

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, November 15, 2012 – 4:00 p.m. – Board Room

1. CALL TO ORDER

Mr. Lockwood called the meeting to order at 4:01 p.m.

Members Present:

Carleton W. Lockwood, Jr., President
Donald L. Singer, Vice President
John M. Futch, Clerk
Donna Ferracone
John Longville
James Ramos
Jess C. Vizcaino, Jr.
Kyle Hundley, Student Trustee, CHC (arrived at

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, Interim President, CHC

Administrators Absent:

None.

2. 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

CONFERENCE WITH LEGAL COUNSEL
EXISTING LITIGATION
Government Code 54956.9
Case No. CIVDS1208425

PUBLIC EMPLOYMENT
Government Code 54957.6
College Presidents

EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Government Code 54957.6

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code 54957.6
Title: Chancellor

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

None.

4. CONVENE CLOSED SESSION

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

5. RECONVENE PUBLIC MEETING

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

6. PLEDGE OF ALLEGIANCE

Mr. Lockwood led the Pledge of Allegiance.

7. REPORT OF ACTION IN CLOSED SESSION

Dr. Singer moved, Mr. Futch seconded and the Board members voted as follows to accept the MOU between CTA and SBCCD regarding SLOs, PLOs and ILOs:

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

Mr. Longville moved, Mr. Futch seconded, and the Board members voted as follows to accept the settlement agreement and resignation of Charles Fox, effective November 15, 2012:

AYES: Ferracone, Futch, Lockwood, Singer

NOES: Longville, Ramos, Vizcaino

ABSENT: None

ABSTENTIONS: None

Ms. Ferracone moved, Mr. Futch seconded, and the Board members voted as follow to approve the Settlement Authority in the matter of Mid-State Precast, LP v. San Bernardino Community College District, San Bernardino Superior Court Case CIVDS1107165, in the amount of \$181,250.00:

AYES: Ferracone, Futch, Lockwood, Longville, Ramos, Singer

NOES: Vizcaino

ABSENT: None

ABSTENTIONS: None

8. APPROVAL OF MINUTES

Mr. Futch moved, Ms. Ferracone seconded, and the Board members voted as follows to approve the minutes of October 25, 2012:

AYES: Ferracone, Futch, Lockwood, Longville, Singer, Vizcaino
Hundley (advisory)

NOES: None

ABSENT: Ramos

ABSTENTIONS: None

9. REPORTS

A. Board Members

- Mr. Futch thanked everyone for their support over his 4-year term. He said he will be in the community and remain involved in the colleges' activities.
- Mr. Ramos stated he is leaving the Board to take a seat on the Board of Supervisors. He thanked everyone for allowing him to serve.
- Mr. Longville said he will miss his "departing colleagues" and thanked them for their service. He congratulated Mr. Ramos on his election to the Board of Supervisors.
- Trustee Ferracone reported as a follow up to Tom Bryant's sabbatical report, a diversity panel was held at CHC along with the production of *Diversity in the I.E.* She said it was an "awesome look at diversity in the Inland Empire." She also attended the ceremony for veterans at SBVC. This was a first-time event put on by the STEM team.
- Mr. Lockwood acknowledged the newly elected members will add something to the group. He also said he will remain involved with the

district. He wanted everyone to know that the Board does look at how its decisions impact students, faculty and staff. He added he enjoyed working with the student trustees.

B. Student Trustees

- Mr. Hundley proudly announced that 28% of the voters were young adults. Students are actively campaigning to bring athletics to CHC, particularly as they pertain to water sports. He added that although we should celebrate the passage of Prop 30, we should remain cautious of our spending.

C. Chancellor

- Mr. Baron stated this district has benefited tremendously from the services of Trustees Futch, Lockwood, Ramos and Vizcaino. These trustees advocated for students and provided great leadership. The chancellor presented each of the trustees with a recognition award for their service and dedication to the district.

PUBLIC COMMENT

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

Mr. Baron thanked the faculty and coaches for sharing their concerns. He said he understood the issues and certainly wouldn't disagree with them. He said a meeting will be held on November 26 to explore the options, and faculty will continue to be a part of any decisions made so there will be no surprises. The priorities need to be weighed, and a recommendation will be made to the board.

10. PRESENTATION OF CONSTRUCTION AWARDS

A. **Western Council of Construction Consumers Exceptional Project Award for the SBVC Physical Science Building**

Domingo Camarano from Kitchell CEM presented this award to the district.

Mr. Ramos asked that construction reports include data for union versus non-union jobs.

B. **American Society of Civil Engineers Outstanding Civil Engineering Project Award Honorable Mention for the CHC Photovoltaic Concentrator Solar Project**

John Rogers from TKE Engineering & Planning presented this award.

11. CONSENT AGENDA

The following changes were made to the Consent Agenda:

Item 12.B.15 Consideration of Approval of Conference Attendance – Dates of Donald L. Singer's conference request changed to February 10-14, 2013.

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

Item 12.A.1. Consideration of Approval of Curriculum – CHC

Item 12.B.9. Consideration of Approval of Management Tuition Reimbursement

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

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

NOES: None

ABSENT: None

ABSTENTIONS: None

12. ACTION AGENDA

Consideration of Approval of Curriculum – CHC

Dr. Singer moved, Ms. Ferracone seconded, and the Board members voted as follows to approve CHC curriculum:

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

NOES: None

ABSENT: None

ABSTENTIONS: None

Approve Management Tuition Reimbursement

Dr. Singer pulled this item because it was not consistent with current policy and suggested that if the district wished to approve it, the policy needed to be amended. Mr. Baron agreed to withdraw the request.

Accept Classified Retirements

Mr. Ramos moved, Mr. Futch seconded, and the Board members voted as follows to accept the retirement of classified employee Paul Sosa, Custodian, CHC, effective December 30, 2012 and the disability retirement of June Wagner, Admissions and Records Technician, CHC, effective August 1, 2012:

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

Approve Bond Measure M Construction Change Orders and Contract Amendments

Ms. Ferracone moved, Mr. Hundley seconded, and the Board members voted as follows to approve the following Measure M construction change orders and amendments:

Business Building Renovation - SBVC

Doug Wall Construction, Inc. CO-02, in the amount of \$143,678.00

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

Approve Contract with PMSM Architects

Ms. Ferracone moved, Mr. Hundley seconded, and the Board members voted as follows to approve a contract with PMSM Architects for architectural services on the Laboratory/Administration (LADM) and Maintenance and Operations (M&O) renovation projects, CHC, in the amount of \$1,024,000.00:

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

Approve Amendment 003 to the Kishimoto Architects, Inc. Contract

Mr. Longville moved, Mr. Ramos seconded, and the Board members voted as follows to approve Amendment 003 to the Kishimoto Architects, Inc. contract, in the amount of \$12,500.00:

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

Approve Amendment 003 to the Steinberg Architects Contract

Mr. Longville moved, Mr. Ramos seconded, and the Board members voted as follows to approve Amendment 003 to the Steinberg Architects contract, in the amount of \$900.00:

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

Approve Amendment 005 to the CHJ Inc. Contract

Mr. Longville moved, Mr. Ramos seconded, and the Board members voted as follows to approve Amendment 005 to the CHJ Inc. contract, in the amount of \$30,169.00:

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

Approve Board Policy 3570 Smoking

Mr. Hundley moved, Mr. Vizcaino seconded, and the Board members voted as follows to approve Board Policy 3570 Smoking:

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

Adopt Resolution in Support of Digital Textbooks and Open Educational Resources

Mr. Longville moved, Mr. Ramos seconded, and the Board members voted as follows to adopt a resolution urging the adoption of digital textbooks and open educational resources as a cost-savings alternative to traditional textbooks:

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

Approve Memorandum of Understanding (MOU) between San Bernardino City USD, California State University San Bernardino, and San Bernardino Valley College

Mr. Ramos moved, Mr. Longville seconded, and the Board members voted as follows to approve the MOU between San Bernardino City USD, Cal State San Bernardino, and San Bernardino Valley College:

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

NOES: None

ABSENT: None

ABSTENTIONS: None

Chancellor Baron said it is fitting that this item be approved at Mr. Ramos' last Board meeting because he has been a great supporter of these partnerships. This is an opportunity to show the community that students who participate have the opportunity to attend college. The goal is to better prepare students for college. The chancellor thanked Dr. Buckley for his work to obtain this agreement.

- A. Summary of Bond Measure M Capital Improvement Program Change Orders and Amendments for Construction Contracts
- B. Budget Report
- C. Purchase Order Report
- D. General Fund Cash Flow Analysis
- D. Quarterly Investment Report
- E. Applause Cards

13. STAFF REPORTS

- A. CHC President
 - A written report was submitted.
- B. CHC Academic Senate
 - Denise Allen extended a debt of gratitude to the trustees leaving the Board. She appreciated the opportunity to attend the Fall Plenary Session of the Academic Senate. A position was taken on AB 1456, and the local body will be considering resolutions. Interviews for a new college president have been completed, and the open forums will be held November 28.

- C. CHC Classified Senate
- Michelle Riggs reported classified staff has been working on improving transparency. Open forums were held with Cheryl Marshall, Mike Strong and Rebecca Warren-Marlatt. A budget forum with Bruce Baron and Charlie Ng is being planned. The chili cook-off raised \$235 for the college foundation.
- D. CHC ASB
- Chris Robles thanked the outgoing trustees for their service. Students attended the General Assembly where they had the opportunity to network with other colleges. Students are involved in the hiring process of the new college president.
- E. SBVC President
- A written report was submitted to the Board.
- E. SBVC Academic Senate
- Jeremiah Gilbert also attended the Fall Plenary Session. Interviews for college president are finished and the forums are being finalized. The needs assessment report was distributed to the Board. A resolution urging the district to resume the physical education and athletics facilities building process was passed by the Senate. A copy of the Academic Senate Resolution Process was distributed. Mr. Gilbert mentioned the need to fill vacant positions, most of which came from the last retirement plan.
- Dr. Singer said the district needs to work within the budget parameters given to us by the state and although we have a lesser deficit, we still have a deficit. He added he certainly would be one to support additional faculty if the funds were available, but we need to recognize the financial conditions within which we need to work.
- G. SBVC Classified Senate
- Cassandra Thomas reported they will be collaborating with the students and faculty on the forums. She bid farewell to our outgoing trustees.
- H. SBVC ASB
- Victor Ho thanked the outgoing trustees for their service. Students are happy Prop 30 passed. A special election is being held to replace Eric Owen who resigned as student trustee. Voting will be November 19 and 20, and the results will be announced on November 21.
- I. CTA
- Absent.
- J. CSEA
- Colleen Gamboa thanked the outgoing trustees for their service.

- K. Management
- Absent.

14. ADJOURN

Mr. Lockwood adjourned the meeting at 7:05 p.m.

Clerk
San Bernardino Community College District
Board of Trustees