

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, February 11, 2010 - 4:00 p.m. – Assembly Room

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mr. Ramos called the meeting to order at 4:00 p.m.

Members Present:

James C. Ramos, President (left at 7:20 p.m.)
Carleton W. Lockwood, Jr., Vice President (left at 6:55 p.m.)
Dr. Donald L. Singer, Clerk
John M. Futch
John Longville
Dr. Charles S. Terrell, Jr.
Jess C. Vizcaino, Jr. (left at 6:55 p.m.)
Jason P. Buckner, Student Trustee, SBVC
Kaylee Hrisoulas, Student Trustee, CHC

Members Absent:

None

Administrators Present:

Bruce Baron, Acting Chancellor
Dr. Debra Daniels, SBVC President
Gloria M. Harrison, CHC President
Larry Cicalone, President, KVCR-TV-FM
Renee Brunelle, Vice Chancellor Human Resources

Administrators Absent:

None.

Pledge of Allegiance

Dr. Daniels led the Pledge of Allegiance.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

- A. CONFERENCE WITH LABOR NEGOTIATORS
Government Code 54957.6
Agency Negotiators: Renee Brunelle and Bruce Baron
CTA
CSEA
Management/Supervisors
Confidentials
- B. CONFERENCE WITH LEGAL COUNSEL
ANTICIPATED LITIGATION
Government Code 54956.9(b)
Number of Potential Cases: 4

3. PUBLIC COMMENT ON AGENDA ITEMS

None.

4. CONVENE CLOSED SESSION

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

5. RECONVENE PUBLIC MEETING

Mr. Ramos reconvened the public meeting at 5:20 p.m.

6. REPORT OF ACTION IN CLOSED SESSION

Dr. Singer moved, Dr. Terrell seconded, and the Board members voted as follows to approve a settlement in the Pfahler v. SBCCD litigation matter:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
NOES: None
ABSTENTIONS: None
ABSENT: None

7. APPROVAL OF MINUTES

Mr. Longville moved, Mr. Lockwood seconded, and the Board members voted as follows to approve the minutes of January 14, 2010:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

Dr. Terrell moved, Mr. Lockwood seconded, and the Board members voted as follows to approve the minutes of January 21, 2010:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino

NOES: None

ABSTENTIONS: Buckner (advisory), Hrisoulas (advisory)

ABSENT: None

8. INSTITUTIONAL PRESENTATION

Institutional Researchers Keith Wurtz, CHC, and James Smith, SBVC, presented the 2009 Accountability Reporting (ARRC) of the colleges. Assembly Bill AB 1417 requires the California Community College System Office to develop a framework for evaluating community college performance. The goal of the framework is to provide information to help improve instruction and programs for students. The framework needs to reflect the breadth of the mission of the California community colleges.

Both colleges placed an emphasis on basic skills improvements and both had increases in the basic skills improvement rates. Both colleges had two substantial (higher than 2%) improvements in the ARCC outcomes over the prior year. Both colleges have higher rates than two or more of their peer group averages.

The Board actively discussed the 2009 Accountability Reporting for the Community Colleges reports for SBVC and CHC.

9. PUBLIC HEARING

Mr. Ramos opened the public hearing on the Initial Proposal for 2009-2010 Renegotiation Submitted by SBCCD for Negotiations with the SBCCD CSEA Chapter #291.

Hearing no comments, the Public Hearing on the Initial Proposal for the 2009-2010 Renegotiation Submitted by the SBCCD for Negotiations with the SBCCD CSEA Chapter #291 is closed.

Mr. Longville moved, Mr. Futch seconded, and the Board members voted as follows to receive the Initial Proposal for 2009-2010 Renegotiation Submitted by the SBCCD for Negotiations with SBCCD CSEA Chapter #291:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

10. PUBLIC COMMENT

San Bernardino County Sheriff Rod Hoops addressed the Board on the relationship between the Sheriff's Department and the San Bernardino Community College District. The relationship has been ongoing for over 30 years. He said the two entities have a great working relationship with the training facility. Even though money is an issue, they are in the process of negotiating additional FTES.

Mr. Ramos said he wanted to be sure the district is meeting the law enforcement demands in the community and asked if there was anything else we should be looking at. Sheriff Hoops said the curriculum is great and the extended academy also meets the need.

Mr. Futch and Mr. Vizcaino visited the academy and the jail at Glen Helen. Mr. Futch noticed there might be some areas where the two entities could partner. The Sheriff said they have an ROP and the In-Roads Program, which is modeled after other correctional agencies in the state. Dr. Terrell stated he was very proud of what we do and what the officers do when they come out of the academy. Mr. Hoops said the Sheriff's Department is emphasizing continuing education for its deputies. Mr. Vizcaino said he has been through the program, and it is top notch. He applauded the department's efforts in minority hiring.

Albert Gutierrez, SBVC classified employee, urged the Board to address the matter of the dismissal of an SBVC custodian.

CHC Students David Gramling and Daniel Shedd addressed the Board on the recent cut classes for spring, 2010 and how those cuts impacted students personally.

11. REPORTS

A. Board Members

- Mr. Vizcaino reported the White House informed Congressman Baca that the PDC was awarded a competitive grant of \$4.26 million to offer skills enhancement services for the workforce of logistics companies in Southern California. Dr. Isaac credited the author of the grant, Dr. Marshall Gartenlaub.
- Mr. Vizcaino has been attending the basketball games at SBVC with Trustee Futch.

- Dr. Terrell visited the new KVCR facility and was impressed with the building and expressed an interest in the instructional programs that will be housed in that building.
- Dr. Singer reported Dr. Daniels gave him a brief tour of the campus. He said he was impressed with the child care center, and thanked Dr. Daniels for the time she spent with him.
- Mr. Futch said he has had a great time at the basketball games. The *Wolverines* are still number one in the state. He visited CHC for their career day which focused on jobs in emergency training. While there, he had an opportunity to see some of the new building projects at CHC.
- Mr. Lockwood responded to the students' earlier comments about the classes that were cut. He explained the district is not only not getting paid for all of its students, but the district is getting less money per FTE, and we are trying to get the most for the money we spend. The funds used for the new buildings come from a special bond voted on by the taxpayers, and that money can't be used for anything else. He encouraged them to meet with President Harrison to get more details.
- Mr. Longville reported lots of students will be participating in the *March in March* in Sacramento to make their case to the state which is where the big cuts are coming from.
- Mr. Ramos said the Board hears the students' concerns. The district is trying to be creative with what money we have to be sure we are filling our mission.

B. Student Trustees

- Kaylee Hrisoulas touched on the tombstone project at CHC. Students made 48 tombstones representing the classes which were cut. The feedback from faculty and staff was positive, and press coverage came from the *Press Enterprise*. She expressed her appreciation to Mr. Futch who visited the campus. The foundation is leading towards a loaning-book program to begin in spring 2010. She thanked Mr. Baron for meeting with her to review the budget. She is talking to students about how they can thank the faculty for accepting more and more students into their classes. Kaylee stated that students have not been informed about the proposed fee increases and are extremely upset. She will be brainstorming with the Student Senate about how to get the information about the fees to the students. Mr. Baron said the assignment at the last meeting of District Assembly was for the representatives of the various constituencies to bring any input regarding the proposed fee increases to the March 2 District Assembly meeting.
- Jason Buckner said students are committed to attending the District Assembly meeting on March 2. He said there are some concerns regarding the AS fee because students feel there are differences between the campuses. The Student Senate has been prepping for General Assembly on April 30 and May 1. CHC students have been

invited to accompany the SBVC students to Sacramento for the *March in March*, where students will have an opportunity to speak to legislators. Trustees were invited to attend Club Wars on February 23. Jason thanked the faculty and classified staff for shouldering their load. "Everyone is coming together to do a great job."

C. Chancellor

- Mr. Baron thanked Dr. Smith and Mr. Wurtz for their fine presentation on ARCC. Instruction and academic statistics are improving, and the students are getting a better education.
- Dr. Daniels invited Mr. Baron to do a budget presentation to faculty and staff, and he made the same offer to the students, adding he would be very happy to present the budget and answer any questions. He commended the students for their thoughtfulness about the budget and for their advocacy. He stressed that this is a message that needs to be taken from our campuses and delivered up to the state legislators. We are teaching about 9,000 more students with about 14% less resources than we had 5 years ago. It is a commitment of this Board to serve the community. There is a commitment in this district to serve. We need to take the message to Sacramento and let our legislators know that people need us now more than ever during these difficult times.

12. CONSENT AGENDA

The following changes were made in the Consent Agenda:

- Item 12.B.10. Consideration of Approval of Management Contract Renewals
- Item 12.C.1. Consideration of Approval of Routine Contracts and Agreements
- Item 12.C.8. Consideration of Approval of Student Trustees' Privilege to Receive Compensation and to Cast Advisory Vote

Dr. Terrell moved, Dr. Singer seconded, and the Board members voted as follows to approve the Consent Agenda:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
 Buckner (advisory), Hrisoulas (advisory)
 NOES: None
 ABSTENTIONS: None
 ABSENT: None

13. ACTION AGENDA

Approve Management Contract Renewals

Dr. Singer asked if the district had a policy regarding multi-year contracts for managers with the exception of the chancellor and college presidents. Ms.

Brunelle stated the district moved from one-year contracts to two-year contracts for vice presidents so we could remain more competitive.

Mr. Futch asked if there was a policy. Mr. Baron said there is no policy for one or two-year contracts. Mr. Ramos asked when the district moved from one-year to two-year contracts. Mrs. Brunelle answered this past year because we wanted to be more competitive.

Dr. Singer moved, Dr. Terrell seconded, and the Board members voted as follows to approve the following management contract renewals for a two-year period, effective July 1, 2010 through June 30, 2012:

1. Cheryl Marshall, Vice President Instruction, CHC.
2. Charlie Ng, Vice President Administrative Services, CHC.
3. Rebeccah Warren-Marlatt, Vice President Student Services, CHC.
4. Damon Bell, Vice President Student Services, SBVC.

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

Approve Routine Contracts and Agreements

Dr. Singer asked that the Acting Chancellor consider looking at other districts comparable to ours to see if our annual legal fees are about the same. He said it seems ours may be excessive and asked Mr. Baron to make some recommendations.

Mr. Baron shared this concern and when he thinks about the classes we could fund with those funds, it is heartbreaking. He will certainly look into the matter of an RFP and do everything possible to bring those into a cost containment mode.

Dr. Singer moved, Mr. Lockwood seconded, and the Board members voted as follows to approve Routine Contracts and Agreements:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Hrisoulas (advisory)

NOES: None

ABSTENTIONS: Bucker (advisory)

ABSENT: None

Approve Student Trustees' Privilege to Receive Compensation and to Cast Advisory Vote

Student Trustee Jason Buckner said one of the concerns he had with this recommendation was although it affords the privilege to cast an advisory vote,

does it also include making motions as well, which is currently present, and can it be added. He said the April 9, 2009 minutes indicate that the compensation should have been increased, and it wasn't done. He hoped that the compensation could be corrected for the newly elected student trustees.

The Board agreed to table this item.

Approve SBCCD Discrimination Complaint Procedures

Mr. Lockwood moved, Mr. Futch seconded, and the Board members voted as follows to approve the SBCCD Discrimination Complaint Process:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

Approve Bond Measure P Construction Change Orders and Contract Amendments

Mr. Futch moved, Mr. Longville seconded, and the Board members voted as follows to approve the following 10 change orders (CO) and 0 contract amendments (CA) for the Bond Measure P Capital Improvement Program construction contracts at CHC and SBVC:

CHC – Community Recreation Facility

Condor, Inc., CO-01, in the amount of \$38,813.00

CHC – Infrastructure 2, 3, & 4

Couts Heating & Cooling, Inc., CO-01, in the amount of (\$38,088.00)

Fischer, Inc., CO-02, in the amount of \$42,974.00

RIS Electrical Contractors, Inc., CO-03, in the amount of \$64,881.00

SBVC – Media/Communications

RB Sheet Metal, CO-02, in the amount of \$500.00

Bell Roof Company, CO-02, in the amount of (\$20,000.00)

Sierra Lathing, CO-03, in the amount of \$8,012.00

Daniel's Electric, CO-07, in the amount of \$5,826.00

SBVC – North Hall

Inland Building Co., CO-04, in the amount of (\$5,985.00)

SBVC- Chemistry/Physical Science

Perfection Glass, Inc., CO-01, in the amount of \$512.00

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

Approve Agreement for Survey Services with Snipes-Dye Associates

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to approve the agreement with Snipes-Dye Associates, in the amount of \$63,800.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

Approve Agreement for Survey Services with AEI CASC Consulting

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to approve the agreement with AEI CASC Consulting, in the amount of \$21,384.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

Approve Agreement for Geotechnical Services with Leighton Consulting, Inc.

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to approve the agreement with Leighton Consulting, Inc., in the amount of \$107,000.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

Approve Agreement for Geotechnical Services with CHJ Inc.

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to approve the agreement with CHJ, Inc., in the amount of \$195,700.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

Approve Agreement for Preparation of Final Project Proposals with Steinberg Architects

Mr. Lockwood moved, Dr. Singer seconded, and the Board members voted as follows to approve the agreement with Steinberg Architects, in the amount of \$121,000.00:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

Approve Contract for Phone System Upgrade with Nexus

Mr. Futch moved, Mr. Longville seconded, and the Board members voted as follows to approve the contract with Nexus, in the amount of \$324,014.27:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: None

Approve Reduction of Retention to 5%

Dr. Terrell moved, Mr. Futch seconded, and the Board members voted as follows to approve the reduction of retention from 10% to 5% for Couts Heating & Cooling, Inc., and for Sierra Landscape Company, Inc., Infrastructure 2/3/4 at CHC:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: Ramos

Adopt Resolution and Signature Authorization – California State Department of Rehabilitation

Mr. Futch moved, Mr. Longville seconded, and the Board members voted as follows to adopt the resolution and signature authorization for the California State Department of Rehabilitation:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: Ramos

Adopt Resolutions – California Department of Education

Mr. Lockwood moved, Mr. Vizcaino seconded, and the Board members voted as follows to adopt resolutions for the California Department of Education:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: Ramos

Approve 2010-2011 Board Budget Directives

Dr. Singer moved, Mr. Vizcaino seconded, and the Board members voted as follows to approve the 2010-2011 Board Budget Directives:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)

NOES: None

ABSTENTIONS: None

ABSENT: Ramos

Accept 2008-2009 Independent Audit Report

Deborah Crowley of Eadie and Payne addressed the Board and stated that this was an unqualified audit meaning there were no material findings. Ms. Crowley also stated that the District staff did a better job this year of improving internal controls and there were many fewer management findings.

Mr. Vizcaino moved, Mr. Longville seconded, and the Board members voted as follows to accept the 2008-2009 Independent Audit Report:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: Ramos

Accept 2008-2009 Proposition 39 Audit Report

Deborah Crowley of Eadie and Payne addressed the Board and stated that this was an unqualified audit meaning there were no material findings. Ms. Crowley also stated that the auditors were satisfied that all bond money was spent for appropriate bond construction and associated costs.

Dr. Singer moved, Mr. Vizcaino seconded, and the Board members voted as follows to accept the 2008-2009 Proposition 39 Audit Report:

AYES: Futch, Lockwood, Longville, Ramos, Singer, Terrell, Vizcaino
Buckner (advisory), Hrisoulas (advisory)
NOES: None
ABSTENTIONS: None
ABSENT: Ramos

Mr. Lockwood and Mr. Vizcaino left at 6:55 p.m.

14. 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. Quarterly Investment Report
- E. Applause Cards

15. STAFF REPORTS

- A. SBVC President
 - A written report was submitted to the Board.
- B. SBVC Academic Senate
 - Dr. Stankas reported the faculty is engaging in a discussion on access and success and how to maximize the success of students.

Faculty is busy making schedules for fall and summer. The direction to focus on basic skills was taken to heart. Faculty is looking at what has to be offered but not necessarily essential. Faculty is also struggling with how to use our resources in the best way to benefit students, and looking at programs and services to maximize efficiencies. The senate and the campus administration have worked very hard on finalizing a local program discontinuance procedure.

C. SBVC Classified Senate

- Albert Gutierrez thanked Dr. Daniels for her continued support.

D. SBVC ASB

- Damaris Castillo-Torres reported *Club Wars* begin soon, and clubs will be competing in three categories. The winning club receives \$50. Students have endorsed two different statewide events – a local day of advocacy and the *March in March*.
- Robert Alexander reported students are concerned about the cuts in classes and the proposed increase in parking fees. A special election will be held to modify the use of the Student Center. He invited Mr. Baron to a student meeting to address the budget.

E. CHC President

- A written report was submitted to the Board.

Mr. Ramos left at 7:20 p.m.

F. CHC Academic Senate

- Scott Rippy stated faculty is concerned about the proposed increase in parking fees not only for the burden it puts on the students but because of the added burden on adjunct faculty and asked the Board to take these things into consideration before making a decision. He also said he is concerned about the breakdown in communications, but the faculty does appreciate the added time to allow for comment. As a faculty member and senate president, he has seen a lot of hard work and collaboration and open, honest conversations between faculty, management and classified staff and students on many issues. He said he hasn't seen it on that level before and added Chancellor Baron's leadership is a great thing for this district. "Very open conversations...I am impressed." The CHC Senate is also working to develop a proposal of program discontinuance for CHC and revamping the committee structure to become more effective and efficient. He said he is proud of the faculty and appreciated that they have taken on heavy loads without complaints.

G. CHC Classified Senate

- No report.

- H. CHC ASB
- Approximately 106 people attended the talent show. Students will be volunteering at the Boys and Girls Club Special Olympics on February 26.
- I. KVCR
- A written report was submitted to the Board.
- J. CTA
- No report.
- K. CSEA
- Mr. Napolitano thanked the Board and the Vice Chancellors for assisting to resolve some issues which have been on the table for some time. He added that the union looks forward to working on the bilingual stipend and negotiations.

March and April Board Meeting Dates

Dr. Terrell suggested the March meeting be moved from the 11th to the 4th and the April Study Session from the 29th to the 22nd. Mr. Baron's office will contact the absent trustees and get back to everyone with the dates.

16. ADJOURN

Dr. Singer adjourned the meeting at 7:40 p.m.

Donald L. Singer, Clerk
San Bernardino Community College District
Board of Trustees