



SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT

MINUTES OF THE REGULAR BOARD MEETING Tuesday, August 25, 2009

The regular meeting of the Board of Trustees of the San Joaquin Delta Community College District was held on Tuesday, August 25, 2009 at 4:30 p.m. Closed Session; 5:00 p.m. Public Meeting, in the Board Room, Administration 103, 5151 Pacific Ave., Stockton, California.

Members Present: Steve Castellanos, Board President; Janet Rivera, Vice-President; Teresa R. Brown, Clerk; Mary Ann Cox; Taj M. Khan; Jennet Stebbins; Patrice Burke, ASBG President

Members Absent: Ted Simas

<p>I. Called to Order The Board meeting was called to order at 4:35 p.m. by Board President Castellanos.</p>	<p>Call to Order</p>
<p>II. Communications 1. Public Comments. No public comments.</p>	<p>Public Comments</p>
<p>III. Recess to Closed Session Board President Castellanos convened to Closed Session at 4:37 p.m. to discuss matters pursuant to Government Code Section 54957. Motion: Rivera; Seconded: Cox. Vote: 6/0; motion carried.</p>	<p>Recess to Closed Session</p>
<p>IV. Reconvene Public Session Board President Castellanos reconvened the meeting at 5:30 p.m. with nothing to report.</p>	<p>Reconvene Public Session</p>
<p>V. Pledge of Allegiance Trustee Janet Rivera led the Pledge of Allegiance.</p>	<p>Pledge of Allegiance</p>
<p>VI. Communications 1. Public Comments. Jay Arellano, President and co-founder of the Veteran's Student Alliance acknowledged Dr. Rodriguez' support for the "Troops to College" program stating that in January it was requested that an area on campus be dedicated for veterans. Mr. Arellano asked that the establishment of a Veteran's Center be honored.</p> <p>Student Sean Reilly addressed the Board on the parking situation and the lack of variety in food services. Mr. Reilly also mentioned that First Aid calls are now being taken care of by the police are taking a long-time for response. Mr. Reilly further stated that he did not like the comments Trustee Simas made regarding the</p>	<p>Public Comments</p>

closure of the flea market at the last board meeting stating he had been out at the flea market this past weekend and did not encounter any problems.

VII. Consent Agenda – Action Items

1. Approval of the Minutes: July 21st, and August 4th, 2009 Board of Trustees Meetings and the August 18th, 2009 Special Board Meeting. **See CON 1.1 -1.23** which is made a part of the August 25, 2009 agenda.

2. Proposed Adoption of Board Policy 6755 “Traffic Vehicle Use Regulations (Second Reading). **See CON 1.1-1.2** which is made a part of the August 25, 2009 agenda.

3. Consideration of Absence of Board Member Due to Illness.
Approved the retroactive absence of Trustee Rivera from the August 4, 2009 Regular Board meeting as being due to illness.

B. Business Services

1. Consideration of Acceptance of Donation.
Accepted the donation from Philena Francois of costume materials valued at \$4,000 to be used in various drama productions, and directed the administration to send a letter of appreciation.

C. Human Resources

1. Consideration of Personnel Action – Short Term Non Academic Employees.
Approved the employment of the short-term, non-academic employees with the understanding that first priority be given to any qualified laid-off employee. **See CON C 1.1 – 1.5** which is made a part of the August 25, 2009 agenda.

2. Consideration of Personnel Action – Adjunct Faculty.
Approved the appointment of the Adjunct Faculty as presented subject to sufficient enrollment in the classes to which they will be assigned. **See CON C 2.1-2.2**

Trustee Rivera motioned and Trustee Brown seconded to approve the Consent Agenda notwithstanding the corrections to the August 4, 2009 minutes as requested by Trustee Cox.

Vote: 6/0; motion carried.

Consent Agenda – Action Items

Approval of July 21st, August 4th Regular Board Meetings and the August 18th, 2009 Special Board Meeting.

Proposed Adoption of Board Policy 6755 “Traffic Vehicle Use Regulations (Second Reading).

Consideration of Absence of Board Member Due to Illness.

Business Services.
Consideration of Acceptance of Donation.

Consideration of Personnel Action – Short Term Non-Academic Employees.

Consideration of Personnel Action – Adjunct Faculty.

VIII. NonConsent Agenda – Action Item

A. Consideration of Personnel Action – Classified.
Trustee Rivera motioned and Trustee Cox seconded to approve the resignations, termination, and retirement as presented. **See NONCON A 1.1 – 1.2** which is made a part of the August 25, 2009 agenda.

Vote: 6/0; motion carried.

B. Consideration of Personnel Action - Faculty.
Trustee Rivera motioned and Trustee Stebbins seconded to approve the employees listed. **See NONCON 1.1** which is made a part of the August 25, 2009 agenda.

Vote: 6/0; motion carried.

C. Consideration of Personnel Action – Management.
Trustee Brown motioned and Trustee Stebbins seconded to approve the appointment of Karen Ippolito as Division Dean of Health Sciences. Salary Placement: Range 8: \$103,033 - \$118,690/annually.

Approved the appointment of Janet Hagood as Accounting Manager. Salary Placement: Range 13: \$87,881 - \$101,236/annually.

Accepted the resignation of Greg Greenwood. **See NONCON C 1.1 – 1.2** which is made a part of the August 25, 2009 agenda.

Vote: 6/0; motion carried.

D. This item was pulled from the Board Agenda post agenda numbering.

E. Consideration of Winter Break – Campus Closure.
Trustee Khan motioned and Trustee Brown seconded to approve the extended 2009-2010 winter break campus closure to be in effect as of December 22, 2009 end of business day through January 10, 2010. The campus will reopen on January 11, 2010. **See NONCON E 1.1** which is made a part of the August 25, 2009 agenda.

Vote: 6/0; motion carried.

F. Consideration of 2009-10 Operational Revisions.
Trustee Rivera motioned and Trustee Khan seconded to approve the 2009-10 operational revisions for Instructional Services and Student Services, effective August 26, 2009. After comments from the Academic

NonConsent Agenda – Action Items

Consideration of Personnel Action – Classified.

Consideration of Personnel Action – Faculty.

Consideration of Personnel Action - Management.

This item was pulled from the Board Agenda post agenda numbering.

Consideration of Winter Break – Campus Closure.

Consideration of 2009-10 Operational Revisions.

Senate President voicing concerns regarding the operational revisions of Student Services and the perceived lack of the shared governance process, Trustee Rivera withdrew her motion. After much discussion from the constituency group leaders and the Vice President of Student Services a roll call vote was taken as follows: Castellanos – yes; Brown – yes; Rivera – no; Cox – no; Khan – yes; Stebbins – yes.

Vote: 4/2; motion carried.

- G. Consideration to Augment the Following Measure L Bond Projects: Football-Track/Softball Field Parking. Trustee Rivera motioned and Trustee Khan seconded to approve the augmentation of Measure L Bond Funds in the amount of \$75,000. Funding would come from the overall Measure L Program Contingency of \$6,259,837 as indicated. **See NONCON G 1.1 – 1.2** which is made a part of the August 25, 2009 agenda.

Vote: 6/0; motion carried.

- H. Consideration to Authorize a Contract for Food Services for the child Development Center per RFP #07-017. Trustee Khan motioned and Trustee Cox seconded to authorize a contract for food services and supplies for the CDC with Sysco Food Services of Elk Grove, CA, for an approximate annual expenditure of \$100,000 as presented. The term of the contract agreement will be for a period not to exceed three years which will become effective September 1, 2009 and end on June 30, 2012. **See NONCON H 1.1 – 1.14.**

Vote: 5/0; motion carried (Trustee Rivera was not present for the vote.)

- I. Consideration of Award of Bid LA-9403-05, Signage Improvements for South Campus at Mt. House. Trustee Rivera motioned and Trustee Cox seconded to waive the minor irregularity on the bid bond received from BonaTech Engineering of Stockton, CA and award Bid LA-9403-05, signage Improvements for South Campus at Mt. House, in the total base bid amount of \$102,524. Further, to accept the unit prices presented to be used for any additional work as needed during the construction period. **See NONCON I 1.1 – 1.12** which is made a part of the August 25, 2009 agenda.

Vote: 6/0; motion carried.

- J. Consideration of Award of Bid LA-9403-06 On-Streets & Parking Lot Landscape Improvements for South Campus at Mt. House.

Consideration to Augment the Following Measure L Bond Projects: Football-Track/Softball Field Parking.

Consideration to Authorize a Contract for Food Services for the Child Development Center per RFP #07-017.

Consideration of Award of Bid LA-9403-05, Signage Improvements for South Campus at Mt. House.

Consideration of Award of Bid LA-9403-06 On-Streets & Parking Lot

<p>Trustee Rivera motioned and Trustee Khan seconded to Award Bid LA-9403-06, On-Streets & Parking Lot Landscape Improvements for South Campus at Mt. House, to the low responsive bidder, Procida Landscape, Inc. Of Sacramento, CA, for the base bid amount of 258,041.06 (corrected amount by Maria Bernardino) plus the additive alternate in the amount of \$6,212 for a total bid amount of \$264,253.06. Further, to accept the unit prices presented to be used for any additional work as needed during the construction period. See NONCON J 1.1 – 1.12 which is made a part of the August 25, 2009 agenda.</p> <p>Vote: 6/0; motion carried.</p>	<p>Landscape Improvements for South Campus at Mt. House.</p>
<p>K. Consideration to Authorize the Renewal of a Lease Agreement for Digital Imaging Equipment, Using a Piggyback Contract. Trustee Cox motioned and Trustee Khan seconded to authorize a Lease Agreement for Digital Imaging Equipment, using a Piggyback Contract, with IKON Office Solutions, Inc., of Stockton, CA for a monthly cost of \$21,483 for a contract period not to exceed 60 months. See NONCON K 1.1 – 1.14 which is made a part of the August 25, 2009 agenda.</p> <p>Vote: 6/0; motion carried.</p>	<p>Consideration to Authorize the Renewal of a Lease Agreement for Digital Imaging Equipment, Using a Piggyback Contract.</p>
<p>L. Consideration of Declaration to Sell Surplus Real Property and Adoption of Resolution No. 09-31. Trustee Rivera motioned and Trustee Khan seconded to adopt Resolution No. 09-31, "Resolution Declaring Intention to Sell Surplus Real Property", and declare its intention to quitclaim and forever release any and all of its interest in the real property known as the "gore" piece to the highest bidder at a minimum price of \$10,000. The Board set Thursday, September 24, 2009, at 9:00 a.m. as the date and time for a public meeting at which sealed proposals will be received and considered by the Vice President of Business Services. The Board directed its Superintendent/President or his designee to post copies of this resolution in three public places within the District and to publish a copy of it in a newspaper of general circulation not less than once a week for three (3) weeks prior to the public meeting designated as shown in accord with Education Code Section 81368. See NONCON 1.1 – 1.6 which is made a part of the August 25, 2009 agenda.</p> <p>Vote: 6/0; motion carried.</p>	<p>Consideration of Declaration to Sell Surplus Real Property and Adoption of Resolution No. 09-31.</p>
<p>M. Report on Change Order #1 Regarding Audio Visual and Network Integration Project for Mt. House Campus,</p>	<p>Report on Change Order #1 Regarding Audio</p>

<p>Contract #08-455 Bond, Bid# LA-9403-02, with Bockmon &Woody Electric Co., Inc.</p> <p>Informational Item Only.</p>	<p>Visual and Network Integration Project for Mt. House Campus, Contract #08-455 Bond, Bid# LA-9403-02, with Bockmon &Woody Electric Co., Inc.</p>
<p>N. Report on Change Order #2 Regarding Interior Improvements for Police Portable Project Contract #08-387, Bid #LA09502-02, with World Tech dba Geigle Electric.</p> <p>Informational Item Only.</p>	<p>Report on Change Order #2 Regarding Interior Improvements for Police Portable Project Contract #08-387, Bid #LA09502-02, with World Tech dba Geigle Electric.</p>
<p>O. Report on Change Order #2 Regarding Atherton/Tillie Lewis Theatre Rigging & Lifts System Upgrade Project, Contract #08-341 Bond, Bid #LA-9204-03 with LVH Electric, Inc. dba LVH Entertainment Systems.</p> <p>Informational Item Only.</p>	<p>Report on Change Order #2 Regarding Atherton/Tillie Lewis Theatre Rigging & Lifts System Upgrade Project, Contract #08-341 Bond, Bid #LA-9204-03 with LVH Electric, Inc. dba LVH Entertainment Systems.</p>
<p>P. Report on Change Order #3F Regarding Football Track Project & Softball Field – Parking Projects Contract #07-427 Bond, Bid #LA-8107-01, with Robert A. Bothman, Inc.</p> <p>Informational Item Only.</p>	<p>Report on Change Order #3F Regarding Football Track Project & Softball Field – Parking Projects Contract #07-427 Bond, Bid #LA-8107-01, with Robert A. Bothman, Inc.</p>
<p>Q. Report on Change Order #3S Regarding Football Track & Softball Field – Parking Projects Contract #07-427 Bond, Bid# LA-8107-01, with Robert A. Bothman, Inc.</p> <p>Informational Item Only.</p>	<p>Report on Change Order #3S Regarding Football Track & Softball Field – Parking Projects Contract #07-427 Bond, Bid# LA-8107-01, with Robert A. Bothman, Inc.</p>
<p>R. Report on Change Order #4 for the Gateway Student Services Building Contract #06-492 Bond, with Flintco, Inc.</p> <p>Informational Item Only.</p>	<p>Report on Change Order #4 for the Gateway Student Services Building Contract #06-492 Bond, with Flintco, Inc.</p>
<p>S. Report on Change Order #5 Regarding Central Plant Improvements Project Contract #08-259 Bond, Bid# LA-8502-02, with McFadden Construction.</p>	<p>Report on Change Order #5 Regarding Central Plant Improvements</p>

<p>Informational Item Only.</p>	<p>Project Contract #08-259 Bond, Bid# LA-8502-02, with McFadden Construction.</p>
<p>T. Report on Change Order #5 Regarding Goleman Learning Resource Center Modernization Project Contract #-8-227 Bond, with Flintco, Inc.</p> <p>Informational Item Only.</p>	<p>Report on Change Order #5 Regarding Goleman Learning Resource Center Modernization Project Contract #-8-227 Bond, with Flintco, Inc.</p>
<p>U. Consideration of Notice of Completion of Contract, Bid #LA-8315-02 with DSS Company dba Knife River Construction for the Campus Northeast Infrastructure Project; SJDC Contract #08-139 Bond. Trustee Khan motioned and Trustee Brown seconded to approve Resolution No. 09-32 accepting Completion of Contract for the Campus Northeast Infrastructure Project by DSS Company dba Knife River Construction, that the Notice of Completion be filed, and that the Vice President of Business Services be directed to release the remaining funds on this project. See NONCON 1.1-1.5 which is made a part of the August 25, 2009 agenda.</p> <p>Vote: 6/0; motion carried.</p>	<p>Consideration of Notice of Completion of Contract, Bid #LA-8315-02 with DSS Company dba Knife River Construction for the Campus Northeast Infrastructure Project; SJDC Contract #08-139 Bond.</p>
<p>V. Consideration of Notice of Completion of Contract, Bid #LA-8107-01 with Robert A. Bothman, Inc. for the Football Track & Softball Field-Parking Projects; SJDC Contract #07-427 Bond. Trustee Cox motioned and Trustee Khan seconded to approve Resolution No. 09-33 accepting Completion of Contract for the Football Track & Softball Field-Parking Projects, that the Notice of Completion be filed, and that the Vice President of Business Services be directed to release the remaining funds on this project. See NONCON 1.1-1.5 which is made a part of the August 25, 2009.</p> <p>Vote: 6/0; motion carried.</p>	<p>Consideration of Notice of Completion of Contract, Bid #LA-8107-01 with Robert A. Bothman, Inc. for the Football Track & Softball Field-Parking Projects; SJDC Contract #07-427 Bond.</p>
<p>W. Consideration of the 2009-10 Budget Available for Public Inspection. Trustee Cox motioned and Trustee Rivera seconded to accept the 2009-10 Budget available for public inspection as presented. See NONCON 1.1-1.18 which is made a part of the August 25, 2009 agenda.</p> <p>Vote: 6/0; motion carried.</p>	<p>Consideration of the 2009-10 Budget Available for Public Inspection.</p>

<p>X. Consideration of GANN Spending Limitation for the 2009-10 Year (First Reading). Trustee Brown motioned and Trustee Rivera seconded to approve the GANN Spending Limit for the 2009-10 College Year. See NONCON 1.1-1.2 which is made a part of the August 25, 2009 agenda.</p> <p>Vote: 6/0; motion carried.</p> <p>Y. Consideration of Proposed Adoption Conversion of Existing Policies/Procedures Series 700, Community Relations to CCLC Chapter 3, General Institution; Series 8000, Business Operations to CCLC Chapter 3, General Institution and CCLC Chapter 6, Business and Fiscal Affairs (First Reading). Trustee Brown motioned and Trustee Khan seconded to accept the First Reading of proposed adoption of Conversion of Existing Policies/Procedures Series 7000, Community Relations to CCLC Chapter 3, General Institution; Series 8000, Business Operations to CCLC Chapter 3, General Institution and CCLC Chapter 6, Business and Fiscal Affairs with recommended changes. See NONCON Y 1.1-1.40 which is made a part of the August 25, 2009 agenda.</p> <p>Vote: 6/0; motion carried.</p>	<p>Consideration of GANN Spending Limitation for the 2009-10 Year (First Reading).</p> <p>Consideration of Proposed Adoption Conversion of Existing Policies/Procedures Series 700, Community Relations to CCLC Chapter 3, General Institution; Series 8000, Business Operations to CCLC Chapter 3, General Institution and CCLC Chapter 6, Business and Fiscal Affairs (First Reading).</p>
<p>IX. Report(s)/Informational Items</p> <p>A. Budget Update. No report given tonight.</p>	<p>Report(s)/Informational Items Budget Update.</p>
<p>X. Future Board Agenda Items</p> <p>A. Board of Trustees. The Board suggested the following items be on a future board agenda as follows: Trustee Cox – Bookstore funds and the uses of those funds; AI funds to include a discussion of what are AI funds; medical benefits for trustees; AB 1725 workshop on shared governance.</p> <p>Trustee Stebbins – Breakdown of Caterpillar program by ethnicity and information on how students are recruited.</p> <p>Trustee Brown – Open Source textbooks.</p> <p>Trustee Khan – Tutor issue.</p> <p>Student Trustee Burke – Events at Delta College and how we can support students.</p> <p>Trustee Castellanos – Study session on the effects of the budget cuts on the operations of the College.</p>	<p>Future Board Agenda Items – Board of Trustees.</p>

XI. Communications

Superintendent/President:

Dr. Rodriguez stated that the solidarity photograph has been delayed until the next board meeting. Dr. Rodriguez explained that the idea behind the photo is that we do not always agree, but that we need be united for students.

Dr. Rodriguez informed the Board that he attended the last Planning and Budget meeting where Dr. Fellner thanked everyone for their hard work during these difficult budget times and also stated that he appreciated everyone stepping up all across the board to meet the needs of students. Dr. Rodriguez appreciated Dr. Fellner's comments at that meeting and also thanked staff for doing their best in difficult times.

Dr. Rodriguez stated that he would miss Larry Sackerson, Reprographics Technician II, who will be retiring and made comments regarding Larry's many years at the College and his warm and friendly demeanor. Dr. Rodriguez informed the Board that the dedication of the Lawrence and Alma DeRicco Center would take place on September 29, 2009 and that the DeRicco's will be in attendance.

Board of Trustees:

Trustee Brown thanked Vice President Belarmino, Maria Baker, and Vice President Walton for the tour of the new student services building and thanked Vice President Stephens for his budget report (NONCON W). Trustee Brown stated that the opening session held last week in the Atherton was wonderful and the performances by the students were great as was the pancake breakfast. Trustee Brown informed the Board that she had attended an ASBG meeting two weeks ago and the opening day at the South Campus in Mountain House and thanked everyone who helped with the opening of the new site.

Trustee Castellanos stated that Trustee Brown had also taken homemade blueberry muffins for everyone with her to the South Campus opening and that it was a very nice gesture. Trustee Castellanos thanked Trustee Brown for showing up at the South Campus opening. Trustee Castellanos thanked reporter Alex Breitler from the Stockton Record for covering the South Campus opening and made mention of other news coverage that appeared in local papers having to do with the need for the Board to come together to support the

Communications

Superintendent/President

Dr. Rodríguez

Board of Trustees

Superintendent/President. Trustee Castellanos encouraged the Board to work collaboratively in concert with the faculty and staff to help students and to set aside personal agendas. Trustee Rivera thanked Vice President Belarmino, Maria Baker and Vice President Walton for the tour of the new student services building and also reminded everyone of the upcoming ASBG welcome week event. Trustee Rivera thanked Patrice Burke for her leadership as the ASBG President.

Trustee Khan stated that he feels everyone on this Board speaks from their heart as to what they consider to be best for the College and that unless the Board addresses its issues in the proper forum the Board will not come together.

Trustee Khan further stated that the Board must resolve its issues and that he felt at the August 18th workshop the Board had some healthy discussions.

ASBG President Burke stated there were a lot of challenges coming to the Board of Trustees, the administration and the students and agreed that they must all come together for the students.

Constituent Groups:

Academic Senate President Janice Takahashi stated that she agreed with Trustee Khan's comments. Ms. Takahashi made comments regarding the Board being an example of ethical behavior to the rest of the campus and that managers, faculty, and staff look to the Board for their ethical behavior.

Classified Senate President Joyce Giovanetti spoke on the ability of board members to have differences of opinion, stating how they portray those differences is important and that they should not have personal agendas.

Management Senate President Catherine Mooney acknowledged the retirement of Larry Sackerson and thanked Dr. Rodriguez for allowing the Management Senate to have input in the salary reductions. Ms. Mooney informed the Board that the managers voted for a furlough.

No comments.

CTA President Jeff Hislop stated he agreed with Janice Takahashi on Vice President Walton's item NONCON F "Consideration of 2009-10 Operational Revisions". Mr.

Constituent Groups
Academic Senate
Janice Takahashi

Classified Senate
Joyce Giovanetti

Management Senate
Catherine Mooney

ASBG
Patrice Burke

CTA
Jeff Hislop

Hislop stated that when the faculty groups address the Board at board meetings, this is really the only time we have to do so. Mr. Hislop offered his assistance with shared governance issues. Mr. Hislop further stated that he was very impressed with Dr. Fellner's comments at the Planning and Budget meeting. Mr. Hislop spoke on the solidarity issue and the photo session that was to occur tonight, stating that the faculty is with the administration on solidarity.

CSEA President Dana Baker thanked the Board for doing the best with the information they are given. Ms. Baker cautioned that some of the facial expressions the Board makes when the audience is speaking could be taken the wrong way and that it makes the audience uncomfortable.

Ms. Baker stated that staff is doing their best to adjust to their new working conditions and that overall we are all working together for the students.

No comments.

Board President Castellanos adjourned the meeting at 8:17 p.m.

Respectfully submitted,

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

CSEA President
Dana Baker

POA
Mario Vasquez

Adjournment