



# SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT

## MINUTES OF THE REGULAR BOARD MEETING Tuesday, June 2, 2009

The regular meeting of the Board of Trustees of the San Joaquin Delta Community College District was held on Tuesday, June 2, 2009 at 4:00 p.m. Closed Session; 5:30 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; Ted Simas; Jennet Stebbins; Anne-Marie Orona, Student Representative

<p><b>I. Called to Order</b> The Board meeting was called to order at 4:00 p.m. by Board President Castellanos.</p>	<p><b>Call to Order</b></p>
<p><b>II. Communications</b></p> <p>1. Public Comments. Ron Randall addressed the Board regarding the College's consideration of building a campus in the Foothills. Mr. Randall presented a map of Calaveras County and pointed to several possible sites for a campus and gave the Board a handout. Mr. Randall also gave the Board his take on what took place during past negotiations of a Foothills site. Mr. Randall congratulated the Board for the positive Grand Jury report and thanked Board President Castellanos for being his representative on the Board stating Calaveras County is very supportive of a campus in that community.</p> <p>Dave Tanner from Valley Springs clarified that land from Calaveras County was to be gifted to the College at no cost.</p> <p>Calaveras County Supervisor Steve Wollinsky assured the Board that whichever site the College chooses the County will support the decision. Supervisor Wollinsky spoke on Dr. Hazel Hill's visit to the County and the many delegations she addressed. Supervisor Wollinsky further commented on the County's ability to provide infrastructure to support the College.</p>	<p><b>Public Comments</b></p>
<p><b>III. Closed Session</b> Board President Castellanos convened to Closed Session at 4:30 p.m. to discuss matters pursuant to Government Codes Section 54956.9 and 54956.8. Motion: Rivera; Seconded: Brown. Vote: 7/0; motion carried.</p>	<p><b>Closed Session</b></p>

**IV. Reconvene Public Session**

The Board returned from Closed Session with the following to report:

*Board President Castellanos announced that the Board would reconvene to Closed Session after the Public Session ended to discuss items the Board had not had a chance to discuss.*

On a motion made by Trustee Simas and seconded by Trustee Rivera the Board voted unanimously to return the May 1, 2009 claim filed by Lodi Victor Ventures, LLC as untimely with respect to claims of injury to person and to reject the claim as to other claims.

**V. Pledge of Allegiance**

Trustee Teresa Brown led the Pledge of Allegiance.

**VI. Communications**

1. Public Comments.  
Citizen’s Oversight Committee member Bruce Johnson addressed the Board regarding his initial intent for being on the committee. Mr. Johnson stated that he feels the committee has limited power and should be more active in the decision making process and suggested the committee have a co-meeting so as not to violate the Brown Act. Mr. Johnson stated that he felt the Board was doing a great job. Mr. Johnson further stated that he felt it seemed appropriate for the committee to be a part of the bond team however, other committee members overwhelmingly disagreed. Mr. Johnson added that the Grand Jury report stated that the committee was not doing much and suggested the Board appoint members of the Citizen’s Oversight Committee to the bond team.

**VII. NonConsent Agenda – Action Items**

A. Consideration of Proposed Adoption of Board Policy 2310 “Regular Meetings of the Board of Trustees.” (Second Reading)  
Trustee Khan motioned and Trustee Rivera seconded to accept the Second Reading of Board Policy 2310 “Regular Meetings of the Board of Trustees” as presented.

Vote: 7/0; motion carried.

B. Consideration of Proposed Adoption of Board Policy 2330 “Quorum and Voting.” (Second Reading)  
Trustee Rivera motioned and Trustee Brown seconded to accept the Second Reading of Board Policy 2330 “Quorum and Voting” as presented.

Vote: 7/0; motion carried

**Reconvene Public Session**

**Pledge of Allegiance**

**Communications**

**NonConsent Agenda – Action Items**

Consideration of Proposed Adoption of Board Policy 2310 “Regular Meetings of the Board of Trustees.” (Second Reading)

Consideration of Proposed Adoption of Board Policy 2330 “Quorum and Voting.” (Second Reading)

C. Consideration of Proposed Adoption of Board Policy (BP) 2315 "Closed Sessions" (Second Reading). Trustee Rivera motioned and Trustee Brown seconded to accept the Second Reading of Board Policy 2315 "Closed Sessions" as presented.

Trustee Khan stated that line 9 referring to the hearing on the budget did not belong in this policy because hearings are public session items. Trustee Khan proposed to table the adoption of this policy for amendment. The original motion was withdrawn and a new motion was made to table the adoption of this policy per Trustee Khan's observations.

Trustee Cox motioned and Trustee Rivera seconded to table the acceptance of the Second Reading of Board Policy 2315 "Closed Session" for amendment.

Vote: 7/0; motion carried.

D. Consideration of Proposed Adoption of Board Policy (BP) 2340 "Agendas" (Second Reading). Trustee Rivera motioned and Trustee Brown seconded to accept the Second Reading of Board Policy 2340 "Agendas" as presented.

Vote: 7/0; motion carried.

E. Consideration of Proposed Adoption of Board Policy 2345 "Public Participation at Board Meetings" (Second Reading). Trustee Rivera motioned and Trustee Brown seconded to accept the Second Reading of Board Policy 2345 "Public Participation at Board Meetings" as presented.

Trustee Cox pointed out that section A of the policy regarding Closed Session and public hearings is not consistent with the wording on the same topic in Board Policy 2315 "Closed Sessions." The original motion was withdrawn and a new motion was made to table this policy for amendment per Trustee Cox's observation.

Trustee Rivera motioned and Trustee Cox seconded to table the acceptance of Board policy 2345 "Public Participation at Board Meetings" for amendment.

Vote: 7/0; motion carried.

F. Consideration of Proposed Adoption of Board Policy 2610 "Presentation of Initial Collective Bargaining Proposals" (Second Reading).

Consideration of Proposed Adoption of Board Policy (BP) 2315 "Closed Sessions" (Second Reading).

Consideration of Proposed Adoption of Board Policy (BP) 2340 "Agendas" (Second Reading).

Consideration of Proposed Adoption of Board Policy 2345 "Public Participation at Board Meetings" (Second Reading).

Consideration of Proposed Adoption of Board Policy 2610

<p>Trustee Cox motioned and Trustee Rivera seconded to accept the Second Reading of Board Policy 2610 "Presentation of Initial Collective Bargaining Proposals" as presented.</p>	<p>"Presentation of Initial Collective Bargaining Proposals" (First Reading).</p>
<p>Vote: 7/0; motion carried.</p>	
<p>G. Consideration of Proposed Adoption of Board Policy 2410 "Board Policies and Administrative Procedures" (Second Reading). Trustee Rivera motioned and Trustee Brown motioned to accept the Second Reading of Board Policy 2410 "Board Policies and Administrative Procedures" as presented.</p> <p>Vote: 7/0; motioned carried.</p>	<p>Consideration of Proposed Adoption of Board Policy 2410 "Board Policies and Administrative Procedures" (Second Reading).</p>
<p>H. Consideration of Proposed Adoption of Board Policy 2735 "Board Member Travel" (Second Reading). Trustee Rivera motioned and Trustee Brown seconded to accept the Second Reading of 2735 "Board Member Travel" as presented.</p> <p>The original motion was withdrawn due to Trustee Khan's comments on the brevity of the policy.</p> <p>Trustee Rivera motioned and Trustee Brown seconded to withdraw their original motion and table the acceptance of Board Policy 2735 "Board Member Travel" (Second Reading) following Trustee Khan's observations. A new motion was taken. Trustee Rivera motioned and Trustee Brown seconded to table the acceptance of Board Policy 2735 "Board Member Travel" for amendment.</p> <p>Vote: 7/0; motion carried.</p>	<p>Consideration of Proposed Adoption of Board Policy 2735 "Board Member Travel" (Second Reading).</p>
<p>I. Consideration of Proposed Amendment of Board Policy 2500 "Academic Senate of San Joaquin Delta College" (Second Reading). Trustee Simas motioned and Trustee Cox seconded to accept the Second Reading of Board Policy 2500 "</p> <p>Vote: 7/0; motion carried.</p>	<p>Consideration of Proposed Amendment of Board Policy 2500 "Academic Senate of San Joaquin Delta College" (Second Reading).</p>
<p>J. Consideration of Proposed Adoption of Board Policy 6755 "Traffic and Vehicle Use Regulations" (First Reading). Trustee Rivera motioned and Trustee Simas seconded to accept the First Reading of the proposed adoption of Board Policy 6755 "Traffic and Vehicle Use Regulations" as presented.</p>	<p>Consideration of Proposed Adoption of Board Policy 6755 "Traffic and Vehicle Use Regulations" (First Reading).</p>

<p>Vote: 7/0; motion carried.</p> <p>K. Consideration of Proposed Adoption of Board Policy 6330.1 "ENERGY STAR purchasing Policy" (First Reading). Trustee Cox motioned and Trustee Brown seconded to accept the First Reading of proposed adoption of Board Policy 6330.1 "ENERGY STAR Purchasing Policy" (First Reading).</p> <p>Board President Castellanos suggested the policy include language that states there are other 3rd party or equivalent rating agencies besides ENERGY STAR. The motion was withdrawn and another motion was made to accept Board Policy 6330.1 with the additions of Board President Castellanos' comments. Trustee Cox motioned and Trustee Brown seconded to accept the First Reading of Board Policy 6330.1 "ENERGY STAR Purchasing Policy" with the additional language suggested.</p> <p>Vote: 7/0; motion carried.</p>	<p>Consideration of Proposed Adoption of Board Policy 6330.1 "ENERGY STAR Purchasing Policy" (First Reading).</p>
<p>L. Consideration of Proposed Adoption of Board Policy 6335 "Sustainable Building Policy" (First Reading). Trustee Brown motioned and Trustee Simas seconded to accept the First Reading of proposed adoption of Board Policy 6335 "Sustainable Building Policy" for First Reading.</p> <p>Vote: 7/0; motion carried.</p>	<p>Consideration of Proposed Adoption of Board Policy 6335 "Sustainable Building Policy" (First Reading).</p>
<p><b>VIII. Report(s)/Informational Items</b></p> <p>A. ASBG Projects and Accomplishments for 2008-09. ASBG Vice President Anne Marie Orona and ICCG President Navid Shaghagi gave a Power Point presentation on the accomplishments of the ASBG for the 2008-09.</p> <p>Board President Castellanos introduced newly elected ASBG President Patrice Burke.</p> <p>B. Counseling Services for Student Success at Delta College. Counselor James Leach gave a Power Point presentation on student success and the counseling process.</p>	<p><b>Report(s)/Informational Items</b></p> <p>ASBG Projects and Accomplishments for 2008-09.</p> <p>Counseling Services for Student Success at Delta College.</p>
<p><b>IX. Communications</b></p> <p>Superintendent/President: Dr. Rodriguez informed the Trustees that he had listened in on the Governor's speech this morning regarding the state budget situation. The Governor's</p>	<p><b>Communications</b></p> <p>Superintendent/President Dr. Rodríguez</p>

speech reiterated the fact that the College must take drastic measures on our budget situation now before time runs out. Dr. Rodriguez stated that advocacy is very important now and a recent advocacy measure to call the Legislature surpassed 10,000 calls. Dr. Rodriguez further stated that he is hoping for the best budget situation, but we should prepare for the worst.

Dr. Rodriguez informed the Board that he has asked managers for 6%, 10% and 14% reductions in their budgets however, layoffs may still need to be necessary. Dr. Rodriguez stated that the administration would be bringing forward a budget at the next board meeting.

Dr. Rodriguez informed the Board that the Grand Jury report received local press coverage and pointed out a member of the Grand Jury that was present in the audience. The College has 90 days to respond to the report and that response will be brought to the Board in late June.

Board of Trustees:

Trustee Rivera read a statement referencing the Grand Jury report and what she had been hearing about Trustees conducting serial meetings in violation of the Brown Act.

Trustee Simas thanked the employees who attended Staff Appreciation and thanked the employees who put on the event. In regards to the budget, Trustee Simas spoke about Caltrans going broke due to not receiving gas taxes as an example of how the budget continues to get worse. Trustee Simas stated that the College will have to focus on the core mission of the College, and that he would like to see us hold onto all of our full-time employees.

In regards to Trustee Rivera's statement, Trustee Simas responded that any trustee who has done what she has implied in her statement should speak up. Trustee Simas further stated that he felt Trustee Rivera was just pointing the finger to which Trustee Rivera replied that she did say what she heard was just "hearsay".

Trustee Khan thanked staff for inviting him to various campus gatherings. Trustee Khan stated that the Grand Jury report did seriously mention the roll and level of involvement of the Citizen's Oversight Committee and that he thinks their role should be taken seriously.

In regards to Trustee Rivera's statement, Trustee Khan

Board of Trustees

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agreed with Trustee Simas in that if anyone has a problem with trustees violating the Brown Act, they should just come out and say who it is rather than make insinuations.

Trustee Cox thanked Dr. Rodriguez for his views on the seriousness of the budget and reiterated that Education Code states the top priorities of the community college. Trustee Cox further stated that two-thirds of our students are in need of remedial education and that it is important that we offer help to students so they can succeed in both vocational and academic areas. Trustee Cox went on to state that as much as she supports our Middle College High School it is not within the primary mission of the College and that we need to keep programs that provide opportunities for employment. Trustee Cox stated that she did not want to see employees laid-off and that we need to be more creative on how we maintain staff.

In regards to Trustee Rivera's statement, Trustee Cox stated that she knows of two instances where the Brown Act was violated, but they were minor instances. Trustee Cox stated that it would be wise to raise these types of issues during the Board's annual evaluation and that the Board needs to develop goals because it has not made a decision on what their goals would be for the year.

Trustee Stebbins informed the Board that she went to Sacramento recently and visited Assemblymember Wilmer Amina Carter. Trustee Stebbins read a note from Assemblymember Carter.

Trustee Brown welcomed Patrice Burke as the new president of the ASBG. Trustee Brown stated that May has been a busy month and spoke about all of the events she attended including a tour of the various shops on campus with Dr. Hazel Hill. Trustee Brown mentioned her attendance at the Caterpillar barbeque and informed the Board of the barbeque pit used that was built in the shape of a caterpillar tracker.

Trustee Brown stated she was pleased with the Grand Jury report and felt it was accurate.

Board President Castellanos stated he also felt the Grand Jury report was fair. In response to Trustee Cox's earlier statement that the Board did not make a decision on their goals, Trustee Castellanos responded that the Board did decide on goals and to say that they had not was inaccurate. Trustee Castellanos further stated that accreditation was decided as the Boards

primary goal and that he had spent some time with the visiting team and received positive feedback from them.

In regards to the statement Trustee Rivera read, Trustee Castellanos commended Trustee Rivera for doing something that was difficult because there is nothing wrong with reminding colleagues of their ethical duty. Trustee Castellanos stated that ethics was an issue in the accreditation report and thanked Janet for her statement. Trustee Castellanos reminded the Board of the Brown Act training to take place this month.

Trustee Castellanos asked Dave Renison the Grand Jury foreman who was present at the meeting if he wanted to make comments. Mr. Renison stood and responded to a comment Trustee Cox made earlier regarding the Grand Jury's positive report being a result of their need to have closure because their term was ending. Mr. Renison stated that was not the case and that the Grand Jury does offer members a chance to extend their stay on the jury if necessary. Mr. Renison stated the Grand Jury has seen positive changes with the current Board and as a result the report reflected those changes.

ASBG President Patrice Burke stated it was an honor to be here and she sees a fantastic future for the ASBG. Ms. Burke stated that she was looking forward to working with the Board. Ms. Burke informed the Board that 897 students voted in this years ASBG election.

#### Constituent Groups:

Diane Oren representing the Academic Senate commended those responsible for graduation and the success of the new venue. Ms. Oren informed the Board that at the last senate meeting all nominees for the non-teaching and adjunct faculty award were honored.

Classified Senate President Joyce Giovanetti thanked Patrice Burke and the Board for serving at the Staff Appreciation luncheon. Ms. Giovanetti also thanked the Board for attending the Classified Senate's reception.

Management Senate President Jan Truscott thanked the Board for serving lunch at Staff Appreciation and complimented Vice President Walton for the graduation ceremony. Ms. Truscott congratulated Patrice Burke on her election to the ASBG as president.

ASBG President Patrice Burke invited the Board members to attend an ASBG meeting. Ms. Burke

Constituent Groups  
Academic Senate  
Janice Takahashi

Classified Senate  
Joyce Giovanetti

Management Senate  
Jan Truscott

ASBG  
Patrice Burke

thanked ASBG Vice President Anne Marie Orona and the other students who worked to get the flea market back on track and introduced new ASBG board members.

No comments.

CSEA President Dana Baker thanked the Board for attending Staff Appreciation and the Classified Barbeque. Ms. Baker informed the Board that she was attending the Classified Leadership Institute. Ms. Baker congratulated Patrice Burke for being elected as the ASBG president. Ms. Baker commented on the hiring freeze, the proposed four week closure during the winter break and concerns that emails regarding this closure had been sent to staff without first giving her the opportunity to speak with the administration. Ms. Baker further stated that she was concerned with the way communication is being handled regarding the budget.

POA President Mario Vasquez stated that the Flea Market appears to be running smoothly since Anne Marie Orona and Gina Foppiano began working with the market. Officer Vasquez reported on the plan for police staffing at the flea market and Mountain House. Officer Vasquez thanked the Board for continuing to support Staff Appreciation and the Annual Family Reunion. Officer Vasquez thanked Valerie Stewart-Green for chairing both events, and Greg Greenwood for his input.

Officer Vasquez informed the Board that this year's graduation had no problems possibly due to the new venue and thanked Vice President Walton for running the graduation so smoothly.

Board President Castellanos adjourned the meeting at 8:50 p.m.

Respectfully submitted,

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

CTA  
Joe Gonzales

CSEA President  
Dana Baker

POA  
Mario Vasquez

**Adjournment**