



SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT

MINUTES OF THE REGULAR BOARD MEETING Tuesday, October 17, 2006

The regular meeting of the Board of Trustees of the San Joaquin Delta Community College District was held on Tuesday, October 17, 2006, 2006 at 5:45 p.m. Closed Session and 6:30 p.m. Public Meeting, in the Board Room, Administration 103, 5151 Pacific Ave., Stockton, California.

Members Present: Ted Simas, Board President; Maria Elena Serna, Vice-President; Leo Burke, Clerk; Dan S. Parises, Anthony Bugarin; Janet Rivera (arrived at 6:42 p.m.); Jovan Paunovic, Student Representative

Members Absent: Greg McCreary

<p>I. Called to Order The Board meeting was called to order at 5:45 p.m. by Board President Simas.</p>	<p>Call to Order</p>
<p>II. Communications 1. Public Comments There were no comments from the public.</p>	<p>Public Comments</p>
<p>III. Recess to Closed Session Board President Simas convened to Closed Session to discuss matters pursuant to Government Code Section 54957 and 54957.6. Motion: Bugarin; Seconded: Parises. Vote: 5/0; motion carried.</p>	<p>Closed Session</p>
<p>IV. Reconvene Public Session Board President Simas reconvened the meeting at 6:30 p.m. with the following to report: <i>The Board unanimously approved a Memorandum of Understanding between the CSEA Chapter #359 and the District dated September 21, 2006, which deferred the payroll deductions for members' share of the cost of health benefits based on the 2005-06 benefit costs from September 30, 2006 to October 31, 2006.</i></p>	<p>Reconvene Public Session</p>
<p>V. Pledge of Allegiance Trustee Bugarin led the Pledge of Allegiance.</p>	<p>Pledge of Allegiance</p>
<p>VI. Communications 1. Public Comments There were no comments from the public.</p>	<p>Public Comments</p>
<p>VII. Recognitions A. Introduction of the September 2006 Academic Senate Non-Teaching Award Recipient.</p>	<p>Recognitions September 2006 Academic Senate Non-</p>

Academic Senate President, Janice Takahashi introduced Sonny Ali, Network Administrator from the Information Services Department as the September 2006 Academic Senate Non-Teaching Award recipient.

Board President Simas congratulated Mr. Ali on his award.

B. Introduction of the September 2006 Academic Senate Adjunct Faculty Award.

Academic Senate President Janice Takahashi introduced Dr. Edward Schneider, Human Biology Instructor from the Science & Mathematics Division as the September 2006 Academic Senate Adjunct Faculty Award recipient.

Board President Simas congratulated Dr. Edward Schneider on his award.

C. Consideration of Resolution No. 06-29 "In Recognition of Veterans Day."

Board President Simas read Resolution No. 06-29 "In Recognition of Veterans Day." Trustee Bugarin suggested the Resolution be placed in the Veterans Services Center at the College. Dr. Rodriguez informed the Board of the November 11th observance of Veterans Day by the College.

Teaching Award and Adjunct Faculty Award Recipients.

Resolution No. 06-29 "In Recognition of Veterans Day."

VIII. Consent Agenda – Action Items

A. Governance Process

1. Approval of the Minutes: September 12, 2006 and October 3, 2006 Regular Board Meeting minutes. Approved the minutes of the September 12th and October 3rd Board Meeting. See Exhibit **CON A 1.1 – CON A 1.14** which is made a part of the October 17, 2006 agenda.

B. Business Services

1. Report on Change Orders #6-9 Regarding the Marquee Sign Project, SJDC, Contract #05-269, Bid #LA-8301, with Robert Davis Construction. Approved the Change Orders regarding Contract #05-269, Bid #LA-8301, with Robert Davis Construction. **See CON B 1.1 – CON B 1.6** which is made a part of the October 17, 2006 agenda.
2. Consideration of Notice of Completion of Contract Bid #LA-8301, for the Marquee Signs at Entrances, SJDC Contract #05-269. Approved Notice of Completion of Contract Bid #LA-8301, for the Marquee Signs at Entrances, SJDC Contract #05-269 and directed the Vice President of Business Services to release the remaining funds on

Consent Agenda

Governance Process

Approval of the September 12th and October 3rd Board Meeting Minutes.

Business Services.

Report on Change Orders #6-9 Regarding the Marquee Sign Project, SJDC, Contract #05-269, Bid #LA-8301, with Robert Davis Construction.

Consideration of Notice of Completion of Contract Bid #LA-8301, for the Marquee Signs at Entrances, SJDC Contract #05-269.

<p>this project. See CON B 2.2 – CON B 2.5 which is made a part of the October 17, 2006 agenda.</p> <p>3. Resolution No. 06-27 in Support of the 2006 Bond Measure. Adopted Resolution No. 06-27, Supporting Proposition 1D: Kindergarten-University Public Education Facilities Bond Act of 2006. See CON B 3.1 – CON 3.3 which is made a part of the October 17, 2006 agenda.</p> <p>4. Consideration of Appointments to the Citizens' Oversight Committee. Reappointed Daniel J. Schroeder, Perfecto Munoz and Jeffrey Thompson as at-large members. Reappointed Donna L. Gale as the senior citizens' member and reappointed Scott Malm as the bona fide taxpayers' member to 2 year terms of the Citizens' Oversight Committee. See CON B 4.1 – CON B 4.2 which is made a part of the October 17, 2006 agenda.</p> <p>5. Yearly Report on Minority Vendors Report. Accepted the Yearly Report on Minority Vendor Program, per District's Procedure 8080, Minority Vendor Program and 8081, Implementation on Minority Vendor Program. See CON B 5.1 – CON 5.8 which is made a part of the October 17, 2006 agenda.</p> <p>C. Human Resources</p> <p>1. Consideration of Personnel Action – Short Term The Board approved the employment of short-term, non academic employees as presented. See CON C 1.1 – 1.2 which is made a part of the October 17, 2006 agenda.</p> <p>2. Consideration of Personnel Action – Adjunct The Board approved the employment of adjunct faculty as presented. See CON C 2.1 - CON B 2.2 which is made a part of the October 17, 2006 agenda.</p> <p>Trustee Bugarin motioned and Trustee Burke seconded to approve the Consent Agenda. Vote: 5/0; motion carried.</p> <p>IX. NonConsent Agenda/Action Items</p> <p>A. Consideration of Personnel Action – Classified. Trustee Burke motioned and Trustee Bugarin seconded to approve the replacements, retirements and resignations of the following classified staff: Kathleen Robles, Academic Advisor, CalWORKS (Replacement) effective date October 18, 2006 or as soon as possible thereafter; Ruiz Carlos, Maintenance Worker, Facilities Management (Replacement) effective date October 18,</p>	<p>Resolution No. 06-27 in Support of the 2006 Bond Measure.</p> <p>Consideration of Appointments to the Citizens' Oversight Committee.</p> <p>Yearly Report on Minority Vendors Report.</p> <p>Human Resources Consideration of Personnel Action – Short Term.</p> <p>Consideration of Personnel Action – Adjunct</p> <p>NonConsent Agenda/Action Items</p> <p>Consideration of Personnel Action – Classified.</p>
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2006 or as soon as possible thereafter; Lawrence Dominguez, Costume Design Assistant, Fine Arts (Retirement December 18, 2006); Bettina Engleman, Learning Advisor I, Child Development Center (Retirement July 28, 2006); Claudia Liborio, Learning Advisor I, Child Development Center (Retirement October 6, 2006).

Vote 6/0; motion carried.

- B. Consideration of Personnel Action – Faculty.
Trustee Parises motioned and Trustee Serna seconded to approve the new hires, reassignments of the following faculty: Pedro Reynoso, One Year Full-time Librarian, Library Services (effective date October 18th or as soon as possible); Dan Baker, Title V Learning Specialist (40%); TRIO Counselor (60%) (effective date October 18th or as soon as possible);

Vote: 6/0; motion carried.

- C. Consideration Personnel Action – Management.
Trustee Burke motioned and Trustee Serna seconded the motion to approve the following management appointment:

Cassandra Hernandez-Vives, Project Coordinator, TRIO (.50 FTE)/ Title V Grant (.50 FTE).

Vote: 6/0; motion carried.

- D. Consideration of Classified Classification/Entitlement Changes.
Trustee Serna motioned and Trustee Bugarin seconded the motion to approve the Classified/Entitlement changes of the following staff: Senior Office Assistant (Permanent Intermittent Status), new entitlement in the Academic Senate office.

Vote: 6/0; motion carried.

- E. Consideration of Administrative Classification/Entitlement Changes.
Trustee Bugarin motioned and Trustee Serna seconded the motion to approve the Administrative Classification/Entitlement Changes of the following staff: Custodial/Grounds Manager, Maintenance and Facilities (reclassification); Maintenance/Energy Manager, Maintenance and Facilities (reclassification); Facilities Planner, Maintenance and Facilities (new classification and entitlement).

The salary range for the Facilities Planner was

Consideration of Personnel Action - Faculty

Consideration of Personnel Action – Management.

Consideration of Classified Classification/Entitlement Changes.

Consideration Administrative Classification/Entitlement Changes.

corrected by Vice President of Human Resources Dr. Kim Myers. Dr. Myers stated that the top range should be \$5028.25 rather than \$4364.92.

Vote: 6/0 motion carried.

- F. Consideration of Resolution No. 06-28, Approving the Seating of Janet Rivera as a Member of the Board of Trustees for the 2006-2010 Term of Office. Trustee Serna motioned and Trustee Parises seconded the motion to adopt Resolution No. 06-28 and approve the seating of Janet Rivera as a member of the Board of Trustees.

Trustee Simas commended Trustee Rivera for attending tonight's meeting since she was not feeling well.

Vote: 6/0; motion carried.

IX. Report/Information Items

- A. Budget/Bond Update. Vice President of Business Services Andy Dunn gave a Power Point presentation on the Tracy Center at Mountain House Issues Relative to Project Advancement.

Vice President Dunn retraced some of the recent actions taken by the Board in the past and up to the present day. Vice President Dunn made mention of the July 18, 2006 board meeting where a recommendation was made to the Board to approve a \$530,000 invoice from the developer regarding the college's infrastructure obligation. The approval of the invoice would be contingent on the following actions : 1) get the County to relinquish its interest in the Letters of Credit 2) the Letters of Credit would be reissued to be consistent with the contract 3) successfully execute an amended contract with the developers. Vice President Dunn stated that these three details were required to be completed before the Board took action on the \$530,000 invoice. Vice President Dunn continued with the timeline of board actions stating that as of today the administration believes it has followed to the best of its ability to carry out the Board's mandates. However, the process has been difficult due to poor communication and progress with the developer. The issue of the County's relinquishment of the Letters of Credit is still an outstanding issue. Dr. Rodriguez added that he had a phone conversation with Mr. Kamilos of PCCP Development and a number of complicating factors had arisen regarding the Letters of Credit. Dr. Rodriguez informed the Board that counsel has been working with

Consideration of Resolution No. 06-28, Approving the Seating of Janet Rivera as a Member of the Board of Trustees for the 2006-2010 Term of Office.

Report/Information Items
Budget/Bond Update

the bank to resolve the Letters of Credit issue. Dr. Rodriguez further informed the Board that he had recently received an encouraging letter from Mr. Kamilos regarding the Letters of Credit and the amendments to the contract. Dr. Rodriguez mentioned the October 30th groundbreaking planned for Mountain House and that he is optimistic about getting the Letters of Credit within the next few weeks and that the amended contract will follow. Dr. Rodriguez handed the Board of Trustees a draft copy of the invitation to the groundbreaking ceremony, asking Board members to look over the invite and make changes if necessary. Lastly, Dr. Rodriguez added that he had just found out that another hold-up to getting the Letters of Credit was the illness of Chuck Trainor, counsel for PCCP Development.

Trustee Simas stated that since October 2005 the Board has been told that the Letters of Credit were coming. Trustee Simas questioned the groundbreaking ceremony stating that it would be very embarrassing to have the ceremony if the contract was in breach. Trustee Simas also stated that it was his understanding that the ceremony was to be postponed. Dr. Rodriguez responded that the ceremony was set for October 30, 2006. Trustee Burke suggested a motion be taken on whether or not to hold the ceremony since there seemed to be some contention on the matter. Dr. Rodriguez responded that a vote would not be necessary and that the administration is planning on going forward with the October 30, 2006 ceremony as planned.

Trustee Simas asked for clarification on the \$530,000 invoice and the Letters of Credit stating that if the administration did not receive the Letters of Credit by the October 30th ceremony he would bring Mr. Kamilos to the podium and ask him for the letters.

Vice President Dunn concluded his presentation with a discussion on the temporary construction easement for water tanks and annexation into the Mountain House Community Services District. Vice President Dunn reiterated that nothing will move forward until the Letters of Credit are secured.

X. Communications

Superintendent/President:
No comments.

Board of Trustees:

Trustee Rivera thanked Dr. Evia Moore for inviting the college to the 40th Anniversary Links Gala Dinner

Communications

Superintendent/President
Dr. Rodríguez

Board of Trustees

stating that it was one of the best presentations she had seen by such a large organization. Trustee Rivera stated that the college was well represented at the event.

Trustee Bugarin also thanked Dr. Moore on the dinner and commended Dr. Rodriguez for his involvement on the ACCT Advisory Committee of Presidents and the AACC President's Academy Executive Committee.

Student Trustee Jovan Paunovic congratulated Trustee Rivera on her new appointment to the Board of Trustees for the 2006-2010 Term.

Trustee Serna also congratulated Trustee Rivera and commended her for her hard work during her tenure as a Trustee. Trustee Serna also thanked Trustee Rivera for stepping in for her at the NCCHC conference. Trustee Serna asked Dr. Rodriguez on the follow-up she requested on the Foundation's audit. Dr. Rodriguez stated that he was working on her inquiries and that the administration has been working on ratifying the Foundations Memorandum of Understanding.

Constituent Groups:

Academic Senate President Janice Takahashi congratulated Trustee Rivera on her re-appointment to the Board of Trustees. Ms. Takahashi mentioned Transfer Day/College night and a lunch reception where Dr. Rodriguez and Dr. Hart attended.

Constituent Groups
Academic Senate
Janice Takahashi

Ms. Takahashi informed the Board that the ASBG answered the Senate's plea for funds for the book club. Originally the Senate asked the ASBG for \$5,000, and the ASBG generously gave \$16,000. Ms. Takahashi also informed the Board that 13 people attended an assessment conference focusing on partnerships for student success. Three administrators and 10 faculty members attended. Ms. Takahashi gave the Board some highlights of the Equity for All Project which is another student success project. Ms. Takahashi stated that she wanted the Board to know that the Senate is concerned with student success and not just FTE's.

Classified Senate President Joyce Giovanetti congratulated Trustee Rivera on her re-appointment to the Board of Trustees. Ms. Giovanetti thanked Dr. Raul Rodriguez for his support of the classified and for his support of the 4 members of the California Community College Classified Senate's board: Linda Kelso, Amal Elayyan and Janet Pedersen. Ms. Giovanetti also thanked Dr. Kathy Hart for her support of the classified staff in developing professional development

Classified Senate
Joyce Giovanetti

opportunities and her encouragement of managers to support classified staff to attend various workshops and Appreciative Inquiry events.

Management Senate President Alin Ciochina congratulated Trustee Rivera on her re-appointment to the Board of Trustees.

Management Senate
Alin Ciochina

ASBG President Jovan Paunovic stated that he was very pleased to have the opportunity along with Board members to support the students who cannot afford textbooks with the opportunity to borrow textbooks. Mr. Paunovic also thanked Director of Library Services Evia Moore for her support of the book loan program. Mr. Paunovic stated that he was pleased to give recognition to graphics instructor Melanie Marshall for the marvelous job on the ASBG posters. Mr. Paunovic presented Ms. Marshall with a certificate of recognition.

ASBG President
Jovan Paunovic

Ms. Marshall thanked Mr. Paunovic for the opportunity to work with the student government.

Mr. Paunovic announced the ASBG's first trip to a Southern California conference regarding student government. The full ASBG board will attend. Mr. Paunovic stated that he would bring back impressions from the trip.

CTA President Joe Gonzales congratulated Trustee Rivera on her re-appointment. Mr. Gonzales addressed the Board and the administration on faculty concerns with the spending of the college funds. Mr. Gonzales referred to SB 361 which was signed by the Governor. Mr. Gonzales stated that the allocation of funds to maintain the current campus and the expenditure of bond funds were a concern of faculty because they are not seeing anything significant happening with the bond funds. Concerns were not only from faculty, but from community members. Mr. Gonzales asked if funds are spent on other campuses what is going to happen to the maintenance of the current campus. Mr. Gonzales stated that he wanted to also express faculty disappointed with the offer the administration has given faculty regarding benefits. Mr. Gonzales addressed the faculty's rights to express what they felt via campus mail and mentioned Dr. Matt Wetstein's recent campus email regarding health benefits for classified staff. Mr. Gonzales asked that the Board address what the allocation of SB 361 means as far as income to the College.

CTA
Joe Gonzales

Mr. Gonzales pointed the Board of Trustees to the income statement in the college's budget book and

asked what the new income would be based on SB 361.

Dr. Rodriguez responded by stating that there is a workshop in about a week in Sacramento on SB 361. Dr. Rodriguez stated that he planned on attending with Vice President Dunn, and Dr. Kathy Hart.

No comments.

No comments.

Board President Simas adjourned the meeting at 7:31 p.m.

Respectfully submitted,

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

CSEA President
Pat Putnam

POA
Mario Vasquez

Adjournment