

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, August 8, 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
Donna Ferracone, Clerk
Gloria Macias Harrison
Dr. Kathleen Henry
Joseph Williams
Yasmeen Flores, Student Trustee, CHC
Rosalinda Sosa-Sanchez, Student Trustee SBVC

Members Absent:

Nickolas W. Zoumbos

Administrators Present:

Bruce Baron, Chancellor
Timothy L. Oliver, Interim 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 Longville led the Pledge of Allegiance.

3. ANNOUNCEMENT OF CLOSED SESSION AGENDA ITEMS

CONFERENCE WITH LEGAL COUNSEL

EXISTING LITIGATION

Pursuant to Government Code Section 54956.9

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

CONFERENCE WITH LEGAL COUNSEL

ANTICIPATED LITIGATION

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

Number of cases: 1

4. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

None.

5. CONVENE CLOSED SESSION

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

6. RECONVENE PUBLIC MEETING

The public meeting was reconvened at 4:55 p.m.

7. REPORT OF ACTION IN CLOSED SESSION

Trustee Ferracone moved, Trustee Henry seconded, and the Board members voted as follows to approve the settlement claim by way of global Compromise and Release for claim #1655-06-0001:

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

NOES: None

ABSENT: Zoumbos

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

8. INSTITUTIONAL PRESENTATIONS

Public Hearing - Redistricting

Trustee Singer opened the public hearing on the proposed SBCCD redistricting area maps.

Community member John Wurm thanked the Board and the staff for providing the braille hourly rate as requested. He was pleased that the Board is looking at redistricting and urged the trustees to approve plan 3.

Hearing no further comments, Trustee Singer closed the public hearing.

Public Hearing – Economic Development Foundation

Trustee Singer opened the public hearing pursuant to Board Policy 3600 and Section 59257(a) of Title 5 of the California Code of Regulations, regarding the establishment and recognition of the proposed Economic Development and Corporate Training Foundation.

Hearing no comments, Trustee Singer closed the public hearing.

Trustee Harrison stated she wanted to make sure everyone understands the direct responsibility for how the Board relates to this nonprofit. She asked what responsibility the Board has since the foundation is an auxiliary organization under Title 5. Attorney Jack Lipton explained it will be established as a not-for-profit organization, and the district has oversight responsibility. It is not designed to operate independently. Trustee Harrison asked about hiring personnel and entering into contracts. The attorney explained the foundation will have its own board, and it will convene and approve hires and contracts.

Trustee Henry asked who is liable in the event of legal action. Mr. Lipton said since the foundation is its own entity, if it engages in wrongdoing or breach, it is the liability of the foundation.

Trustee Williams asked why a trustee will only serve one year. The chancellor explained that is because once a year in December trustees are appointed or reappointed to committees and foundation boards. Trustee Williams asked if a budget had been established and where the money is coming from. Mr. Baron replied no budget has been established and there is no money yet. He added there will be a limited amount of staff time to begin the foundation.

Trustee Henry asked how much money the district was going to spend on establishing the foundation and will General Fund money be used. The Chancellor said money is coming out of General Fund residuals. No General Funds will be used to establish the foundation.

Regarding 2.02 (specific purpose) in the foundation bylaws, Trustee Harrison wanted assurance that there isn't any competition with the campuses. The specific purpose of this corporation is to provide "not-for-credit" or "non-credit" programs. She said educational programs could be credit or non-credit and wanted to be sure the bylaws are not talking about credit courses.

Mr. Baron suggested using the term "not-for-credit" in the agreement, and the trustees concurred.

Trustee Harrison suggested three trustees sit on this foundation board. Trustee Henry agreed there should be more than one. The Board agreed to increase the foundation board to 9 which includes 3 trustees. Trustee Henry said she was uncomfortable with one because "it is so new and people are always looking for deep pockets." Attorney Jack Lipton said from a legal perspective it doesn't matter how many trustees serve on the foundation.

Trustee Williams asked if the chancellor would be given authority to approve district funds. Trustee Singer responded the issues are specifically designated in the agreement. The chancellor stated that if the foundation wanted to offer a program through a grant or wanted to use classrooms in the district, it would need the approval of the district to do so.

Trustee Harrison questioned the section in the bylaws regarding mergers. The attorney said "subject to the approval of the Board of Trustees" could be added to the language. He added that contracts entered into by the foundation will be approved by the foundation board.

Trustees Harrison said her concern is that the district had issues with another foundation and asked that it be "very clear that the contracts, issues and employment rest with the Board of Trustees." Mr. Lipton said "any contract that the foundation enters into is subject to approval/ratification of the Board of Trustees or any contract over a certain amount is subject to Board approval."

Trustee Singer asked if this foundation is different in law from the college foundations. The attorney's reply was yes.

Trustee Williams asked for clarity in the documents about what the authority is. He further stated he doesn't want the foundation "to have to wait for a board meeting to go after a grant. We want to establish a foundation and if there is a quarterly meeting of the foundation, they have to wait until we approve contracts, and I just can't imagine from a technical view how they will operate that way."

Trustee Ferracone said putting three trustees on the foundation board will ensure we are doing things the correct way. Trustee Singer agreed saying this would allow the three trustees to look at potential contracts and things and to take action without coming to the Board of Trustees. Trustee Williams said the "trustees have a concern about potential mismanagement. I am asking for a new idea that will address our concerns." The attorney suggested designating the chancellor or his designee the responsibility to review any transaction that the auxiliary organization has and report back to the Board. An extreme measure would be to have any action taken by the foundation approved by the Board of Trustees itself, but it undermines the foundation's operation and could increase the Board's liability because then there is no distinction between the two organizations because it will be acting as one entity.

Trustee Longville moved, Trustee Williams seconded, and the Board members voted as follows to approve the Economic and Corporate Training Foundation as

an Auxiliary Foundation of the district and delegate authority to the Chancellor or his designee to take the steps necessary to establish the EDCT Foundation, with the following amendments: 1) a total of 3 members of the Board of Trustees will serve on the foundation; 2) the addition of “not-for-credit” in the language; and 3) the addition of “contracts, issues and employment rest with the Board of Trustees.”

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

NOES: None

ABSENT: Zoumbos

ABSTENTIONS: None

Trustee Williams moved, Trustee Ferracone seconded, and the Board members voted as follows to approve Trustees Harrison, Henry and Longville to serve on the EDCT Foundation:

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

NOES: None

ABSENT: Zoumbos

ABSTENTIONS: None

9. REPORTS

A. Board Members

- Trustee Harrison attended the Redlands Emergency Services Academy (RESA) graduation ceremony.
- Trustee Singer was pleased with the chancellor’s articles in the SUN and FACTS which encouraged the community to enroll in the colleges.

B. Student Trustees

- Yasmeen Flores said the specific issues with Omnitrans were sent to her advisor. She will be attending the student trustee conference next week.

C. Chancellor

- Chancellor Baron said he is pleased to announce the start-up of the Entrepreneurship Institute of San Bernardino. The Economic and Workforce Development staff has been working with SBVC to begin a not-for-credit entrepreneurial program with six different modules. A nominal fee is charged. The institute also received a start-up grant of \$25,000 from the Walmart Foundation.
- Mr. Baron introduced the district’s new Director of Fiscal Services, Jose Torres, who comes to the district with a great deal of experience in fiscal management.
- He also congratulated Dr. Cheryl Marshall for being selected by her peers to be the area’s regional rep to the statewide CEO organization.

10. PUBLIC COMMENT

SBVC Middle College student, Geraldo Negrete, and his mother, Esmeralda Negrete, urged the Board to consider a change in the policy and administrative procedure regarding the grounds for and types of discipline actions for students enrolled in the Middle College High School at SBVC. A follow-up item was placed on this information agenda as directed by the Board of Trustees so a discussion could be held.

Interim SBVC President Gloria Fisher said the policy in question was put in place not to address individual students but all students enrolled in the program. A portion of the policy is designed to prompt students to go to class and to let students know that they are being watched. Students are required to submit progress reports signed by faculty and submit them to the office on time. If they are not submitted on time, students are placed on first level probation which means the student did not act responsibly. The best we can do to shepherd these students to do the right thing is to hold them accountable to standards.

Mr. James Espinoza, principal of the Middle College, said that part of the partnership between SBCUSD and SBVC is understanding the roles of each side and complimenting and supporting each other. Students receive two days of orientation on requirements to participate in the program. They enter as special permit students, and there may be some additional requirements and conditional things that take place, and it is communicated daily. Students are helped to become personally responsible and self-sustaining. He said his position is that the policy has been fair. It is rigorous and when a student does not meet the obligation, he is placed in an accountability situation. It is a positive policy even though it can be tough. If students meet the requirements, they are in good standing. Otherwise, they are not and there is a remedy for that. Mr. Espinosa added that the consequences for not having this policy are greater than not having this policy. The goal is to produce students who are college ready.

Student Geraldo Negrete provided background on his situation. He felt since he didn't receive probation the first time he missed a report deadline, he wouldn't receive probation for missing it this last time. He said the report "was not a priority and I thought I would not be on probation and that the staff would use professional judgment."

Trustee Henry asked who signs the contract and what is the content of the progress report. Dr. Fisher said the student, parent and both districts sign the contract, and the progress report is a document which must be completed by the faculty member. The report includes demeanor, academics and attendance. Dr. Fisher said the progress report is an SBVC document and is not part of the student's academic record. Trustee Henry asked how the students know when reports are due. Dr. Fisher said the calendar is on the form. Trustee Henry said "we are trying to build individuals with leadership skills, and as a leader you need to meet your deadlines because everything you do has an impact on others...everyone signed the contract and there is a consequence for late work."

It doesn't go on the record, the student still attends SBVC and does not pay for those classes, and it is a life lesson."

Student Trustee Sosa-Sanchez asked why he didn't receive probation the first time he was late with a report. Mr. Espinoza said there are a lot of procedure mechanisms and couldn't speak to what happened before, but said no exceptions have been made for progress reports and late deadlines and the procedures have been followed. The calendar is created by the Middle College and SBVC. The college grades are the college's responsibility, and the high school grades are the high school's responsibility. The professors may not even know there are Middle College students in their classes. He said the unified district does not dictate to the college how the instructors teach and the sovereignty of that is respected.

Dr. Fisher added that progress reports are reviewed and entered into a database. These are minor students, and this is in their best interest. This is the time for us to meet with the student, counsel the student. This is not punitive because it does not impact the student in any other way.

Trustee Ferracone said from an educator's standpoint, one of the main responsibilities we have is to help students develop the skills they need, which includes meeting deadlines and accepting responsibility for their actions. The student signed a contract, and it's important to meet the deadline dates.

Dr. Fisher said the file stays at the college, and the files are purged after two years upon graduation. The student can reply "no" to any questions regarding probation because this is not academic probation.

Trustee Henry said she sees no reason to change the policy as long as records are purged and not everyone sees them. She said, "We are talking about a policy and whether the action justifies the consequences."

Trustees Longville said, "It sounds like the majority of the Board is not inclined to change the policy."

11. CONSENT AGENDA

The following changes were made in the Consent Agenda:

Item 10.B.9. Consideration of Approval of Academic Employees

Additions:

Colleen Maloney-Hinds, Instructor, Health and Physical Education, CHC, 177 service day position, effective August 9, 2013. Salary placement to be determined upon verification of education and experience. Replacement for Debbie DeSalliers.

Melissa King, Anthropology Instructor, SBVC, 177 service day position, effective August 9, 2013. Salary placement to be determined upon verification of education and experience. Replacement for Gary Olson.

Item 10.B.14. Consideration of Approval of Management Appointments – pulled for discussion.

Item 10.B.17. Consideration of Approval of Salary Amendment for Management Employees – tabled

Item 10.B.18. Consideration of Approval of Salary Step Advancement for Management Employees – tabled

Item 10.B.19. Consideration of Approval of Revision of Management Job Description – pulled for discussion

Item 10.B.20. Consideration of Approval of Agreement with Miyamoto Consulting – pulled for discussion

Item 10.C.3. Consideration of Approval of Conference Attendance

Change: Travel dates for Joann Woo to August 9-19, 2013

Item 10.C.4. Consideration of Approval of District/College Expenses

Addition:

EVENT: Norton Air Force Base Museum Field Trip
DATE: August 17, 2013
AMOUNT: \$200.00
ITEM: Donation and Refreshments
Sponsored by the SBVC History Club, this event will aim to expand the appreciation of local history, support local museums and historical areas. In addition, this field trip will expand the History Club members' awareness and knowledge of the community. Anticipated attendance is approximately 25 students, community members, faculty and staff. Dr. Jeffrey Dusky will be the chaperone for this event.

Funding source is the History Club Trust Account.

Trustee Williams moved, Trustee Sosa-Sanchez seconded, and the Board members voted as follows to approve the Consent Agenda:

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

12. ACTION AGENDA

Approve Management Appointments

Trustee Williams stated the Director of Student Life at SBVC is a critical position for the culture of the campus. "I want to make sure ASG and Student Life on the campus goes to the next level and whatever you can do to support it, please do." He asked that the expectations be set high and that the position be held accountable.

Trustee Williams moved, Trustee Harrison seconded, and the Board members voted as follows to approve the appointment of Carolyn Lindsey, Director, Student Life, SBVC, and Scott Stark, Vice President of Administrative Services, SBVC, effective August 9, 2013:

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

NOES: None

ABSENT: Zoumbos

ABSTENTIONS: None

Approve Salary Amendment for Management Employees

This item was tabled.

Approve Salary Step Advancement for Management Employees

This item was tabled.

Approve Revision to Management Job Description

Trustee Henry was curious as to why the specialization was removed from the Master's Degree. Tanya Rogers explained it was in the District's best interest to revise the job description to provide consistency in minimum education requirements with comparable executive level positions and to yield a better pool of candidates. She added the revisions were reviewed by the college presidents. Trustee Henry asked if the District follows the ADA. Mrs. Rogers replied "absolutely." Trustee Henry said if the ADA is followed, then "you don't need to have this in here", referring to the physical demands and working environment issues. She added that she would like to see the attorney look at this part. "If we support the ADA, I don't see why we have this in here. I don't see why we need visual hearing and physical demands."

Trustee Williams said, "If a blind person applies, we won't hire him." Mrs. Rogers responded that reasonable accommodations may be made. Trustee Williams "would like to have someone else review this. If a person with a disability were to read this, they may not apply. I believe this creates a barrier."

Trustee Longville asked what would happen if the job description was “held up.” The Chancellor said the recruitment could be half way completed by then, and staff was hoping to fill this position.

Trustee Ferracone said this isn’t the first job description that the Board has passed with this “stuff” in it, and this Board has approved other job descriptions containing these words. Mrs. Rogers stated it is standard language for the industry. Trustee Williams asked that the reasonable accommodation language be added as the last statement. Trustee Henry thought there should be a specialized Master’s Degree.

Trustee Harrison asked if the previous job description brought in a sufficient pool. She added it is important to have a background in student services and “related” seems to be really broad.

Mrs. Rogers stated again the college presidents reviewed the job description, and they agreed there needs to be some parity. Other samples were reviewed, and it was decided this was the best approach.

Trustee Singer moved, Trustee Ferracone seconded, and the Board members voted as follows to approve the Vice President of Student Services job description, moving the “reasonable accommodation” language to the end of the job description:

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

NOES: Henry

ABSENT: Zoumbos

ABSTENTIONS: None

Approve Agreement with Miyamoto Consulting

Trustee Williams wanted more information on this item.

The Chancellor said Dr. Miyamoto was engaged prior to Tanya Rogers’ interim appointment. Mr. Baron assured the Board that Dr. Miyamoto is extremely qualified and a talented human resources professional with over 40 years of experience. He can serve until we complete the salary study and then we can fill the vacancies.

Trustee Harrison moved, Trustee Henry seconded, and the Board members voted as follows to approve the agreement with Miyamoto Consulting for special Human Resources services for an amount not to exceed \$171,656.70, effective August 26, 2013 through June 30, 2014:

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

Accept Academic Retirement

Trustee Harrison moved, Trustee Ferracone seconded, and the Board members voted as follows to accept the retirement of Kenneth R. Bryson, Instructor, Respiratory Care, CHC:

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

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

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

Science Building-Circuit C Relocation - CHC

RDM Electric, CO #1, in the amount of \$492.89

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

Approve Contract with Pacific Industrial Electric

Trustee Harrison moved, Trustee Ferracone seconded, and the Board members voted as follows to approve a contract with Pacific Industrial Electric for the Medium Voltage Infrastructure Upgrade Project, SBVC, in the amount of \$123,600.00:

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

Approve Contract with HMC Architects

Trustee Harrison moved, Trustee Henry seconded, and the Board members voted as follows to approve a contract with HMC Architects for architectural services for the New Crafton Center Project, CHC, in the amount of \$895,100.00:

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

Approve Contract with ARUP

Trustee Henry moved, Trustee Harrison seconded, and the Board members voted as follows to approve a contract with ARUP to capture energy incentives, CHC, in the amount of \$33,000.00:

Trustee Williams said he works with the Workforce and Economic Investment Board and suggested the District contact that group to inquire about funds for projects. He said it is a good opportunity and asked the Board to consider this further to potentially bring in dollars for energy projects.

The Chancellor said one of the pieces is to bring in Prop 39 fund projects, and this will help us to identify projects and get into the pool.

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

Approve Contract with Three Peaks Corporation

Trustee Ferracone moved, Trustee Henry seconded, and the Board members voted as follows to approve a contract with Three Peaks Corporation for the Measure M Miscellaneous Site Work Project, SBVC, in the amount of \$87,187.00:

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

Approve Contract with Three Peaks Corporation

Trustee Ferracone moved, Trustee Henry seconded, and the Board members voted as follows to approve a contract with Three Peaks Corporation for the Soccer Field Renovation Project, SBVC, in the amount of \$116,414.00:

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

NOES: None

ABSENT: Zoumbos

ABSTENTIONS: None

Award Bid and Contract to Minako of America

Interim Vice Chancellor Tim Oliver explained the job walk process on this project. He said we are getting the word out to local contractors to give them the opportunity to bid. There were a significant number of local contractors attending pre-bid meetings for this project, and he thinks we are getting good participation on the front end. He said the statistics for this project will be tracked for future projects. Of the three qualified bidders, one was local, and the other two out of the area. We are required by law to award our contract to the lowest qualified bidder.

Trustee Harrison asked if we had in place some kind of process to reach targeted contractors to participate and even though it goes out of the area, it may be the subcontractors may be local. She asked, "Do we have any way of tracking the local subs who are hired by out-of-the-area general contractors? Are we doing everything possible to be sure qualified people are able to participate in our bid process? Do we do more than what is required by law?" She added, "It's imperative we do more than what is required."

Mr. Oliver said the district reported last month that 75 percent of the ongoing work is local labor which means the dollars flowing into the economy are here. A meeting was held recently with Frances Grice and the NAACP representative and both principals in our bond program to determine what we can do legally. The district is attempting to identify with legal counsel what we can do under Prop 39 type funds that legally allow us to modify the way we might be able to select or choose the successful bidders. As far as the outreach, we are tracking all of the bidders, and Frances Grice is working continuously to broaden the outreach. Most recently, outreach has been expanded to disadvantaged vendors such as Minority, Women and Veteran Owned Businesses. This broadens our outreach to include not only local contractors, but also disadvantaged contractors from outside our local area.

Trustee Williams asked if we know if some of these contractors that may not be local would be interested in doing business with some of the local businesses. Mr. Oliver replied that it is essential to consider both the contractors and subcontractors. Trustee Williams asked if some of the locals are getting the sub work. Mr. Oliver said absolutely. Trustee Williams said as much as we can, we

want to get the best job but at the same time we want to hire locally when we can.

Trustee Ferracone moved, Trustee Longville seconded, and the Board members voted as follows to award bid #0715134 and contract to Minako America Corporation DBA Minco Construction for the New PE Complex, CHC, in the amount of \$4,962,177.00. This includes the base contract amount of \$4,511,070.00 as well as any and all change orders up to \$451,107.00, approved by the Vice Chancellor of Fiscal Services, as set forth in the original contract:

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

NOES: None

ABSENT: Zoumbos

ABSTENTIONS: None

Award Contract to Woodcliff Corporation

This item was resubmitted to clarify some of the terms and conditions of the contract which was approved in July. The chancellor felt the item submitted last month was not transparent enough.

Trustee Ferracone moved, Trustee Longville seconded, and the Board members voted as follows to approve this clarification of language for the award of contract to Woodcliff Corporation for the Auditorium Renovation project, SBVC. The original contract amount, approved by the Board on July 11, 2013, as set forth in the contract was \$6,800,000.00. Additionally, the express contract language, already approved by the Board of Trustees on February 14, 2013, has delegated authority to the Vice Chancellor of Fiscal Services to approve change orders to the contract up to and including an amount of 10% of the original contract amount. As such, the total approved amount, by virtue of the Board's prior approval, is up to but not exceeding, \$7,480,000.00 (original contract amount \$6,800,000.00 plus 10%, i.e., \$680,000.00, in change orders, if needed and approved by the Vice Chancellor of Fiscal Services):

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

NOES: None

ABSENT: Zoumbos

ABSTENTIONS: Williams

Approve Amendment 02 to the Snipes-Dye Contract

Trustee Harrison moved, Trustee Longville seconded, and the Board members voted as follows to approve Amendment 02 to the Snipes-Dye contract, in the amount of \$5,100.00:

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

Approve Amendment 05 to the Snipes-Dye Contract

Trustee Harrison moved, Trustee Longville seconded, and the Board members voted as follows to approve Amendment 05 to the Snipes-Dye contract, in the amount of \$90,800.00:

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

Approve Amendment 02 to the P2S Engineering, Inc. Contract

Trustee Harrison moved, Trustee Ferracone seconded, and the Board members voted as follows to approve Amendment 02 to the P2S Engineering, Inc. contract, in the amount of \$2,000.00:

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

Approve Amendment 07 to the DLR Group WWCOT Contract

Trustee Ferracone moved, Trustee Henry seconded, and the Board members voted as follows to approve Amendment 07 to the DLR Group WWCOT contract, in the amount of \$14,400.00:

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

Approve Board Policy 2140 Public Participation at Board Meetings

Trustee Longville moved, Trustee Ferracone seconded, and the Board members voted as follows to approve Board Policy 2140 Public Participation at Board Meetings:

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

NOES: None

ABSENT: Zoumbos

ABSTENTIONS: None

13. INFORMATION ITEM

A. Follow-Up to Middle College High School Policy Concern

This item was discussed under “public comment.”

B. Summary of Bond Measure M Capital Improvement Program Change Orders and Amendments for Construction Contracts

C. Budget Report

Trustee Williams asked about the percentage of expenditures for Funds 78 and 84 and should we be concerned about the larger amount of expenditures at this time. Mr. Oliver replied we do not need to be concerned, but we will be making some adjustments. As the final budget is being developed, the figure for Fund 78 (Insurance) will be reduced to better reflect actual expenditures, and the YTD expenditure is a prepayment for the entire year. Fund 84 (Workers Compensation) is an on-going expense that includes a \$500,000 reserve that we have not had to use to date.

Trustee Williams asked for a monthly cash flow statement.

D. Explanation of July Purchase Orders #134965 and #134966

Copies of Purchase Orders #134965 and #134966 were provided because Trustee Henry asked for the details. She said is it becoming problematic to review these items, but it does not preclude the trustees from their obligation to ask questions and approve. She further stated some of these category descriptions are self-explanatory, but it’s the ones like fees and operational expenses where there is no transparency. She said we want to be as transparent as possible to the taxpayers and our representatives. “The total of that was \$1.6 million of those I don’t know who these individuals are but I don’t think we should be trying to connect the dots and I think it would make it so much easier to simply change the report to include a description.”

Trustee Henry moved, Trustee Harrison seconded a motion to include a description column in the monthly purchase order report.

Trustee Singer asked how specific the explanations should be.

Trustee Henry replied, "Once again, we have the same vendors that I questioned last month. One is for \$50,000 and one is for \$5,000. What are they for? When you look at those, they have no description on them."

Mr. Oliver replied this report comes out of the purchase order system and said he needs to talk to the business services staff to find out if they can extract the descriptive information. He said the district issued over 500 purchase orders in June, and the report would be very voluminous.

Trustee Williams asked if these purchase orders were tied to contracts or a new expenditure.

Tanya Rogers explained the current purchase order description corresponds to a chart of accounts and a budget and accounting manual we are required to follow. We issue a purchase order for every purchase and some of these do lead back to contracts the Board has already approved. She wasn't sure if the detailed information could be extracted from our current system.

Trustee Henry said there is a responsibility of the Board to approve.

Trustee Singer understands some of the purchase orders are self-evident and some are not but feels a descriptor might not provide the answers and suggested trustees might want to talk to the chancellor or business services about concerns.

Mr. Oliver said some boards do not normally review details such as this. They receive a summary report, and the chancellor and designees are given the responsibility to follow the Board's direction.

Trustee Williams said, "I think Dr. Henry has a right to ask any question in this book. The question would be how my decisions relate to this document. I do see things that I have approved before now appear on this report. Her question should be satisfied."

Trustee Henry, "I am looking at a \$1.6 million category for consultants and other services. That's quite a bit."

Mrs. Rogers explained the expenses may include the ATPC in Camarillo which show as consultants.

Trustee Ferracone said that when a contract is approved, someone needs to generate a purchase order for that contract to be paid. In the current system, there is no way to push a button and get the information you are asking for.

Dr. Singer said it would take a great deal of time and energy and said if a trustee has specific concerns, he or she should talk to the chancellor to get answers.

Trustee Henry said she will send her list of purchase orders to the chancellor.

- E. Purchase Order Report
- F. Quarterly Investment Report
- G. CCSF-320 Apportionment Attendance Report FY 2013 Period 3 (annual)
- H. District Clery Act Compliance Report
- I. Applause Cards

14. STAFF REPORTS

- A. CHC President
 - A written report was submitted.
- B. CHC Academic Senate
 - Absent.
- C. CHC Classified Senate
 - Absent.
- D. CHC ASB
 - Yasmeen Flores reported students were giving tours and took the opportunity to recruit to fill vacant student officer positions. About half the vacancies were filled. A retreat will be held to inform students about the campus and what they can do to give back to their community.
- E. SBVC President
 - A written report was submitted.
- F. SBVC Academic Senate
 - Absent.
- G. SBVC Classified Senate
 - Absent.
- H. SBVC ASB
 - President Brandon Brown reported the biggest event this semester was the candidacy fair for the mayoral race in the City of San Bernardino. Many events are planned for the *Week of Welcome*.
- I. CTA
 - Absent.

- J. CSEA
- Absent.

15. ADJOURN

Dr. Singer adjourned the meeting at 8:40 p.m.

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