



# SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT

## MINUTES OF THE REGULAR BOARD MEETING Tuesday, August 30, 2005

The regular meeting of the Board of Trustees of the San Joaquin Delta Community College District was held on Tuesday, August 30, 2005, at 5:30 p.m. Closed Session and 6:30 p.m. Public Meeting, in the Board Room, Administration 103, 5151 Pacific Ave., Stockton, California.

Members Present: Janet Rivera, President; Ted Simas, Maria Elena Serna, Clerk, Vice-President; Anthony E. Bugarin; Leo Burke; Greg McCreary; Dan S. Parises; Vincent Harper, Student Representative

<p><b>I. Called to Order</b> The Board meeting was called to order at 5:30 p.m. by Board President Rivera.</p>	<p><b>Call to Order</b></p>
<p><b>II. Communications</b> 1. Public Comments. CSEA President Pat Putman addressed the Board of Trustees regarding the lack of information regarding the health benefits crisis during the CSEA's contract negotiations in 2004. Mr. Putman also addressed the Board stating that he could no longer see any negotiating with the CSEA due to the new terms the District is offering for health benefits. Mr. Putman stated that he is bothered by the inconsistency in the numbers to be bargained with and that he believes that he could have gotten the Districts second agreement passed by the CSEA but the difference in the amount of dollars the District will now pay for benefits has decreased.  Mr. Putman also stated that he feels the lines will be quite long for classified staff retiring and that recruiting to replace retirees will be difficult come October 1, 2006.</p>	<p><b>Public Comments</b></p>
<p><b>III. Recess to Closed Session</b> Board President Rivera convened to Closed Session to discuss matters pursuant to Government Code Section 54957 and 54957.6. Vote: 7/0; motion carried.</p>	<p><b>Closed Session</b></p>
<p><b>IV. Reconvene Public Session</b> The Board returned from Closed Session with nothing to report.</p>	<p><b>Reconvene Public Session</b></p>
<p><b>V. Pledge of Allegiance</b> Trustee Burke led the Pledge of Allegiance.</p>	<p><b>Pledge of Allegiance</b></p>
<p><i>Board President Rivera handed out a code of conduct statement from Central Arizona College and read a statement</i></p>	

*on civility prior to public comments.*

**Public Comments**

**VI. Communications**

1. Public Comments.

Computer Science Instructor Lisa Perez addressed the Board of Trustees thanking Dr. Della Condon for arranging a trip to Miami-Dade Community College. Ms. Perez stated that she was pleased to see such a working cohesive, communicative, integrated data center with faculty and administrators providing such a wonderful service to students and the community. Ms. Perez stated that she is looking forward to making a formal presentation to the Board of Trustees at a future board meeting.

In regards to the civility statement read by Board President Rivera, Ms. Perez stated that it is important to get correct information and to have honest communication and it is important that the Board of Trustees respect faculty, community members and taxpayers. Ms. Perez went on to state how she felt that certain comments made at the last board meeting, although she was not in attendance, were inappropriate and inexcusable. Ms. Perez went on to state that Dr. Matt Wetstein was owed a public and written apology. Ms. Perez stated that she respected the Board of Trustees and honest and open communication.

**VII. Presentation**

A. Trustee Serna welcomed members of a City of Lodi taskforce put together within the last few weeks by the Lodi City Council regarding property/sites to meet the needs of the Districts site selections. Lodi City Council member Bob Johnson stated that the sites will be shared with the Board of Trustees at a future board meeting closed session.

The taskforce consisted of key City of Lodi staff to include Jerry Adams, Chief of Police; Mike Pretz, Fire Chief; Mark Chandler, Chief Executive of the Lodi/Woodbridge Wine Association; former Lodi Mayor Larry Hansen; Joe Harrington, Chief Executive of Lodi Memorial Hospital; Susan Hitchcock, Lodi Vice-Mayor and Bill Huyett, Lodi Unified School District.

Taskforce members enthusiastically addressed the Board of Trustees with words of encouragement regarding a partnership with the District and the City of Lodi to build a satellite campus in that community.

Board President Rivera thanked the taskforce members for attending the meeting. Trustee Serna stated that as a long-time representative of the Lodi community she was very pleased to see all of her colleagues at the board meeting and stated that it has been a pleasure working with the City of Lodi representatives. Trustee Serna also thanked Lodi Sentinel owner/operator Marty Weybert for the support of the Weybert

**VIII. Consent Agenda**

**A. Governance Process**

1. Approval of Minutes: July 19, 2005 Regular Board Meeting, July 22, 2005 Special Board Meeting and August 16, 2005 Regular Board Meeting.

Trustee Simas requested to pull Consent Agenda item A.1 "Approval of Minutes: July 19, 2005 Regular Board Meeting, July 22, 2005 Special Board Meeting and August 16, 2005 Regular Board Meeting."

Trustee Simas asked that the agenda minutes from the July 19<sup>th</sup> board meeting be corrected to include his comments regarding the PLA Agreement in relation to Consent Agenda Item A.1.6. Trustee Simas stated that because the PLA issue is very important his comments regarding this issue that were not in the minutes should be included.

Motion to approve Consent Agenda Item A1.1 with corrections to the July 19<sup>th</sup> minutes requested by Trustee Simas. See Exhibit Con A1.1 which are made a part of the August 30<sup>th</sup> Regular Board Meeting Agenda.

Vote: 6/0 motion carried. Trustee Serna abstained from the vote.

Trustee Simas requested to pull Consent Agenda item B.3, "Consideration to Ratify Bid Award for Bid LA-8700-02 Child Development Services, Floor Repair Project, per Resolution No. 05.23."

Trustee Simas stated that he saw a huge difference in the 2 bids on this project. Trustee Simas stated that he did some research and made some phone calls on one of the bidders, Robert Davis Construction. Trustee Simas discovered that Robert Davis Construction is a union-shop with a main office out of Marin County. Trustee Simas expressed concerns with the discrepancy in the bids.

Director of Purchasing Maria Bernardino was present to respond satisfactorily to Trustee Simas' inquiries. Stating that the bid disparity was due to the need for bidders to have special licensing as regular contractors and flooring contractors. Robert Davis Construction has the special licenses needed for the job in question. Ms. Bernardino also stated that Robert Davis Construction does have a local office in Stockton and that they have been a local contractor for many years with the College.

**Consent Agenda**

**Governance Process**

Approval of Minutes: July 19<sup>th</sup>, July 22<sup>nd</sup>, August 16<sup>th</sup>.

Trustee McCreary motioned to approve Consent Agenda Item B.3; Trustee Bugarin seconded; Vote 7/0; motion carried.

Board President Janet Rivera requested to pull Consent Agenda Item B.1, "Consideration of Notice of Completion for Bid LA-8700-01, Danner Hall Kitchen Hood Fire Suppression Upgrade, SJDC #04-361."

Trustee Bugarin moved for approval of the rest of the Consent Agenda. Trustee Parises seconded; Vote 7/0; motion carried.

**IX. NonConsent Agenda**

- A. Consideration of New and Revised Courses for the 2005-2006 Academic Year.

Approval of the New and Revised Courses for the 2005-2006 Academic Year. See Non Con A1.1 thru Non Con A1.2 which are made part of the August 30<sup>th</sup> Regular Board Meeting Agenda.

Dr. Della Condon brought before the Board New and Revised Courses for the 2005-2006 Academic Year. Dr. Condon explained that the courses finished the curriculum process last year to late to be brought forward. The courses were approved by the Curriculum Committee. Dr. Condon reviewed the courses with the Board of Trustees. Trustee Serna inquired as to whether the Spanish 005 and 006 courses go beyond our current Spanish courses. Dr. Condon responded that these advanced courses allow students to perfect their command of the language beyond the courses that we currently offer. Trustee Simas moved and Trustee Serna seconded to approve the New and Revised Courses for the 2005-2006 Academic Year. Vote: 7/0; motion carried.

- B. Consideration of Personnel Action – Classified.  
Approval of the hiring/resignation and termination of classified staff. See Non Con B 1.1 thru B 1.3 which is made part of the August 30<sup>th</sup> Regular Board Meeting Agenda. Trustee Simas moved and Trustee Bugarin seconded to carry the motion. Vote 7/0; motion carried.

- C. Consideration of Classified Classification/Entitlement Changes.  
Approval of the classification/entitlement changes for classified staff. See Non Con C1.1 thru C1.2 which is made part of the August 30<sup>th</sup> Regular Board of Trustees Meeting Agenda. Trustee Parises moved and Trustee Bugarin seconded to carry the motion. Vote 7/0; motion carried.

**NonConsent Agenda**

Consideration of New and Revised Courses for the 2005-2006 Academic Year.

Consideration of Personnel Action – Classified.

Consideration of Classified/Entitlement Changes.

<p>D. Consideration of Administrative Classification/Entitlement Changes.  Approval of the Administration Classification/Entitlement Changes. See Non Con D 1.1 thru D1.2 which is made part of the August 30<sup>th</sup> Regular Board of Trustees Meeting Agenda.  Vice President of Human Resources Myers explained to the Board that these were 10 reclassifications of current incumbents directly related to the Kualii Project and 3 new entitlements. Trustee Serna inquired about salary range changes to which Vice President Myers responded that there are some changes to salaries, though not all of them. The entitlement changes had gone through the Administrative Classification Entitlement and Budget and Planning Committees. Trustee Burke moved and Student Trustee Harper seconded to carry the motion. Vote 7/0; motion carried.</p> <p>Information Technology Manager Dave Sartain addressed the Board and thanked them for approving his new position in relation to the Kualii Project. Mr. Sartain expressed his appreciation for working with Associate Vice President Lee Belarmino and was looking forward to a continued relationship with Mr. Belarmino.</p>	<p>Consideration of Administrative Classification/Entitlement Changes.</p>
<p>E. Consideration of Personnel Action – Management.  Approval of the retirement of Director of Outreach &amp; Special Services, Michael Kerns to be effective on September 30, 2005. Trustee McCreary moved and Trustees Simas seconded to carry the motion. Vote 7/0; motion carried.</p> <p>Trustee Bugarin and Trustee Serna thanked Mr. Kerns for giving the College such great service. Board President Rivera congratulated Mr. Kerns on his new endeavors.</p>	<p>Consideration of Personnel Action – Management.</p>
<p>F. Consideration of Full Time Temporary Faculty Hire for POST Academy. Board Trustee Rivera pulled this item from the agenda.</p>	<p>Consideration of Full Time Temporary Faculty Hire for POST Academy.</p>
<p>G. Consideration of 2005-2006 Health Benefit Plan Changes for Management &amp; Confidential Employees.  Approval of the 2005-2006 Health Benefit Plan Changes for Management &amp; Confidential Employees. See Non Con G 1.1 which is made part of the August 30<sup>th</sup> Regular Board Meeting Agenda.</p> <p>Vice President of Human Resources Kim Myers presented two parallel items regarding health benefit plans for management and confidential employees.</p> <p>Trustee Simas inquired about GASB 45, which requires the District to start a fund no later than March 31, 2006 for</p>	<p>Consideration of 2005-2006 Health Benefit Plan Changes for Management &amp; Confidential Employees.</p>

non-represented retirees and asked if there was anything in the Legislature to start a fund for current employees. Vice President Myers responded not to his knowledge and clarified that Phase 3 of GASB 45 indicates that the District will develop a plan to fund benefits for current employees, but does not give specifics on the fund. Vice President Myers stated that the bigger issue to be addressed is the current unfunded lifetime benefits for retirees, which is a substantial amount of money. Vice President Myers went on to say that this liability must be addressed to remain competitive and draw employees to the College as the cost of retiree health benefits continues to rise. Trustee McCreary moved and Trustee Simas seconded to carry the motion. Vote 7/0; motion carried.

- H. Consideration of 2005-2006 Health Benefit Plan Changes for Police Officers Association.  
Approval of the 2005-2006 Health Benefit Changes for Police Officers Association. See Non Con H 1.1 which is made part of the August 30<sup>th</sup> Regular Board Meeting Agenda.  
Vice President of Human Resources Myers explained the health benefit plan as identical to the plan for managers and confidential employees. Trustee Burke moved and Trustee Bugarin seconded to carry the motion. Vote 7/0; motion carried.

**X. Report**

- A. Budget Report – Andy Dunn  
Vice President of Business Services Andy Dunn presented the Board of Trustees and the audience copies of a Power Point presentation on the budget and a copy of the budget publication. Vice President Dunn gave a historical perspective on the current budget process in relation to the State budget and the California Community College System. (Copies of both presentation and publication available upon request.)

Trustees inquired about the reserve budget in the Child Development Center. Director of Finance Claire Tyson explained the operational budget of the Child Development Center. Trustee Simas asked if this fund was an enterprise fund to which Ms. Tyson responded that the District treats it an enterprise fund. Trustee Rivera inquired as to who makes the lunches in the Child Development Center to which Ms. Tyson responded that the Center has two employees who are trained in food services. Trustee Bugarin inquired about the Child Development fund balances and the discrepancies in the beginning and ending balances. Ms. Tyson responded that the funds include operational expenses. Trustee Bugarin stated that there must have been a large amount

Consideration of 2005-2006 Health Benefit Plan Changes for Police Officers Association.

**Report**

Budget Report – Andy Dunn

of operational expenses and asked Director of Health Science Programs Debra Lewis to elaborate on the fund discrepancies. Dr. Lewis stated that she could not give much information because she became the director in March and the former director handled the budget up until that time. Dr. Lewis stated that the expansion the Center did with the State preschool program added to the operational expenses.

Ms. Tyson stated that she would work with Dr. Lewis and provide more information on the specifics at the time the adopted budget is presented to the Board.

Board President Rivera instructed Dr. Rodriguez to provide the information in the Board's Friday packet.

- B. Report on Completion of the Bat Exclusion Project and Final Cost Accounting – Andy Dunn  
Vice President Of Business Services Andy Dunn gave a report and update on the completion of the Bat Exclusion Project in relation to the final cost of removing the bats from the campus. Mr. Dunn explained the funding used to pay for the project and stated our environmental health specialist informed him that the College has complied with the abatement order and the project is complete.

**XI. Communications**

No comments.

No comments.

No comments.

No comments.

Management Senate President Marc Brommé congratulated Michael Kerns on his retirement. Mr. Brommé also thanked the Board, in particular the Board President on the handout on civility.

Elliot Castro reported that student government was being expanded in all areas and that the Associated Student Body should be able to complete all of the projects they have planned for this year.

No comment.

Report on Completion of the Bat Exclusion Project and Final Cost Accounting.

**Communications**  
Superintendent/President  
Dr. Rodríguez

Board of Trustees

Constituent Groups  
Academic Senate  
Janice Takahashi

Classified Senate  
Amal Elayyan

Management Senate  
Marc Brommé

Student Government  
Elliot Castro for Pierre  
Tapia

California Teachers  
Association  
Joe Gonzales

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<p>No comment.</p> <p>Police Officers Association President congratulated Michael Kerns on his retirement on behalf of the Police Officers Association.</p> <p>Board President Rivera made one last comment to Michael Kerns on the impact that he has made on the College and assured him that he would not be forgotten for his work with the College and the community.</p> <p>Board President Rivera adjourned the meeting at 8:20 p.m.</p> <p>Respectfully submitted,</p> <p>Dr. Raúl Rodríguez Superintendent/President and Secretary to the Board of Trustees</p>	<p>Classified Staff Employees Association Pat Putnam</p> <p>Police Officers Association Mario Vasquez</p>
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