



SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT

MINUTES OF THE REGULAR BOARD MEETING Tuesday, September 13, 2005

The regular meeting of the Board of Trustees of the San Joaquin Delta Community College District was held on Tuesday, September 13, 2005, at 5:00 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; Maria Elena Serna, Clerk, Vice-President; Anthony E. Bugarin; Leo Burke; Greg McCreary; Dan S. Parises; Vincent Harper, Student Representative
Members Absent: Ted Simas, Vice President

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| <p>I. Called to Order The Board meeting was called to order at 5:00 p.m. by Board President Rivera.</p> | <p>Call to Order</p> |
| <p>II. Communications 1. Public Comments.</p> | <p>Public Comments</p> |
| <p>III. Recess to Closed Session 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>Closed Session <i>Correction: Vote: 6/0; motion carried.</i></p> |
| <p>IV. Reconvene Public Session The Board returned from Closed Session with the following to report: The Board recognizes that the funding of benefits for the Board of Trustees is a topic of concern in previous, current and future negotiations with the bargaining groups in the general area of health benefits. The Board has approved in closed session for the cost of health benefits for all active and qualified retiree trustees to be paid from the general fund, not from the 10% employee benefits cap. The Board has also approved in closed session for health benefits to be provided to all active and qualified retiree trustees at the same level and in the same plans offerings as are provided to the Management and Confidential employees of the district. Since Trustees are not district employees, but elected public members who do not receive wages but only a nominal monthly stipend or honorarium the Board has also approved in closed session that the total cost of health benefits provided to active and qualified retired trustees will be paid by the district.</p> | <p>Reconvene Public Session</p> |

V. Pledge of Allegiance

Student Trustee Harper led the Pledge of Allegiance.

Pledge of Allegiance

VI. Communications

1. Public Comments.

Andrew Uvalles, representing Carpenters Local 25 addressed the Board of Trustees regarding the bond issue and Barnhardt constructions management and labor compliance. Mr. Uvalles told of his attendance at a phone conference for a pre-conference hearing for the State of California, Department of Industrial Relations where they heard numerous labor compliance complaints against Barnhardt. Mr. Uvalles stated that he would keep the Board up to date on the hearing set for November regarding these complaints. Mr. Uvalles discussed several projects of Barnhardt where there have been complaints. Mr. Uvalles urged the Board of Trustees to seek out other entities that have used Barnhardt before doing business with Barnhardt construction. Mr. Uvalles stated that he will come back to advise the Board at a future meeting regarding Barnhardt.

Public Comments

Augie Beltran, representative of the California Building Trade Association also urged the Board to look into entities that would no longer be using Barnhardt. Mr. Beltran named contractors who are not happy with Barnhardt services.

VII. Consent Agenda

A. Governance Process

- 1. Approval of Minutes: August 30, 2005 Regular Board Meeting. Approved the minutes of the August 30, 2005 Regular Board meeting. See Exhibit CON A 1.1, which is part of the September 13, 2005 agenda.

Consent Agenda

Governance Process
Approval of Minutes of August 30, 2005 Regular Board Meeting.

B. Business/Fiscal Services

- 1. Consideration of Acceptance of Donation
Approved a donation from General Motors Corp. of North Hollywood, California of a 2004 Saturn VUE for use in the Automotive Electric/Mechanics Programs. The donor has placed value of \$12,773 for this vehicle. See Exhibit Con B 1.2 – B 1.3 which is part of September 13, 2005 agenda.

Business/Fiscal Services

- 2. Report on Change Orders #1 and #2 Regarding Danner Hall Kitchen Hood Fire Suppression Upgrade, Bid #LA 8700-01, SJDC Contract #04-361 with Robert Davis Construction.
Approved Change Orders #1 and #2 which increases SJDC Contract #04-361 with Robert Davis Construction to \$92,391.61. See Exhibit CON B 2.2 – B 2.10 which is part of the September 13, 2005 agenda.

Change Orders
SJDC Contract #04-361

- 3. Consideration of Notice of Completion for Bid LA-8700-01, Danner Hall Kitchen Hood Fire Suppression Upgrade, SJDC #04-361.

Notice of Completion for Bid
LA-8700-01

Approved the Notice of Completion, Bid LA-8700-01, Danner

Hall Kitchen Hood Fire Suppression Upgrade, SJDC Contract #04-361 accepting completion of the contract for the Danner Hall Kitchen Hood Fire Suppression Upgrade by Robert Davis Construction. A Notice of Completion will be filed and the Vice President of Business Services will release the remaining funds on this project. See Exhibit Con B 3.2 which is part of the September 13, 2005 agenda.

4. Consideration of Resolution No. 05-28 GANN Spending Limitation for the 2005-06 Year (Second Reading.)
Adopted Resolution 05-28 and approved the GANN Spending Limit for the 2005-06 college year. See Exhibit Con 4.2 which is part of the September 13, 2005 agenda.

Resolution No. 05-28

C. Human Resources

1. Consideration of Personnel Action – Short-Term
Approved the employment of the short-term non-academic employees as presented. See Exhibit Con C. 1.2 which is part of the September 13, 2005 agenda.

Human Resources
Short-Term

2. Approval of Consideration of Personnel Action – Adjunct
Approved the employment of the following adjunct faculty subject to sufficient enrollment in the classes to which will be assigned; Leticia Hurtado, Communications Skills Division.

Adjunct

Trustee Parises moved and the motion was seconded to approve the Consent Agenda as presented. Vote: 6/0; motion carried.

IX. NonConsent Agenda

1. Consideration of Personnel Action – Classified
Trustee McCreary moved and Trustee Bugarin seconded the motion to accept the resignation of John Hull effective December 9, 2005. Vote 6/0; motion carried.
2. Consideration of Adoption of Final Budget for 2005-06 College Year with 2004-05 Fourth Quarter Financial Report with Resolution #05-29.

NonConsent Agenda
Personnel Action -
Classified

Trustee Bugarin raised concerns with the loss of revenue in the Child Development Center and stressed the importance of the program to the District.

Vice President Dunn stated that he, along with Assistant Superintendent Della Condon, and Director of Finance Claire Tyson would review the Centers budget.

Trustee Bugarin moved and Trustee Parises seconded the motion to adopt the Final Budget for 2005-06 College Year with Fourth Quarter Financial Report with Resolution #05-29. Vote 6/0; motion carried. (copies available upon request.)

X. Communications

Dr. Rodriguez gave an update on the community college systems Hurricane Katrina Relief efforts. Dr. Rodriguez informed the Board that legislation has been passed to waive out-of-state tuition for students who were displaced by the hurricane. The legislation is awaiting the Governor's signature. Dr. Rodriguez also announced that three students displaced by the hurricane were attending Delta College. Dr. Rodriguez informed the Board that a baby shower would be held for one of the student's sister on September 16, 2005 and invited all to attend. Dr. Rodriguez announced Middle College High School's car wash where over \$400 was raised for hurricane relief. Also, Mary Tran, a Delta College student who works for the Red Cross is in New Orleans working as a volunteer and a nursing faculty will be going to New Orleans with a medical crew organized through St. Joseph's hospital. Dr. Rodriguez announced that Registrar Catherine Mooney has been collecting items to send to Biloxi, Mississippi for victims of the hurricane. Dr. Rodriguez informed the Board that the College will hold a benefit concert on October 3, 2005 and ask for donations for hurricane relief.

Trustee Bugarin informed the Board of his and Trustee Serna's attendance at the ACCT Leadership Conference and expressed appreciation for the Board's support on their attendance. Trustee Bugarin informed the Board of several of the sessions he attended including sessions on diversity and a session given by Dan Koren titled "Rage of the Random Actor" which discussed violence in colleges, community colleges and our K-12 school systems. Trustee Bugarin indicated that we as educators can probe people to act properly, maintain respect, and courtesy.

Trustee Bugarin suggested that we keep a high priority on the safety of staff and students at Delta College.

Trustee Serna stated that she was happy that Trustee Bugarin attended the conference. Trustee Serna brought back information for the Board that she will have at the next board meeting.

Trustee Serna passed out and read a resolution on Hurricane Katrina and the ACCT Financial Report (copies available upon request.)

Trustee McCreary announced that his daughter had given birth to three new grandchildren. The Board congratulated Trustee McCreary on his announcement.

Trustee Parises stated that he did not like the comments made in public regarding Barnhardt and would appreciate a response on the comments. Dr. Rodriguez stated that he would look into the charges against Barnhardt.

Trustee Rivera apologized to Pat Putman who, at the last board meeting appeared to be very distraught over his family in the

Communications
Superintendent/President
Dr. Rodríguez

Board of Trustees

hurricane stricken region. Trustee Rivera stated that she was very relieved to find out that his family was doing well. Trustee Rivera expressed sympathy for anyone in the audience that had been affected by the hurricane.

No comments.

No comments.

No Comments

ASBG President Pierre Tapia announced the ASBG donation of \$5,000 to the hurricane relief efforts. Mr. Tapia also announced a leadership speaker the ASBG is bringing to the campus on Friday, September 16, 2005 to discuss leadership skills and the secrets of successful people.

CTA President Joe Gonzales informed the Board that the CTA has put the District on notice and filed several labor relations grievances regarding the contract, one being in relation to the health benefits issue.

CSEA President Pat Putman thanked Trustee Rivera for her concerns regarding his family and indicated that everyone was doing well.

No comments.

Board President Rivera adjourned the meeting at 7:43 p.m.

Respectfully submitted,

Dr. Raúl Rodríguez
Superintendent/President and
Secretary to the Board of Trustees

Constituent Groups
Academic Senate
Janice Takahashi

Classified Senate
Amal Elayyan

Management Senate
Marc Brommé

Student Government
Pierre Tapia

California Teachers
Association
Joe Gonzales

Classified Staff Employees
Association
Pat Putman

Police Officers Association
Mario Vasquez