



Meeting of the Board of Trustees
September 12, 2019
4:00 p.m. (Closed Session); 5:00 p.m. (Public Meeting)
SBCCD Boardroom
114 S. Del Rosa Dr., San Bernardino, CA 92408

MINUTES

MEMBERS PRESENT

John Longville, President
Dr. Anne L. Viricel, Vice President
Gloria Macías Harrison, Trustee
Dr. Stephanie Houston, Trustee
Frank Reyes, Trustee
Dr. Donald L. Singer, Trustee
Elijah Gerard, CHC Student Trustee (arrived at 5:36pm)
Maritza Mariscal-Medina, SBVC Student Trustee (arrived at 4:45pm)

ABSENT

Joseph Williams, Clerk

ADMINISTRATORS PRESENT

Bruce Baron, Chancellor
Jose Torres, Executive Vice Chancellor
Diana Rodriguez, SBVC President
Kevin Horan, CHC President

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE

President Longville called the meeting to order at 4:02pm. Trustee Reyes led the pledge of allegiance.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

- 2.1. Conference with Labor Negotiators
Government Code 54957.6
Agency Representative: Bruce Baron – CSEA, CTA, Management/Supervisors, and Confidential Employees
- 2.2. Public Employee Discipline/Dismissal/Release/Non Re-Employment
Government Code 54957
(3 cases)
- 2.3. Conference with Legal Counsel – Anticipated Litigation
Government Code 54956.9(d)(2)
(4 cases)
- 2.4. Conference with Legal Counsel – Existing Litigation
Government Code 54956.9(e)(3) or (d)(1) (Case Name and Number)
- 2.5. Conference with Real Property Negotiator pursuant to Government Code section 54956.8
 - Properties:
 - 1888 East Highland Avenue, San Bernardino CA (Property) Sand Canyon Road, Yucaipa, 18.75 Acre Parcel
 - Pro-Swap-Meet, San Bernardino, 22.79 Total Acres
 - Negotiating Parties: San Bernardino Community College District (Proposed Buyer), Real Property Negotiators Bruce Baron, Chancellor; Jose F. Torres, Executive Vice Chancellor; Richard Galope, Vice Chancellor Workforce Development, Advancement & Media Systems
 - Under Negotiation: Instruction to Proposed Buyer's Real Property Negotiators will concern price and terms of payment associated with the possible purchase of the identified Property.

- 2.6. Public Employee Performance Evaluation
Government Code 54957(b)(1)
Title: Chancellor

3. **PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

None.

4. **CONVENE CLOSED SESSION**

Closed session convened at 4:06pm.

5. **RECONVENE PUBLIC MEETING**

Public meeting reconvened at 5:09pm.

6. **REPORT OF ACTION IN CLOSED SESSION**

- The Board unanimously took action to approve settlement authority for liability claim #544975 with employee #27651.
- The Board met with its legal counsel and real property negotiators in closed session pursuant to Government Code Section 54956.8. Direction was provided to finalize Purchase and Sale Agreements for the acquisition by the District of the properties in the State of California described as:
 - Sand Canyon Rd., Yucaipa, 18.75 acre parcel, and
 - Pro-Swap-Meet, San Bernardino, 22.79 total acres.

The Board of Trustees voted unanimously to approve a delegation of authority to the District's Executive Vice Chancellor, or his designee, to:

1. Execute and deliver any and all documents and otherwise do any and all things which he and legal counsel deem necessary or advisable in order to finalize Purchase and Sale Agreements for the Properties,
2. Pay deposits, open escrow, and otherwise perform pursuant to the terms of such final Purchase and Sale Agreements, and
3. Bring the final Purchase and Sale Agreements to the Board for ratification.

- The Board unanimously took action to approve settlement authority for workers comp claim #540393 with employee #8942.
- The Board by majority vote with Trustee Singer voting against, took action to approve settlement authority for liability claim #570535 with employee #3949.
- In closed session, the Board unanimously took action to approve the release of probationary employee #8371 from the position of tutorial coordinator.
- In closed session, the Board unanimously took action to approve the release of probationary employee #29977 from the position of student services technician II.

7. **PUBLIC COMMENTS ON AGENDA ITEMS**

Lupe Camacho – Item 12.10
Lysandra Diaz – Item 12.10
Esmeralda Vasquez – Item 12.10
Adan Chavez – Item 12.10

12.10 Resolution #2019-09-12-GA01 To Increase Public Awareness Around Census 2020 (p164)
Without objection, the Board unanimously pulled item 12.10 to hear public comments on the item.

Trustee Harrison moved to approve a resolution to support the public awareness activities of the 2020 Census. Trustee Singer seconded the motion.

AYES: Longville, Viricel, Harrison, Houston, Reyes, Singer, Mariscal

NOES: None

ABSENT: Williams

ABSTENTIONS: Gerard

8. PRESENTATIONS

8.1. None

9. REPORTS

9.1. Board Committee Reports (p7)

- Trustee Harrison gave a brief report on the BOT Finance Committee.
- Trustee Reyes reported for the BTO Legislative Committee.

9.2. Board Information Requests (p10)

9.3. Key Performance Indicators (p13)

9.4. Good News (p17)

9.5. San Bernardino Valley College Academic Senate

- Celia Huston stated accreditation is the Senate's focus and this is her last year as Senate President.

9.6. San Bernardino Valley College Classified Senate

- Judy Rodriguez reported on Valley Classified Senate held their first senator retreat, seeing an increase in classified participation, and collaboration with Crafton.

9.7. San Bernardino Valley College Associated Students

- Mariella, VP Marketing for ASG indicated they are utilizing software to track activities on campus, planning a 12 Reasons Why event, and a Pride Festival for students.

9.8. Crafton Hills College Academic Senate

- Mark McConnell reported the Academic Senate is revisiting the Facilities Master Plan on Measure CC, focusing on campus safety, improving upon the recognition for Professor and Classified Staff of the Year Awards.

9.9. Crafton Hills College Classified Senate

9.10. Crafton Hills College Associated Students

9.11. CSEA

9.12. CTA

- Meridyth McLauren reported the Executive Board positions are filled. CTA tries to meet with one Trustee on the 1st Friday of the month. Podcasts, Twitter, and Instagram are used to get the word out about the unions. CTA has started negotiations. On September 25, the State Association President will visit.

10. **APPROVAL OF MINUTES**

- 10.1. August 8, 2019 (p18)
- 10.2. August 29, 2019 (p23)

Trustee Harrison moved approval of the August 8 and August 29, 2019 minutes. Trustee Houston seconded the motion.

AYES: Longville, Viricel, Harrison, Houston, Reyes, Singer, Gerard, Mariscal

NOES: None

ABSENT: Williams

ABSTENTIONS: None

11. **CONSENT AGENDA**

The Consent Agenda is expected to be routine and non-controversial. It will be acted upon by the Board at one time without discussion. Any member of the Board, staff member or citizen may request that an item be removed from this section for discussion.

Instruction/Student Services

- 11.1 Curriculum-CHC (p25)
- 11.2 Donation – SBVC (p27)
- 11.3 Serve Wine Spirits and Beer at a Campus Events-SBVC (p28)

Human Resources

- 11.4 Adjunct and Substitute Academic Employees (p29)
- 11.5 Appointment of Temporary Academic Employees (p33)
- 11.6 Non-Instructional Pay for Academic Employees (p35)
- 11.7 Salary Advancement for Academic Employees (p48)
- 11.8 Payment of Stipends (p50) - **Amended title to Acting Director of Nursing**

Other Stipend		
	Site & Department	Stipend*
Massad, Sana (1/7/19 – 6/30/19)*	SBVC Nursing	\$5,000
Massad, Sana (7/1/19 – 12/20/19)*	SBVC Nursing	\$25,000

**Ratification is requested in order to compensate Sana for her time and extra work as the Acting Director ~~Associate Dean~~ of Nursing during that time.*

- 11.9 Sabbatical Leaves for the 2020-2021 Academic Year (p53)

- 11.10 Appointment of Interim Managers (p54) – **Amended to include Soutsakhone Xayaphanthong**

	Effective Dates	Range & Step	Salary	New or Replacing	Fund	Live Scan Clearance
Bangasser, Susan Interim Dean, Science SBVC Science	8/5/2019 to 9/20/2019	21D	\$145,774 per year	L. Burnham	Science	9/3/1991
Xayaphanthong, Soutsakhone Interim Director of Outreach & Educational Partnerships CHC Department of Outreach, Dual Enrollment & Transition Services	9/13/2019 to 6/30/2020	18A	\$114,928 per year	New	Restricted General Fund	1/16/2015

- 11.11 Employee Promotions (p56)

- 11.12 Appointment of District Employees (p58)

Business & Fiscal Services

- 11.13 Contracts at or Above \$92,600 (p61)
- ~~11.14 Resolution #2019-09-12-FS01 Authorizing a Separate Bank Account (p63) Item was pulled for separate action.~~
- 11.15 Surplus Property (p65)
- 11.16 Vacation Payout (p67) - Amended to revise the analysis.

ANALYSIS

SBCCD's current process allows administrative personnel to be paid for accrued vacation on an as-needed basis in the case of a personal hardship. Approval is based on the knowledge that these hours have been earned and are the employee's property right. ~~This board item authorizes the payout of vacation to SBCCD administrative personnel.~~

- ~~11.17 Board Orientation Handbook (p68) - Item was pulled for separate action.~~
- 11.18 District & College Expenses (p100) - Amended to remove expense for event on 10/27/19.

~~Site: Empire Network
Event: Floral & Charcutier DIY Workshop
Date of Event: 10/27/19~~

~~Item Being Purchased: Permit, Refreshments,
Give-Aways
Total Estimated Cost: \$-650
Funding Source: KVCB~~

- 11.19 Individual Memberships (p110)
- 11.20 Travel Requests (p113)
- 11.21 Resolution to Grant Excused Absence of Trustee (p115)

Facilities

- 11.22 Small Scale Construction Contract with Allen Communications of Whittier CA (p118)
- 11.23 Award RFQP CC01.3601 and Contract to HMC Architects of Ontario CA (p119)
- 11.24 Resolution #2019-09-12-FPC01 Ratifying Agreement for the Acquisition of Real Property (1888 E Highland Avenue, San Bernardino CA) (p121) - Amended to revise the overview and analysis.

OVERVIEW

Purchase of this property was first discussed in closed session on June 20, 2019. Pursuant to ~~prior~~ direction from the District Board of Trustees, District staff, in consultation with District legal counsel, negotiated a Purchase and Sale Agreement which details the terms and conditions of the sale of the Property to the District. As directed, the Final Purchase and Sale Agreement is being brought to the Board for ratification and is attached hereto as Exhibit "A" of Resolution #2019-09-12-FPC01.

ANALYSIS

Government Code section 27281 requires that deeds or grants conveying an interest in real estate to a governmental agency for public purposes cannot be accepted for recording without the consent of the agency evidenced by its certificate or resolution. Adoption of the attached resolution will establish the Board's directives concerning the acquisition of 1888 E. Highland Avenue, San Bernardino CA.

Trustee Singer moved approval of the Consent Agenda as amended. Trustee Viricel seconded the motion.

AYES: Longville, Viricel, Harrison, Houston, Reyes, Singer, Gerard, Mariscal

NOES: None

ABSENT: Williams

ABSTENTIONS: None

ITEMS PULLED FROM CONSENT FOR SEPARATE ACTION

11.14 Resolution #2019-09-12-FS01 Authorizing a Separate Bank Account (p63)

Trustee Harrison moved approval to authorize a separate bank account for IFF Trustee Houston seconded the motion.

AYES: Longville, Viricel, Harrison, Houston, Reyes, Singer

NOES: Gerard

ABSENT: Williams

ABSTENTIONS: Mariscal

11.17 Board Orientation Handbook (p68)

Trustee Harrison moved to table the handbook to the next meeting and task the Executive Committee to review and bring back to the October Board for first reading. Trustee Gerard seconded the motion.

AYES: Longville, Viricel, Harrison, Houston, Reyes, Singer, Gerard, Mariscal

NOES: None

ABSENT: Williams

ABSTENTIONS: None

12. ACTION AGENDA

12.1 Public Hearing on Initial Proposals to Reopen Negotiations Between SBCCD and CSEA Chapter 291 (p138)

President Longville opened the public hearing on Initial Proposals to Reopen Negotiations Between SBCCD and CSEA Chapter 291. Hearing no comments, the public hearing was closed.

12.2 Acknowledgement of Initial Proposals to Reopen Negotiations Between SBCCD and CSEA Chapter 291 (p139)

Trustee Viricel moved approval to acknowledge the proposals and that SBCCD and CSEA Chapter 291 commence negotiations. Trustee Reyes seconded the motion.

- **As proposed by the District, Article 6: Hours of Work & Overtime – Sections 6.1, 6.2, 6.3, and 6.4; and Article 14: Leaves.**

AYES: Longville, Viricel, Harrison, Houston, Reyes, Singer, Gerard, Mariscal

NOES: None

ABSENT: Williams

ABSTENTIONS: None

12.3 Public Hearing on Initial Proposals to Reopen Negotiations Between SBCCD and the SBCCDTA (p140)

President Longville opened the public hearing on Initial Proposals to Reopen Negotiations Between SBCCD and SBCCDTA. Hearing no comments, the public hearing was closed.

12.4 Acknowledgement of Initial Proposals to Reopen Negotiations Between SBCCD and the SBCCDTA (p142)

Trustee Houston moved approval to acknowledge the proposals and that the SBCCD and SBCCDTA commence negotiations. Trustee Reyes seconded the motion.

- **As proposed by the SBCCDTA (attached), Article 11: Health and Welfare Benefits – Full-Time and Part-Time Faculty; and Article 13: Workload – Learning Communities; Lecture, Lab, and Clinical Parity**
- **As proposed by the District, Article 13: Workload – Section C. Class Size and Article 2: Unit Description/Recognition – Section B.**

AYES: Longville, Viricel, Harrison, Houston, Reyes, Singer, Gerard, Mariscal

NOES: None

ABSENT: Williams

ABSTENTIONS: None

12.5 Public Hearing for CCAP Agreement-CHC (p144)

President Longville opened the public hearing for CCAP Agreement with Yucaipa Calimesa Joint Unified School District. Hearing no comments, the public hearing was closed.

12.6 Adoption of College and Career Access Pathways (CCAP) Agreement – CHC (p145)

Trustee Houston moved approval to adopt the Career Access Pathways (CCAP) dual enrollment partnership agreement between the San Bernardino Community College District and Yucaipa Calimesa Joint Unified School District. Trustee Gerard seconded the motion.

AYES: Longville, Viricel, Harrison, Houston, Reyes, Singer, Gerard, Mariscal

NOES: None

ABSENT: Williams

ABSTENTIONS: None

12.7 Public Hearing on the Final Budget for Fiscal Year 2019-20 (p161)

President Longville opened the public hearing on the final budget for fiscal year 2019-20. Hearing no comments, the public hearing was closed.

12.8 Final Budget for Fiscal Year 2019-20 (p162) – Amended to include the Final Budget for Fiscal Year 2019-2020.

Trustee Harrison moved approval to adopt the final budget for fiscal year 2019-2020. Trustee Viricel seconded the motion.

Discussion: Trustee Houston expressed her concerns with the conservative budget assumptions, ongoing deficit and fund balance, ongoing expense of the Promise, ongoing expense and deficit of KVCR, and would like to see the surplus/deficit for each campus.

AYES: Longville, Viricel, Harrison, Houston, Reyes, Singer, Gerard, Mariscal

NOES: None

ABSENT: Williams

ABSTENTIONS: None

12.9 San Manuel Band of Mission Indians Building Naming Rights (p163)

Trustee Harrison moved to approve facility commemoration of KVCR/FNX Studios in honor of the San Manuel Band of Mission Indians. Trustee Viricel seconded the motion.

AYES: Longville, Viricel, Harrison, Houston, Reyes, Singer, Gerard, Mariscal

NOES: None

ABSENT: Williams

ABSTENTIONS: None

12.10 ~~Resolution #2019-09-12-GA01 To Increase Public Awareness Around Census 2020 (p164)~~ – Item was pulled and voted on to hear public comments.

13. INFORMATION ITEMS

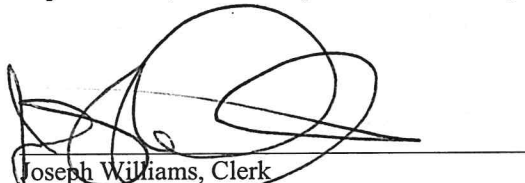
- 13.1. Advancement in Rank –CHC (p166)
- 13.2. Applause Cards (p168)
- 13.3. Budget Report (p171)
- 13.4. CCFS-320 Apportionment Attendance Report for FY 2019 Period 3 (p191)
- 13.5. Clery Report (p195)
- 13.6. Contracts Below \$92,600 (p197)
- 13.7. District Volunteers (p212)
- 13.8. General Fund Cash Flow Analysis (p225)
- 13.9. MOUs between SBCCD and the CSEA (p227)
- 13.10. Professional Expert, Short-Term, and Substitute Employees (p231)
- 13.11. Purchase Orders (p238)
- 13.12. Resignations and Retirements (p250)

14. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

15. ADJOURN

The next meeting of the Board: Study Session - College Educational Master Plan Updates (spring activities) on September 26, 2019, at 12pm. President Longville adjourned the meeting at 6:42 pm.


Joseph Williams, Clerk
SBCCD Board of Trustees