHC, effective June 27, 2013:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve Management Employee Retirement

Trustee Harrison moved, Trustee Zoumbos seconded, and the Board members voted as follows to accept the retirement of Louis Chavira, Printing Operations Supervisor, District, effective June 29, 2013:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Mr. Baron thanked Louis Chavira for his 32 years of dedicated service to the district. He said he has been an asset to the entire district, and the district is proud of the work that has come out of the printing and graphics area.

Approve Classified Employee Retirements

Trustee Ferracone moved, Trustee Harrison seconded, and the Board members voted as follows to accept the retirement of Reyes Sanchez, Grounds Caretaker, SBVC, effective July 6, 2013 and Romeo Ongoco, Storekeeper I, SBVC, effective June 12, 2013:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Unpaid Leave of Absence for Classified Employee

No action was taken.

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

Trustee Harrison moved, Trustee Zoumbos seconded, and the Board members voted as follows to approve the placement of Jennine Enriquez, Secretary I, SBVC, on the 39-month reemployment list, effective June 1, 2013:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

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

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

Business Building - SBVC

Doug Wall Construction, CO-05, in the amount of \$148,798.00

Doug Wall Construction, CO-06, in the amount of \$197,121.00

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Amendment 001 to HMC Architects Contract

Trustee Harrison moved, Trustee Longville seconded, and the Board members voted as follows to approve Amendment 001 to the HMC Architects contract, in the amount of \$142,723.20:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Amendment 001 to Kitchell CEM, Inc. Contract

Trustee Harrison moved, Trustee Longville seconded, and the Board members voted as follows to approve Amendment 001 to the Kitchell CEM, Inc. contract:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Amendment 004 to Leighton Consulting, Inc. Contract

Trustee Harrison moved, Trustee Longville seconded, and the Board members voted as follows to approve Amendment 004 to the Leighton Consulting, Inc. contract, in the amount of \$294,733.11:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Amendment 008 to P2S Engineering, Inc. Contract

Trustee Harrison moved, Trustee Longville seconded, and the Board members voted as follows to approve Amendment 008 to the P2S Engineering, Inc. contract, in the amount of \$12,000.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Award Bid and Contract to Pacific Coast Elevator dba Amtech Elevator Services

Trustee Longville moved, Trustee Zoumbos seconded, and the Board members voted as follows to award IFB 2013-03 and contract to Pacific Coast Elevator dba Amtech Elevator Services for the Complete Maintenance and Repair of Vertical Conveyance Systems, CHC and SBVC, in the amount of \$73,840.00:

Award Bid and Contract to Best Contracting Services, Inc.

Trustee Harrison moved, Trustee Henry seconded, and the Board members awarded bid #52913 and contract to Best Contracting Services, Inc. for the Occupational Education 1 (OE1) Roof Renovation project, CHC, in the amount of \$278,450.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve Termination of Contract with CS Legacy Construction

Trustee Harrison moved, Trustee Henry seconded, and the Board members voted as follows to approve the termination of the contract with CS Legacy Construction:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Award Proposal and Contract to Center for Employment Opportunities, Inc.

The Chancellor said this is the start of a very exciting partnership. A group of parolees who have been vetted through the system are put to work at Caltrans for \$10 an hour. If they are successful, they have an opportunity for permanent employment. We are fortunate because this population needs the opportunity to obtain training and find employment. This subcontractor will supervise the work crews that are out in the field.

Trustee Henry moved, Trustee Longville seconded, and the Board members voted as follows to award RFP 2013-03 and contract to Center for Employment Opportunities, Inc. for the Administration of the Caltrans Work Crews Program, PDC, in the amount of \$580,000.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Mr. Longville said he was proud to second this motion because this is exactly the kind of thing the district needs to prevent recidivism and help community members to lead productive lives.

Approve Sole Source Purchase with M Space Holdings LLC

Trustee Williams moved, Trustee Zombos seconded, and the Board members voted as follows to approve the purchase of seven modular buildings from M Space Holdings LLC (M Space) as the sole source, in the amount of \$143,129.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zombos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve Revised Measure M Bond Project List - SBVC

Trustee Harrison moved, Trustee Longville seconded, and the Board members voted as follows to approve the revisions to the Measure M Bond Project List, SBVC:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zombos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve Expenditure Report for the Proposition 30 Education Protection Account

Trustee Harrison moved, Trustee Longville seconded, and the Board members voted as follows to approve the expenditure report for the Proposition 30 Education Protection Account:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zombos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve 2015-2016 Five-Year Construction Plan

Trustee Williams moved, Trustee Longville seconded, and the Board members voted as follows to approve the 2015-2016 Five-Year Construction Plan:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zombos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve Janus Corporation Claim Settlement

Trustee Harrison moved, Trustee Henry seconded, and the Board members voted as follows to approve the claim resolution settlement for Janus Corporation, in the amount of \$29,610.23:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Approve Economic Development and Corporate Training Foundation

This item was deleted from the agenda.

Approve District/College Expenses

Trustee Longville moved, Trustee Zoumbos seconded, and the Board members voted as follows to approve District/College Expenses:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: Williams

Approve 2013-2014 Tentative Budget

Trustee Harrison moved, Trustee Ferracone seconded, and the Board members voted as follows to approve the 2013-2014 Tentative Budget:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Williams, Zoumbos
Flores (advisory), Sosa-Sanchez (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

The Government Finance Officers Association of the United States and Canada (GFOA) awarded the district the GFOA's Distinguished Budget Presentation Award. This award represents a significant achievement and reflects the commitment of the board and staff to meeting the highest principles of governmental budgeting. The district had to satisfy nationally recognized guidelines for effective budget presentation to receive this award. These guidelines are designed to assess how well an entity's budget serves as a policy document, a financial plan, an operations guide and a communication device.

Mr. Ng credited Mr. Baron for challenging and developing a budget that meets the GFOA standards and thanked the fiscal staff.

14. 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. Quarterly Investment Report
- F. Clery Act Compliance Report
- G. Administrative Procedure 4260 Prerequisites and Corequisites
- H. Applause Cards

15. STAFF REPORTS

- A. SBVC President
 - A written report was submitted.
- B. SBVC Academic Senate
 - Absent.
- C. SBVC Classified Senate
 - Absent.
- D. SBVC ASB
 - Absent.
- E. CHC President
 - A written report was submitted. Trustees Zoumbos and Williams thanked Dr. Marshall for the tour of the campus. Trustee Williams expressed an interest in finding out how many students from fire tech and respiratory therapy get in to the work place. Dr. Marshall said those students are tracked.
 - Trustees Harrison and Singer congratulated Cheryl Cox on her upcoming retirement.
- F. CHC Academic Senate
 - Absent.
- G. CHC Classified Senate
 - Absent.

- H. CHC ASB
 - Yasmeen Flores reported the executive council is receiving training, and planning is being conducted for the upcoming year.
 - I. CTA
 - Absent.
 - J. CSEA
 - Colleen Gamboa introduced the new CSEA labor representative who will be included in negotiations.
16. ADJOURN

Dr. Singer adjourned the meeting at 7:45 p.m.

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