

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT
114 South Del Rosa Drive, San Bernardino, CA 92408

Minutes of the Organizational Meeting of the Board of Trustees
Thursday, December 13, 2012 – 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
Nickolas W. Zoumbos
Ferny Arana Garcia, SBVC
Kyle Hundley, Student Trustee, CHC

Members Absent:

None.

Administrators Present:

Bruce Baron, Chancellor
Charlie Ng, Vice Chancellor Fiscal Services
Tanya Rogers, Interim Vice Chancellor Human Resources
Dr. Larry Buckley, Interim President, SBVC
Dr. Cheryl Marshall, President, CHC

Administrators Absent:

None.

2. PLEDGE OF ALLEGIANCE

Mr. Longville led the Pledge of Allegiance.

3. OATH OF OFFICE TO RE-ELECTED AND NEWLY ELECTED TRUSTEES

Dr. Singer gave the Oath of Office to newly elected trustees Gloria Macias Harrison and Nickolas W. Zoumbos and re-elected trustee John Longville.

San Bernardino County Assistant Sheriff Ron Cochran gave the Oath of Office to Dr. Kathleen Henry.

4. OATH OF OFFICE TO SBVC STUDENT TRUSTEE

Dr. Singer gave the Oath of Office to Ferny Arana Garcia.

5. ORGANIZATIONAL MEETING OF THE BOARD OF TRUSTEES

A. Elect Officers – President, Vice President Clerk

Dr. Singer was elected President, Mr. Longville was elected Vice President and Ms. Ferracone was elected clerk.

B. Elect Board Representative and Alternate to the Nominating Committee for the County Committee on School District Organization

Ms. Ferracone was elected as the Board Representative to the County Committee on School District Organization. Mr. Zoumbos was elected as the alternate.

C. Approve Committee Assignment to the KVCR Foundation

Ms. Ferracone, Dr. Henry and Mr. Longville were appointed to the KVCR Foundation.

D. Approve Committee Assignment to the San Bernardino Regional Emergency Training Center Joint Powers Authority

Ms. Ferracone was appointed to the San Bernardino Regional Emergency Training Center Joint Powers Authority.

E. Approve Committee Appointments to the RDA Successor Agency Oversight Boards

The following appointments were made to the RDA Successor Agency Oversight Boards:

City of Big Bear Lake – Staff member will be appointed
City of Colton – Trustee Henry
City of Grand Terrace – Trustee Ferracone
City of Rialto - Trustee Longville

- F. Approve Committee Assignments to the Redistricting Committee

Mrs. Harrison, Dr. Singer and Mr. Longville will serve.

- G. Approve 2013 Board Meeting Dates

Ms. Ferracone moved, Mr. Longville seconded, and the Board members voted as follows to approve the 2013 Board meeting calendar:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

6. CONSIDER APPOINTMENT OR ELECTION TO FILL TWO-YEAR TERM ON THE BOARD OF TRUSTEES

Trustee Longville raised the issue of holding a special election to find a trustee to finish the term of Mr. James Ramos. There was discussion about the pros and cons of holding an election to fill the vacant seat on the Board. The Chancellor stated that the cost was prohibitive to hold a special election and quoted amounts provided by San Bernardino County. The Board would also be short a trustee for several months until the election took place in June, 2013.

Mr. Longville asked about the cost if the election was held by district rather than at large, considering that the Board may vote to redistrict at an upcoming meeting. Ms. Ferracone said she didn't think the district should incur any cost to hold a special election. She said the appointment process used in the past has worked out well and suggested that we keep that process. Dr. Henry concurred with Ms. Ferracone. Mrs. Harrison concurred with Trustees Ferracone and Henry.

Chancellor Baron recommended the trustee vacancy be filled by appointment. The Board directed the Chancellor to follow the appointment process.

7. ANNOUNCEMENT OF CLOSED SESSION ITEMS

CONFERENCE WITH LABOR NEGOTIATORS

Government Code 54957.6

Agency Negotiators: Bruce Baron and Tanya Rogers

CTA

CSEA

Management/Supervisors

Confidential Employees

PUBLIC EMPLOYMENT/DISCIPLINE/DISMISSAL/RELEASE

Government Code 54957

CONFERENCE WITH LEGAL COUNSEL

EXISTING LITIGATION

Government Code 54956.9(a)

Claim #454440

PUBLIC EMPLOYMENT

President, CHC

Interim President, SBVC

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code 54957.6

Title: Chancellor

8. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

None.

9. CONVENE CLOSED SESSION

The Board convened to closed session at 4:45 p.m.

10. RECONVENE PUBLIC MEETING

Dr. Singer reconvened the public meeting at 5:20 p.m.

11. REPORT OF ACTION IN CLOSED SESSION

Ms. Harrison moved, Ms. Ferracone seconded, and the Board members voted as follows to approve Dr. Glen Kuck, Interim President, San Bernardino Valley College, full-time, 12-month position, Management Salary Schedule, Range 26,

Step D, \$13,621 per month, plus doctoral stipend, effective December 17, 2012 through June 30, 2013 or until a permanent president is hired:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
NOES: None
ABSENT: None
ABSTENTIONS: None

Ms. Ferracone moved, Dr. Henry seconded, and the Board members voted as follows to approve the settlement claim by way of compromise and release for a total of \$5,000 for claim #454440:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
NOES: None
ABSENT: None
ABSTENTIONS: None

Mr. Longville moved, Ms. Ferracone seconded, and the Board members voted as follows to adopt Interim President Dr. Larry Buckley's recommendation to dismiss, that the Board take action to dismiss Mr. Jesse Galaviz based on his immoral conduct, dishonesty, and persistent violation of, or refusal to obey, the school laws of the state or reasonable regulations prescribed for the government of the community colleges by the board of governors or by the governing board of the community college employing him, and that the Board deliver to Mr. Galaviz a statement of its decision to dismiss pursuant to Education Code section 87672:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos
NOES: None
ABSENT: None
ABSTENTIONS: None

12. INSTITUTIONAL PRESENTATION

David Casnocha, Bond Counsel from Stradling Yocca Carlson & Rauth, and Ivory Li, Sr. Vice President from Piper Jaffray, summarized the recommendation to the board.

Due to historically low interest rates, the district currently has the opportunity to refinance a portion of its existing general obligation bonds to reduce the total debt service on those bonds. The district will receive no additional proceeds from the refinancing. All the benefits will be given to local taxpayers. The term of the bonds which are being refinanced will not be extended. The issuance of the bonds will not change the number of years that the bonds will be outstanding.

Mr. Longville moved, Dr. Henry seconded, and the Board members voted as follows to adopt a resolution authorizing the issuance of 2013 General Obligation Refunding Bonds:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

13. APPROVAL OF MINUTES

Ms. Ferracone moved, Mr. Longville seconded, and the Board members voted as follows to approve the minutes of November 15, 2012:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

14. REPORTS

A. Board Members

- Ms. Ferracone attended the kick-off reception for the Arabic studies program at CHC. She wished everyone happy holidays.
- Dr. Singer thanked the trustees for the confidence they shown by voting him in as president of the board.
- Mr. Longville stated we have a fresh perspective on the board with the newly elected trustees. He expressed his fondness for Dr. Buckley “who has been an outstanding interim president.” He added that the colleges’ student bus pass program is now being looked at by a number of other colleges.
- Mrs. Harrison has been invited to participate in the Yucaipa-Calimesa “link learning” project.

B. Student Trustees

- Mr. Garcia said he is honored to be a part of this board and feels ready to assume his position representing the students.
- Mr. Hundley is looking forward to working with the new trustees. He reported he was elected senator at Region 9 so he will be representing students at the state level.

C. Chancellor

- Mr. Baron welcomed the new board members. “All of you ran for the board because we have a great community college district, and I know you believe we will be an even better district. We must all work together to make that a reality.” He thanked Dr. Buckley and wished him well. He welcomed Dr. Glen Kuck as Interim SBVC President, adding he will guide us as we continue our search for a permanent president. Prop 30 passed which really helped to avoid a tremendous financial catastrophe. We have taken some stringent

actions and have been slow in filling positions to identify where we can make savings. Hopefully the budget can be balanced this year through savings. We are planning to eliminate the structural deficit next year. He wished everyone a happy holiday season.

15. PUBLIC COMMENT

Joseph Williams, CEO, Youth Action Project, congratulated the new trustees and urged the trustees to take a look at the Strategic Workforce Development State Plan and provide feedback to the plan. The plan can be found at www.cwib.ca.gov.

Faculty and coaching staff from the SBVC physical education and athletic department urged the trustees to resume the building process.

16. CONSENT AGENDA

The following changes were made to the Consent Agenda:

Item 15.C.1. Consideration of Approval of Routine Contracts/Agreements and Memorandums of Understanding - Added contract for Valerie Taliman

Item 15.C.4. Consideration of Approval of Conference Attendance - Added Dr. Donald L. Singer to the conference request to attend the Effective Trusteeship Workshop and Annual Legislative Conference

Item 15.C.5. Consideration of Approval of District/College Expenses – Deleted the following sponsorships:

- 2013 Latino Education and Advisory Days Summit
- Inland Empire Scholarship Awards
- Young Visionaries 2013 Youth Excellence Award Gala

The Chancellor said there has been some discussion on how other colleges handle special events and sponsorships. Mr. Baron will be presenting some parameters to consider before action is taken to approve such items.

Ms. Ferracone asked how other colleges handle these requests. Dr. Singer said he hopes that we don't simply eliminate them but look into how the board needs to handle these requests. Dr. Henry added it is crucial that the trustees are out there and active, and although we are not out of the woods, we need to find any way we can to help our students which could mean creating relationships and communicating with outside organizations.

Mr. Longville moved, Mrs. Harrison seconded, and the Board members voted as follows to approve the Consent Agenda:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

17. ACTION AGENDA

Approve Management Appointment

Mr. Hundley moved, Mrs. Harrison seconded, and the Board members voted as follows to approve Dr. Cheryl Marshall, President, CHC, full-time, 12-month position, Management Salary Schedule, Range 28, Step D, \$13,621 per month, plus doctoral stipend, effective December 17, 2012 through June 30, 2015.

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Chancellor Baron stated Dr. Marshall was the number one candidate from the screening committee, the interviews and the forums and has done a “bang up” job as interim president. “I am delighted to be working with her.”

Approve Conference Attendance

Kyle Hundley said we really need to consider our expenses from the General Fund and conferences which are attended regularly. He suggested we incorporate accountability and maybe provide a justification why approving conferences is better than funding a class.

Mrs. Harrison moved, Mr. Zoumbos seconded, and the Board members voted as follows to approve conference attendance:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)
NOES: None
ABSENT: None
ABSTENTIONS: None

Award Bid and Approve Contract to C.S. Legacy Construction, Inc.

Ms. Ferracone moved, Dr. Henry seconded, and the Board members voted as follows to award bid #111212 and approve contract with C. S. Legacy Construction, Inc. for the Voluntary Americans with Disability Act (ADA) Upgrades project, SBVC, in the amount of \$1,365,776.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Contract with P2S Engineering, Inc.

Ms. Harrison moved, Mr. Zoumbos seconded, and the Board members voted as follows to approve a contract with P2S Engineering, Inc. for project engineering services, in the amount of \$21,240.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Contract with Coutts Heating & Cooling, Inc.

Ms. Harrison moved, Mr. Zoumbos seconded, and the Board members voted as follows to approve a contract with Coutts Heating & Cooling, Inc. for the chiller relocation project, CHC, in the amount \$99,805.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Amendment 001 to the Steinberg Architects Contract

Mrs. Harrison moved, Mr. Zoumbos seconded, and the Board members voted as follows to approve Amendment 001 to the Steinberg Architects contract, in the amount of \$42,205.00:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Accept 2011-2012 Independent Audit Report

Mr. Longville moved, Mr. Zoumbos seconded, and the Board members voted as follows to accept the 2011-2012 Independent Audit Report:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Charlie Ng credited Tanya Rogers and staff for their good work.

Accept 2011-2012 Proposition 39 Audit Report

Mr. Longville moved, Mr. Zoumbos seconded, and the Board members voted as follows to accept the 2011-2012 Proposition 39 Audit Report:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)

NOES: None

ABSENT: None

ABSTENTIONS: None

Adopt a Resolution to not Subject the Solar Farm Project to Review and Approval by the Division of the State Architect

Mrs. Harrison moved, Mr. Zoumbos seconded, and the Board members voted as follows to adopt a resolution to not subject the Solar Farm Project to review and approval by the State Architect:

AYES: Ferracone, Harrison, Henry, Longville, Singer, Zoumbos,
Garcia (advisory), Hundley (advisory)

NOES: one

ABSENT: None

ABSTENTIONS: None

18. INFORMATION ITEM

- A. Budget Report
- B. Purchase Order Report
- C. Quarterly Financial Status Report
- D. General Fund Cash Flow Analysis
- E. Applause Cards

19. STAFF REPORTS

- A. SBVC President
 - A written report was submitted.

- B. SBVC Academic Senate
- A written report was submitted.
- C. SBVC Classified Senate
- Cassandra Thomas said she looks forward to seeing the trustees at college events. The Senate is working on revising its constitution. Chris Tamayo provided classified staff with training on how to deal with difficult students.
- D. SBVC ASB
- Robert Shields reported students received “survival kits” during finals week. He said students are in support of new physical education and athletics facilities. Although students like the wait list, the same day pay for classes came too soon and students would like to have more time to pay their fees.
- E. CHC President
- A written report was submitted to the Board.
- F. CHC Academic Senate
- Denise Allen congratulated the trustees on their successful election. Faculty are being proactive on the repeatability issue and working hard on curriculum and transfers. Faculty are “thrilled” about the selection of Dr. Cheryl Marshall. She added she looks forward to working collaboratively between Yucaipa and SBCCD.
- G. CHC Classified Senate
- Michelle Riggs said classified staff is looking forward to continuing success under the leadership of Dr. Marshall. An open forum on January 23 will give staff an opportunity to ask questions of Bruce Baron and Charlie Ng.
- H. CHC ASB
- Kyle Hundley reported students are excited about the appointment of Dr. Marshall. Students had the opportunity to provide ideas on faculty and student ethics.
- I. CTA
- Absent.
- J. CSEA
- Colleen Gamboa reported she will be serving another two-year term as president of the union. She wished everyone happy holidays.
- K. Management
- Absent.

20. ADJOURN

Dr. Singer adjourned the meeting at 6:45 p.m.

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