

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, May 17, 2012 - 4:00 p.m. – Board Room

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mr. Lockwood called the meeting to order at 4:04 p.m.

Members Present:

Carleton W. Lockwood, Jr., President (left at 7:00 p.m.)
Dr. Singer L. Singer, Vice President
John M. Futch, Clerk
Donna Ferracone
John Longville
James C. Ramos
Jess C. Vizcaino, Jr. (left at 7:25 p.m.)
Jaime Sanchez, Student Trustee, SBVC
Christopher Walsh, Student Trustee, CHC

Members Absent:

None.

Administrators Present:

Bruce Baron, Chancellor
Gloria Harrison, President, CHC
Dr. Larry Buckley, Interim President, SBVC
Charlie Ng, Vice Chancellor Fiscal Services
Dr. Jack Miyamoto, Consultant, Human Resources

Administrators Absent:

Larry Cicalone, President, KVCR

Pledge of Allegiance

Mr. Lockwood led the Pledge of Allegiance.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

- A. CONFERENCE WITH LABOR NEGOTIATORS
Government Code 54957.6
Agency Negotiators: Jack Miyamoto and Bruce Baron
CTA
CSEA
Management/Supervisors
Confidential Employees
- B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Government Code 54957
- C. CONFERENCE WITH LEGAL COUNSEL
ANTICIPATED LITIGATION
Government Code 54956.9(b)
No. of Cases: 3
- D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code 54957
Title: Chancellor
- E. PUBLIC EMPLOYMENT
Government Code 54957
Title: CHC President

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

None.

4. CONVENE CLOSED SESSION

The Board convened to closed session at 4:06 p.m.

5. RECONVENE PUBLIC MEETING

Mr. Lockwood reconvened the public meeting at 5:15 p.m.

6. REPORT OF ACTION IN CLOSED SESSION

The Board members voted unanimously to accept the settlement agreement for Eric Dimaio.

The Board members voted unanimously to reject the tort claim filed by Damon Bell.

The Board members voted unanimously to approve the settlement agreement and resignation of Larry Ciecalone.

The Board members voted unanimously to accept the settlement agreement and resignation of Zelma Russ.

The Board members voted unanimously to approve the release of probationary classified employee #25569, Clerical Assistant II, Financial Aid, SBVC, effective May 18, 2012.

Dr. Singer moved, Mr. Longville seconded, and the Board members voted as follows to approve the Chancellor's evaluation:

AYES: Futch, Lockwood, Longville, Singer, Vizcaino
NOES: Ferracone, Ramos
ABSENT: None
ABSTENTIONS: Sanchez (advisory), Walsh (advisory)

7. APPROVAL OF MINUTES

Mr. Walsh moved, Ms. Ferracone seconded and the Board members voted as follows to approve the minutes of April 12, 2012:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Walsh (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: Sanchez (advisory)

8. REPORTS

A. Board Members

- On behalf of the Community College League of California, Dr. Singer saluted and presented Mr. Lockwood with an award for 20 years of service as a community college trustee. A number of individuals who served honorably and well were recognized recently at the conference in San Diego.
- Mr. Longville congratulated the SBVC and CHC students on the passage of the free bus pass program.
- Mr. Futch attended the SBVC Foundation Donor Reception and the scholarship award ceremony where over 100 students received scholarships.

- Mr. Ramos said it was an honor to speak to the students during unity week. He said it was an opportunity for the speakers to share their personal stories with the students.

B. Student Trustees

- Mr. Walsh thanked Ms. Ferracone, Mr. Baron, Mrs. Harrison and Ms. Buus for the support he received as a student member of the Board. He wished Mrs. Harrison a happy retirement.
- Mr. Sanchez thanked the administrators for their support. He is looking forward to seeing everyone at commencement.
- Mr. Lockwood thanked both student trustees for their high level of service.

C. Chancellor

- Mr. Baron extended his sincere good luck to both student trustees adding they did an outstanding job serving the students and the district. The Chancellor was very pleased with the Omnitrans vote and was proud to have this program in our district.
- The Chancellor received a recommendation from District Assembly to NOT raise parking permit fees in the fall 2012 semester. He decided to accept the recommendation and not raise parking fee in the fall. There are health fee increases and tuition fee increases and students are burdened enough. We will revisit this topic in the future.
- The Chancellor said a formal complaint has been filed alleging some wrongdoing with the Associated Student elections at SBVC. A formal internal investigation will be conducted into the election process. The results should be available in a couple of weeks.

9. PUBLIC COMMENT

Lt. Darren Goodman from the San Bernardino County Sheriffs' Department invited the trustees to the Basic Law Enforcement Academy's 185th graduation on June 14.

Citizen Hector Guzman addressed the Board about the importance of scholarships.

Mary Valdemar, SBVC classified employee, spoke in opposition to having the scholarship duties removed from her daily workload.

Citizen Lawrence McCrary asked when the newly elected students will assume office. Mr. Baron said no one will be taking office until the investigation is complete.

SBVC student Kevin White thanked the trustees for their support of students and the administration for not increasing the parking fees. He advocated for shared governance and spoke in opposition to the decision to remove scholarship duties from a classified employee.

Citizen John Wurm said that the administration needs to provide a better description on purchase orders sent for approval. He requested the district look at the classes that do not contribute to a degree or work training and also look at why instructors' salaries in our district are 30% more than the salaries of instructors at Cal State.

On behalf of the Black Faculty and Staff Association and the Latino Faculty, Staff and Administrators Association, Ed Gomez said the associations want to ensure that there are measures taken to affirm diversity in the upcoming administrative searches. They are also concerned about the ability between the colleges and the community to communicate. The processes are also a concern and these need to be looked at.

10. INSTITUTIONAL PRESENTATIONS

A. Student Testimonial - SBVC

Dr. Susan Bangassar, Todd Heibel, Amy Avelar, and Albert Maniaol presented a PowerPoint which highlighted science and technology workshops and seminars provided for 8th grade students from Richardson Middle School on April 27 and May 4.

B. Omnitrans "Go Smart" Program

Wendy Williams, director of marketing at Omnitrans, shared the success of the "Go Smart" Program. She complimented the student governments and the staff and thanked the Trustees for their support.

Mr. Longville moved, Mr. Vizcaino seconded, and the Board members voted as follows to approve the agreements with Omnitrans for the "Go Smart" Program for fall and spring semester, in an amount not to exceed \$7.50 per student.

Chris asked if the referendum was an issue in the internal investigation. Mr. Baron didn't know but he would find out.

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

C. Energy Education

Ed Graff from Energy Education Inc. provided some information about the company and the program.

Mr. Lockwood opened the public hearing to consider adoption of a resolution and to approve a contract with Energy Education, Inc. Hearing no comments, Mr. Lockwood closed the public hearing.

Mr. Longville moved, Mr. Ramos seconded, and the Board members voted as follows to adopt a resolution and to approve a contract with Energy Education, Inc. for delivering a district-wide energy conservation program:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: Futch

11. CONSENT AGENDA

The following changes were made to the Consent Agenda:

Item 11.B.11. Consideration of Approval of Management Resignation – Resignation date should be end of day June 1, 2012.

Item 11.C.4. Consideration of Approval of Conference Attendance – Two Additions.

Item 11.C.5. Consideration of Approval of District/College Expenses – One addition.

The following items were pulled from the Consent Agenda for discussion:

Item 11.B.10. Consideration of Approval of Interim Management Appointment

Item 11.B.11. Consideration of Approval of Management Resignation

Ms. Ferracone moved, Mr. Ramos seconded, and the Board members voted as follows to approve the Consent Agenda:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

12. ACTION AGENDA

Approve Interim Management Appointment

Mr. Walsh moved, Ms. Ferracone seconded, and the Board members voted as follows to approve Dr. Cheryl Marshall, Interim President, CHC, full-time, 12-month position, Management Salary Schedule, Range 26, Step C, \$12,972 per

month, plus doctorate stipend and \$1,000 per month presidential expense allowance, effective June 1, 2012 through December 31, 2012:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Accept Management Resignation

Ms. Ferracone moved, Mr. Futch seconded, and the Board members voted as follows to accept the resignation of Alisa Moore, District Director Marketing/Public Relations, effective June 1, 2012:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Ms. Ferracone said Mrs. Moore was an asset to the District and did an excellent job.

Accept Classified Retirement

Mr. Futch moved, Dr. Singer seconded, and the Board members voted as follows to accept the retirement of Betty Jo Wood, Administrative Secretary, CHC, effective July 3, 2012:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Ms. Ferracone said Ms. Wood was a great asset to the CHC Foundation. She will be missed.

Accept Academic Retirements

Ms. Ferracone moved, Mr. Futch seconded, and the Board members voted as follows to accept the following academic retirements:

- a. Thomas Kinnaird, Assistant Professor, English/ESL, SBVC, effective May 28, 2012.
- b. Sandra F. Waters, Professor, Nursing, SBVC, effective at the close of business on May 25, 2012.

- c. Samuel E. Job, Librarian, CHC, effective at the close of business on June 15, 2012.
- d. Bret L. Scaliter, Professor, English, CHC, effective at the close of business on May 31, 2012.

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Adopt Resolution to Recognize Classified School Employee Week

Mr. Longville moved, Mr. Ramos seconded, and the Board members voted as follows to adopt a resolution to designate the week of May 20-26, 2012 as Classified School Employee Week to recognize and honor the contributions of the classified employees of SBCCD:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Chancellor Baron invited the trustees to the May 30 classified appreciation day at SBVC.

Approve Health and Welfare Benefits Tentative Agreement - CSEA

Mr. Ramos moved, Dr. Singer seconded, and the Board members voted as follows to approve the CSEA Tentative Agreement on Article 10: Health and Welfare Benefits:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Agreement with Kitchell CEM for Program, Project and Construction Management Services for the Measure M and P Bond Projects

Mr. Futch moved, Mr. Vizcaino seconded, and the Board members voted as follows to approve an agreement with Kitchell CEM for Program, Project and Construction Management Services for the Measure M and P Bond Programs, in a not-to-exceed amount of \$23,370,255.00:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Mr. Baron thanked Scott Stark, Charlie Ng and Kitchell for working together on this agreement.

Mr. Lockwood left at 7:00 p.m.

Award Bid and Approve Contract – Site Signage - SBVC

Mr. Sanchez moved, Mr. Walsh seconded, and the Board members voted as follows to award Bid 04-27-12 and approve contract with Braughton Construction, Inc. for Site Signage, SBVC, in the amount of \$1,170,000.00:

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Lockwood
ABSTENTIONS: None

Award Bid and Approve Contract – Interim Locker and Shower Room Project - SBVC

Mr. Sanchez moved, Mr. Walsh seconded, and the Board members voted as follows to award Bid 04-18-12 and approve contract with JM Builders, Inc. for the Interim Locker and Shower Room project, SBVC, in the amount of \$256,000.00:

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Lockwood
ABSTENTIONS: None

Award Bid – Theater Lighting - SBVC

Mr. Sanchez moved, Mr. Walsh seconded, and the Board members voted as follows to award Bid (IFB) 2012-05 to Production Resource Group for Theater Lighting, SBVC, in the amount of \$105,989.20:

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Lockwood
ABSTENTIONS: None

Approve Amendment 001 to the AEI CASC Consulting Contract

Mr. Sanchez moved, Mr. Walsh seconded, and the Board members voted as follows to approve Amendment 001 to the AEI CASC Consulting Contract, in the amount of \$2,000.00:

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Lockwood
ABSTENTIONS: None

Approve Amendment 001 to the Kishimoto Architects, Inc. Contract

Mr. Sanchez moved, Mr. Walsh seconded, and the Board members voted as follows to approve Amendment 001 to the Kishimoto Architects, Inc. contract, in the amount of (-\$489,235.00):

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Lockwood
ABSTENTIONS: None

Approve Amendment 001 to the NTD Architecture Contract

Mr. Sanchez moved, Mr. Walsh seconded, and the Board members voted as follows to approve Amendment 001 to the NTD Architecture contract, in the amount of (-\$128,872.50):

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Lockwood
ABSTENTIONS: None

Approve Amendment 001 to the Steinberg Architects Contract

Mr. Sanchez moved, Mr. Walsh seconded, and the Board members voted as follows to approve Amendment 001 to the Steinberg Architects contract, in the amount of (-\$450,500.00):

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Lockwood
ABSTENTIONS: None

Approve Amendment 003 to the Kitchell CEM, Inc. Contract

Mr. Sanchez moved, Mr. Walsh seconded, and the Board members voted as follows to approve Amendment 002 to the Kitchell CEM, Inc. contract, in the amount of \$6,020.00:

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Lockwood
ABSTENTIONS: None

Approve Amendment 005 to the DLR Group WWCOT Contract

Mr. Sanchez moved, Mr. Walsh seconded, and the Board members voted as follows to approve Amendment 005 to the DLR Group WWCOT contract, in the amount of \$6,440.00:

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Lockwood
ABSTENTIONS: None

Approve 2012-2013 Legislative Priorities

Mr. Futch moved, Mr. Ramos seconded, and the Board members voted as follows to approve the 2012-2013 legislative priorities:

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)
NOES: None
ABSENT: Lockwood
ABSTENTIONS: None

Ms. Ferracone is concerned about freezing full-time faculty positions and wants to be sure the Board does not lose sight of filling full-time faculty positions.

Amend Term of Loan to KVCR

Mr. Ramos moved, Mr. Longville seconded, and the Board members voted as follows to extend the \$1,815,000.00 loan made to KVCR for an additional one year at zero percent interest, with the first payment due in May 2013 to allow for additional annual operations funds from KVCR to relieve district General Fund allocations:

AYES: Ferracone, Futch, Longville, Ramos, Singer, Vizcaino
Sanchez (advisory), Walsh (advisory)

NOES: None

ABSENT: Lockwood

ABSTENTIONS: None

Mr. Futch asked if there would ever be a time when KVCR would be fiscally independent from the district.

Mr. Baron replied he will be working with Charlie Ng and Kenn Couch to accomplish the goal in about two years to have no General Fund contribution.

Accept Board Policies for First Reading

Board Policies 2060 Student Trustees, 2070 Advisory Voting Student Member of the Board of Trustees, and 3740 Emergency Notification System were accepted for First Reading.

Mr. Vizcaino moved, Mr. Longville seconded, and the Board members voted as follows to accept Board Policies 2060 Student Trustees, 2070 Advisory Voting Student Member of the Board of Trustees, and 3740 Emergency Notification System were accepted for First Reading.

13. INFORMATION ITEMS

- A. Budget Report
- B. Purchase Order Report
- C. Quarterly Investment Report
- D. CCFS-320 Apportionment Attendance Report for FY 2012 Period 2
- E. Advancement in Rank – SBVC
- F. Administrative Procedures
 - 2260 Conflict of Interest
 - 3740 Emergency Notification System
 - 4233 Withdrawal/Military Withdrawal
 - 5030 Fees
- G. Applause Cards

14. STAFF REPORTS

- A. CHC President
 - A written report was submitted to the Board.

Mr. Ramos left the meeting at 7:25 p.m.

- B. CHC Academic Senate
 - Newly elected Academic Senate President Denise Hoyt reported the faculty is working on graduation and graduation events. She recognized outgoing President Gloria Harrison and said the faculty is looking forward to working with Interim President Cheryl Marshall.
- C. CHC Classified Senate
 - Absent.
- D. CHC ASB
 - Chris Walsh and Kyle Hundley detailed the many accomplishments by the students this past year.
- E. SBVC President
 - A written report was submitted to the Board.
- F. SBVC Academic Senate
 - Dr. Stankas reported two pieces of unfinished business will carry over to next year—student learning outcomes and non-credit instruction. The faculty is anxiously waiting for the resolution to these issues, and Dr. Stankas was directed by the senate to send a memo to both sides of the negotiating teams. He also stated that the Senate has not received a response to the two resolutions submitted to the district several months ago.
- G. SBVC Classified Senate
 - Cassandra Thomas thanked the Chancellor for supporting the District Assembly's recommendation to not increase the parking fees. She thanked Dr. Larry Buckley for his support of the Senate and said farewell to outgoing AS President Joyce Green.
- H. SBVC ASB
 - Joyce Green thanked the students for stepping up and speaking out. She asked that the district reconsider removing the scholarship duties from Mary Valdemar. She thanked Bruce Baron, Jack Miyamoto, Charlie Ng, Gloria Harrison, Jaime Sanchez and Chris Walsh. She thanked the trustees for their support and the opportunity to address the Board. Students plan to raise \$10,000 for a Bert Reins scholarship.
- I. KVCR
 - A written report was submitted to the Board.
- J. CTA
 - Absent.

K. CSEA

- Colleen Gamboa introduced CSEA Labor Rep Charlie LaChance. She thanked the Board for approving the resolution for classified staff week and the Tentative Agreement on Health and Welfare benefits.

L. Management

- Absent.

15. ADJOURN

Mr. Lockwood adjourned the meeting at 8:10 p.m.

John M. Futch, Clerk
San Bernardino Community College District
Board of Trustees