



SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT

MINUTES OF THE REGULAR BOARD MEETING Tuesday, August 4, 2009

The regular meeting of the Board of Trustees of the San Joaquin Delta Community College District was held on Tuesday, August 4, 2009 at 5:00 p.m. Closed Session; 5:15 p.m. Public Meeting in the Board Room, Administration 103, 5151 Pacific Ave., Stockton, California.

Members Present: Steve Castellanos, Board President; Teresa R. Brown Clerk; Mary Ann Cox; Taj M. Khan; Ted Simas; Jennet C Stebbins; Patrice Burke, ASBG President

Absent: Janet Rivera, Vice President

- I. Called to Order**
The Board meeting was called to order at 5:00 p.m. by Board President Castellanos.
- II. Pledge of Allegiance**
Trustee Ted Simas led the Pledge of Allegiance.
- III. Communications**
 - 1. Public Comments.
Student Nicholas J. Aguirre addressed the Board regarding the ASBG governance issues.

Interim Student Services Director and Assistant Director of Financial Aid Gail Hixson addressed the Board on her concerns with the state of the current ASBG and read a statement regarding recent activities of the ASBG Board.

Sergeant Mario Vasquez addressed the Board regarding the ASBG governance issues and supported Nicholas' and Gail's concerns with the current ASBG. Sergeant Vasquez spoke on how the management of the flea market could improve. Sergeant Vasquez reported that he had attended the last ASBG meeting in case there were a possible disturbance and was surprised to learn that Anne Marie Orona was removed as the ASBG Vice President. Sergeant Vasquez stated that he had attended the meeting to encourage open communication with the administration, especially Vice President Walton.

Student Monique Jones representing the students of AFFIRM the BSU and supported by the AAEC asked the Board to continue to support the AFFIRM program and the TRIO program. Ms. Jones stated that these

- Call to Order**
- Pledge of Allegiance**
- Public Comments**

programs have helped her to succeed and further asked the Board to approve an AFFIRM Coordinator. Dr. Rodriguez responded that he had met with Vice President Walton today and they have developed a short-term plan to bring an AFFIRM Coordinator on board.

ASBG Treasurer Carlo Tapia addressed the Board with concerns surrounding the ASBG, flea market fund allocations and a violation by Vice President Walton. Additionally, Mr. Tapia stated concerns with the hiring of Anne Marie Orona by Vice President Walton to work the flea market.

Navid Shaghaghi addressed the Board on the ASBG's reporting status to the Board of Trustees. Mr. Shaghaghi shared an organization chart with a dashed line from the ASBG to the Board of Trustees stating that the ASBG reports to the Board and not Vice President Walton.

IV. NonConsent Agenda/Action Items

- A. Report on Change Order #2 Regarding Central Plant Expansion Thermal Energy Storage (TES) Tank Project Contract #07-526 Bond, Bid# LA-8502-01, with CB&I, Inc.

Informational Item Only.

- B. Consideration of Notice of Completion of Contract, Bid# LA-8502-01 with CB&I Inc. for the Central Plant Expansion Thermal Energy Storage (TES) Tank Project SJDC Contract# 07-526 Bond.

Trustee Simas motioned and Trustee Khan seconded to approve Resolution No. 09-30 accepting Completion of Contract for the Central Plant Expansion Thermal Energy Storage (TES) Tank Project by CB&I Inc., that the Notice of Completion be filed and that Vice President of Business Services be directed to release the remaining funds on this project. **See NON CON B 1.1 – 1.5** which is made a part of the August 4, 2009 agenda.

Vote: 7/0; motion carried.

- C. Consideration to Adopt Prequalification Package for the Math & Science Project.

Trustee Simas motioned and Trustee Cox seconded that in accordance with Public Contract Code Section 20651.5 that the Board adopt Resolution No. 09-29 declaring that the Board of Trustees approve and adopt

NonConsent Agenda/Action Items

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Consideration to Adopt Prequalification Package for the Math & Science Project.

the "Prequalification Package" containing the Prequalification Instructions for Prospective Bidders (including Appeals Process); Prequalification Questionnaire for Prospective Bidders (including Qualifications Limit); and the Prequalification Rating System. Regarding the prequalification and Exhibit B, the Board recommended some changes to the apprenticeship and local participation issues. **See NON CON C 1.1 – 1.28** which is made a part of the August 4, 2009 agenda.

Vote: 7/0; motion carried as amended.

- D. Consideration to Authorize the Purchase and Installation of Furniture for the Lawrence and Alma DeRicco Student Services Building, Using a Piggyback Contract.

Trustee Simas motioned and Trustee Khan seconded to authorize the purchase and installation of furniture for the Lawrence and Alma DeRicco Student Services Building, using a piggyback contract including installation, sales tax and shipping as presented. **See NONCON D 1.1 – 1.23** which is made a part of the August 4, 2009 agenda.

Vote: 7/0; motion carried.

V. Reports/Informational Items

- A. Food Services Report.
Food Services Director Fidel Cabuena gave a Power Point presentation on the status of the Food Services budget and presented a new pricing structure.
- B. Child Development Center (CDC) Report.
Child Development Center Director Nancy Cook gave a Power Point presentation on the services of the CDC.
- C. Report on California's Valued Trust (CVT) Prescription Drug Plan Modification.
Vice President of Human Resources gave a report on the CVT Prescription Plan changes.

VI. Communications

Superintendent/President:

Dr. Rodriguez gave a brief budget update and informed the Board of a state Chancellor's Office meeting on August 21st which will give details on the budget. Dr. Rodriguez stated that at the last board meeting there was talk on reshaping the college. Dr. Rodriguez informed the Board that he and the Vice President's had a meeting at Dr. Hart's home to discuss this topic and that a discussion with the Board and the campus community would ensue in the form of a study session.

Consideration to Authorize the Purchase Installation of Furniture for the Lawrence and Alma DeRicco Student Services Building, Using a Piggyback Contract.

Reports/Informational Items.

Food Services Report.

Child Development Center Report.

Report on California's Valued Trust Prescription Drug Plan Modification.

Communications

Superintendent/President
Dr. Raul Rodriguez

Dr. Rodriguez stated that he would like to schedule a study session with the Board in early September.

Board of Trustees:

Trustee Cox spoke on the student issue and stated that she had the greatest hope that Vice President Walton could resolve these issues. Trustee Cox stated that she felt board members should pay to attend president's office sponsored events if tickets had not been pre-purchased. Trustee Cox thanked Vice President Brown for his work with MUNIX and for being open to all of the comments regarding the conversion process. Trustee Cox also thanked Fidel Cabuena and Nancy Cook for their reports.

Trustee Stebbins informed the Board of her attendance with Stockton Unified School District Board member Gloria Allen at the Department of Education's African American Center for High Risk Students. Trustee Stebbins stated that everyone from each county had representation except San Joaquin County.

Trustee Brown informed the Board that she was at Mountain House for the Fall opening. Trustee Brown requested that Vice President Brown meet with the ASBG to explain the Flea Market position and the entitlement as it was explained to the Board of Trustees. Trustee Brown suggested that apparently, the new ASBG Board may not understand the position. Vice President Brown responded that he felt it was important that the Board of Trustees let the students know that the ASBG does not report to the Board of Trustees and that the Board has one employee that reports to them which is Dr. Rodriguez. Trustee Brown responded that there was a request for more training of the ASBG Officer's and this would be helpful. Trustee Brown spoke on the organization chart Navid displayed and clarified that the dashed line on the organization chart did indeed mean something other than a direct report.

Trustee Castellanos responded to Dr. Rodriguez' comment that he would be meeting with his cabinet to set goals for the College in light of the changes in the budget stating this type of meeting was a useful exercise with or without the budget crisis and that the Board would engage in similar meetings to look at their goals as well. Trustee Castellanos further stated that he was looking forward to the study session and suggested Dr. Rodriguez provide any materials in advance and include all constituent groups to participate to make for a healthier discussion.

Board of Trustees

Trustee Simas stated that he had enough of the ASBG versus management issues. Trustee Simas also stated that he agreed with Vice President Brown in that the ASBG does not report to the Board and Dr. Rodriguez has assigned the responsibility of overseeing the ASBG to Vice President Walton. Trustee Simas further stated that if in fact the ASBG does report to the Board he would make a motion to get rid of the flea market and by doing so, many of the students causing problems on the ASBG would probably not stick around.

Trustee Simas referred to Anne Marie Orona's presentation to the Board regarding the flea market and how the report was very thorough and informative, yet the ASBG chose to remove her from office. Trustee Simas also mentioned the liability issues with the flea market and stated that when students come to the board meetings and speak, the Board is only hearing one side and in that case, Vice President Walton should also have an opportunity to speak. Trustee Castellanos agreed with the statements of Trustee Simas.

Trustee Khan felt that the information presented tonight made a strong case for the students. Trustee Khan stated that whatever needed to be done to fix the ASBG issue should be done. Trustee Khan further stated the students should not be punished for non-academic matters.

Trustee Khan requested more information on the tutor services issue to which Dr. Rodriguez responded a study session would occur on this issue. Trustee Khan spoke on the student issue and requested Dr. Rodriguez provide the Board with more clarification. Trustee Khan further spoke on the CEO/Board evaluation process and constituent input.

ASBG President Patrice Burke spoke on various issues affecting the College such as the budget and stated that her focus was to serve students. Ms. Burke further stated that she he was ready to move on into the future and put the students first.

Trustee Cox inquired about a memo regarding the management senate and their input in the CEO/Board evaluations. Trustee Castellanos responded that the Board followed the policy and the recommendations of the committee that was laid out for this year's evaluation process. Trustee Cox stated she felt the process was very confusing especially when the management senate complained that only one person was able to complete the survey. Trustee Castellanos responded that the policy did not address who should complete the survey,

it was left up to the constituent groups to decide how they would complete the surveys. After further discussion, Trustee Castellanos asked that the discussion be tabled because it was not an agenda item.

Constituent Groups:

Academic Senate President Janice Takahashi thanked the Board for allowing the Senate to be part of the process for the CEO/Board evaluations. Ms. Takahashi stated that she hoped for more time to complete the evaluations and that the evaluations need to go out well in advance when senate members are available on campus.

Classified Senate President Joyce Giovanetti agreed that more time was needed for the constituent groups to complete the CEO/Board evaluations and that she had to complete it alone. Ms. Giovanetti thanked Nancy Cook and Fidel Cabuena for their reports stating that these types of reports are great for everyone to hear including the campus community.

Management Senate President Catherine Mooney thanked Maria Baker for the tour of the Student Services building and also thanked Nancy and Fidel for their reports. Ms. Mooney further thanked the members of the Unix conversion team. Ms. Mooney made a statement that because no laid-off employees took any of the short-term positions this leaves admissions and records with a problem in having enough staff to help students. Ms. Mooney shared an email that went out to Jan Truscott regarding the CEO/Board evaluations and the confusion over the completion of the evaluations and the timing issues.

ASBG President Patrice Burke announced the ASBG's college hour where they would have music and other activities from 11:30 a.m. to 1 p.m.

Manual Payan for the CSEA thanked Sal Vargas and his department for continuing with the pancake breakfast. Mr. Payan further stated that this event was really needed for the staff in light of the lay-offs. It was mentioned that Dr. Rodriguez was the one sponsoring this event and Mr. Payan thanked Dr. Rodriguez.

CTA President Jeff Hislop informed the Board that he had attended a CTA President's Conference for three days and was unable to attend the last board meeting.

Constituent Groups
Academic Senate
Janice Takahashi

Classified Senate
Joyce Giovanetti

Management Senate
Catherine Mooney

ASBG
Patrice Burke

CSEA
Dana Baker

CTA
Jeff Hislop

Mr. Hislop stated that the CTA is ready to meet the challenges it may face. Mr. Hislop thanked the Board for the job they are doing as trustees. The CTA is hosting the faculty opening activities on flex day. Fidel will provide the food services and the CTA will continue to use his services for the remainder of the year. Mr. Hislop spoke on the evaluation process and how he was disturbed about the timing of the evaluation process because faculty were not available to be a part of the process.

POA President Mario Vasquez stated that he appreciated the reports tonight and added that Food Services Director Fidel Cabuena is an excellent chef and has catered many large events on campus. Sergeant Vasquez mentioned that his daughter is a student at the Child Development Center and that he is very pleased with CDC services. Sergeant Vasquez announced the retirement party he and his colleagues attended for Chief Bromme and stated that they are ready to work with Jared Zwickey.

Sergeant Vasquez thanked Trustee Simas for his comments regarding the flea market stating he felt it validated his own comments about the flea market.

ASBG Officer Carlo Tapia stated he wanted to respond to Trustee Simas' comments and clarify some misstatements. Mr. Tapia informed the Board that Anne Marie Orona was offered an appeal but did not respond to the offer. Mr. Tapia made statements regarding the flea market and its value to the programs and services at the College that were affected by the budget cuts.

Navid Shaghagi made comments regarding the flea market and how it is run smoothly. Mr. Shaghagi further stated that the students just want to move forward and get things done, however they cannot in an environment where they are constantly reprimanded.

Vice President Walton responded to the ASBG issues and gave the Board a copy of Board Policy 5400 and spoke on the issue of the disciplinary action the ASBG took against Anne Marie Orona. Vice President Walton informed the Board that the ASBG did not hire Anne Marie and therefore did not have the right to fire Anne Marie. Vice President Walton continued that it was critical the Board know how Anne Marie was hired.

Board President Castellanos adjourned the meeting at 8:42 p.m.

POA
Mario Vasquez

Adjournment

Respectfully submitted,

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