The regular meeting of the Board of Trustees of the San Joaquin Delta Community College District was held on Tuesday, July 19, 2005, 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: Janet Rivera, President; Ted Simas, Vice-President; Anthony E. Bugarin; Leo Burke; Greg McCready; Dan S. Parises; Vincent Harper, Student Representative

Members Absent: Maria Elena Serna, Clerk

**I. Called to Order**
The Board meeting was called to order at 5:45 p.m. by Board President Rivera.

**II. Communications**
1. Public Comments.
   There we no comments from the public.

**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: 5/0; motion carried.

**IV. Reconvene Public Session**
The Board returned from Closed Session with nothing to report.

**V. Pledge of Allegiance**
Trustee Parises led the Pledge of Allegiance.

**VI. Communications**
1. Public Comments.
   Associated Builders and Contractors Government Affairs Director Kevin Dayton expressed opposition in relation to Board Agenda Item NonCon F. On behalf of the contractors, Mr. Dayton asked the Board to vote against the proposed agenda item. Mr. Dayton noted that there is not a need for a PLA agreement as PLA’s cut competition and increase costs.

**VII. Consent Agenda – Action Items**
A. Governance Process
   1. Approval of the Minutes of the June 21, 2005 Regular Board meeting.
      Approved the minutes of the June 21, 2005 Regular Board meeting. See Exhibit CON A 1.1, which is made part of the July 19, 2005 agenda.
2. Consideration of Proposed Adoption of Board Policy BP 4300 “Field Trips and Excursions” (Second Reading).
   Approved the second reading of BP 4300 “Field Trips and Excursions”. See Exhibit CON A 2.1, which is made part of these minutes.

3. Consideration of Absence of Board Member Due to Performing Services Outside the Meeting for the District.
   Approved the absence of Janet Rivera from the June 21, 2005 Board Meeting due to performing services outside the meeting for the district. See Exhibit CON A 3.1, which is made part of these minutes.

B. Business/Fiscal Services

1. Consideration to Ratify Bid Award for Bid LA-8700-01, Danner Hall Kitchen Hood Fire Suppression Upgrade, Per Resolution No. 05-23.
   The Board ratified the Bid Award for Bid LA-8700-01 for Danner Hall Kitchen Hood Fire Suppression Upgrade to Robert Davis Construction of Stockton, CA for the total amount of $78,957.61. See Exhibit CON B 1.1, which is made part of these minutes.

2. Consideration of Acceptance of Donation.
   The Board accepted the donation from Dawn Sign Press and directed the administration to send a letter of appreciation. See Exhibit CON B 2.1, which is made part of these minutes.

3. Consideration of Award of Bid 645 Yearly Paper Bid for Fiscal Year 2005-06.
   The Board awarded Bid 645, Yearly Paper Bid for Fiscal Year 2005-06 per attachments reflecting Item Con B 3.1 as follows: Item #1 to Office Max of Menlo, CA for an estimated yearly amount of $79,040; Items 2-16 and 18-22 to Unisource Paper of West Sacramento, CA for an estimated yearly amount of $13,915 and Items 17 and 23 to XpedX Paper Co. of Hayward, CA for an estimated yearly amount of $15,576.75. In addition, the Board accepted the unit cost prices as per the Bid Summary attached to Item Con B 3.1. See Exhibit CON B 3.1, which is made part of these minutes.

4. Consideration to Authorize a Contract for American Sign Language (ASL) Interpreting Services for Fiscal Year 2005-06.
   Board Policy BP 3410 “Nondiscrimination Policy” (Second Reading)
   Absence of Board Member Due to Performing Services Outside the Meeting for the District
   Business/Fiscal Services
   Ratify Bid Award for Bid LA-8700-01, Danner Hall Kitchen Hood Fire Suppression Upgrade, Per Resolution No. 05-23
   Acceptance of Donation
   Bid 645 Yearly Paper Bid for Fiscal Year 2005-06
   Contract for American Sign Language (ASL) Interpreting Services for Fiscal Year 2005-06
The Board authorized the administration to enter into a contract with two separate agencies, Eaton Interpreting Services of Citrus Heights, CA and Sign Language Interpreting Services of Sacramento, CA to provide American Sign Language (ASL) Interpreting Services to be used as needed during the 05-06 fiscal year. The total combined yearly expenditure may be $133,000. In addition, the Board accepted the respective hourly pricing as per the Bid Summary attached to Item Con B 4.1. See Exhibit CON B 4.1, which is made part of these minutes.

5. Consideration of Notice of Completion, Bid #632, Electrical System Project, SJDC Contract #03-365. The Board approved Resolution No. 05-26, accepting completion of contract for the Electrical System Project by Roek Construction; the 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 5.1, which is made part of these minutes.

6. Consideration of Notice of Completion, Bid #638, Boiler Burner Upgrade Project, SJDC #04-176. The Board approved Resolution No. 05-25, accepting completion of contract for the Boiler Burner Upgrade Project by R.F. MacDonald Company; the 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 6.1, which is made part of these minutes.

7. Consideration to Authorize the Replacement of the Bookstore Security Camera System. The Board authorized the replacement of the Bookstore Security Camera System and awarded the project to Honeywell Building Solutions of Sacramento, CA in the total amount of $69,610.00 plus any applicable sales tax. See Exhibit CON B 7.1, which is made part of these minutes.

8. Report on Change Order #2 Regarding Boiler Burner Upgrade Project, SJDC Contract #04-176, Bid #638, with R.F. MacDonald Company. The change order is to assess Liquidated Damages per the contract for each calendar day Fiscal Year 2005-06 Notice of Completion, Bid #632, Electrical System Project, SJDC Contract #03-365 Notice of Completion, Bid #638, Boiler Burner Upgrade Project, SJDC #04-176 Replacement of the Bookstore Security Camera System Change Order #2 Regarding Boiler Burner Upgrade Project, SJDC Contract #04-176, Bid #638, with R.F.
beyond the completion date of May 1, 2005. It was determined the June 17, 2005 was the acceptance and completion date. Per the contract, Liquidated Damages are therefore due for 48 days at the rate of $250.00 per day, resulting in a reduction of $12,000.00 in the total amount of the contract. SJDC Contract #04-176 with R.F. MacDonald Company now totals $254,164.00. See Exhibit CON B 8.1, which is made part of these minutes.

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 1.1, which is made part of these minutes.

   2. Consideration of Personnel Action – Adjunct. Approved the employment of the following adjunct faculty subject to sufficient enrollment in the classes to which they will be assigned: Mariah Norwood, Gina Romines and Dawn Speaks, in Family, Consumer & Health Sciences; James Elkenberry in Social Sciences; Petia Gueorguieva, Saphon Hok, Janice Lawson, and Brett Williams in Science & Mathematics; Adrenna Benjamin and Angela Hotchkiss in Communication Skills; Bruce Becker, Gregory Kirkwood, Clinton Lukeroth and Joe Raney in DSP&S; and Mackenzie Johnson and Ann Rosas in Applied Science & Technology. See Exhibit CON C 2.1, which is made part of these minutes.

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

IX. Nonconsent Items
A. Consideration of Personnel Action - Classified. Trustee Parises moved and seconded by Trustee Bugarin to approve the hiring of Elena Gonzalez in Financial Aid and Roy Juarez in DSP&S.

   Approved the reclassification of Patti Lynne Drake to Instructional Support Assistant III.

   Approved the retirement of Joan Hinds effective August 31, 2005 and Mary Anne Fry effective September 24, 2005.

   Vote: 6/0; motion carried.
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| B. | Consideration of Personnel Action – Faculty.  
   Trustee Burke moved and seconded by Trustee McCreary to approve the retirement of Barbara Broer effective June 1, 2005. Vote: 6/0; motion carried. |
|   | Personnel Action – Faculty |
| C. | Consideration of Temporary Full-Time Certificated Position.  
   Vice President of Human Resources and Employee Relations Kim Myers introduced item NonCon C and explained that the position is a temporary one-year full-time librarian.  
   Superintendent/President Rodriguez noted that the temporary-full time librarian position is required by the language in the CTA contract in order to maintain the staffing ratio for librarians.  
   Academic Senate President Janice Takahashi reiterated that the temporary full-time librarian position is based on a contractual agreement and that is the reason why the position was chosen even though it did not appear on the full-time temporary entitlement list as it was a contractual necessity.  
   Trustee McCreary moved and seconded by Trustee Parises to approve the temporary Full-time librarian position for one (1) year. Vote: 6/0; motion carried. |
|   | Temporary Full-Time Certificated Position |
| D. | Approval of Updated Organizational Chart for the District.  
   Trustee Burke moved and seconded by Trustee McCreary to approve the organizational chart as presented and approved the elimination of one Admissions and Records Assistant, one Financial Aid Specialist (District Funded Position) and the Executive Secretary to the Board of Trustees to reflect current operations. Vote: 6/0; motion carried. |
|   | Organizational Chart for the District |
| E. | Consideration of Approval of Joint Use Agreement Between the San Joaquin Delta Community College District and the Mountain House Community Services District.  
   Trustee McCreary moved and seconded by Trustee Simas to authorize the Superintendent/President to endorse the “Joint Use Agreement between the San Joaquin Delta Community College District and the Mountain House Community Services District” allowing for joint-use of subject lands that will be set aside by Delta College for public use by the residents of the Mountain House Community. Vote: 6/0; motion carried. |
|   | Joint Use Agreement Between the San Joaquin Delta Community College District and the Mountain House Community Services District |
| F. | Consideration of Project Labor Agreement (PLA) Pilot Program. |
|   | Project Labor Agreement (PLA) Pilot Program |
Trustee Parises motioned and seconded by Trustee Bugarin. Discussion was held regarding Board Item NonCon F.

Carpenters Union Representative Jeff Hoffman expressed his support for the PLA Pilot Program. Mr. Hoffman indicated that the program will benefit Delta College, the local building tradesmen and the taxpayers who voted to approve the bond.

Trustee Simas expressed his concern in relation to the PLA Pilot Program. Trustee Simas read a number of articles to show examples of situations where PLA programs have not proven to be efficient and/or cost effective. (Copies of the articles are available upon request.) Trustee Simas asked Mr. Hoffman about the strike clause in relation to whether or not their members would cross the strike line if the college’s union members went on strike. Mr. Hoffman responded that they advise their members that it is their right whether or not they cross the picket line. Mr. Hoffman noted that there are parameters in relation to such incidents.

Trustee Simas contended that 1) the college does not need a PLA; 2) the college does not need to enter into another collective bargaining unit when there is no need and 3) the Board of Trustees are not responsible to be advocates – either to promote or break unions. Trustee Simas reiterated that a PLA will cost the college additional money.

Trustee Parises noted that the people of San Joaquin County voted for Measure L including people from the building trades which they share some of the costs of the apprenticeship programs. Trustee Parises expressed his support for the PLA pilot program that would include one renovation project.

Trustee McCreary inquired about the cost to the college in relation to the PLA pilot program. Superintendent/President Rodríguez responded that the union representatives offered during the meeting last year to share some of the costs associated with the PLA. Trustee McCreary noted that the college should not spend any money to begin a PLA pilot program as the college already has other financial obligations to the district. In addition, time will be taken away from our employees in order to negotiate an agreement.

Trustee Simas pointed out that under the current system, union shop contractors can bid as they are not locked out. However, open shop contractors cannot use their own employees other than managers or
foreman’s. Therefore, by approving a PLA pilot program, we are blocking out a particular group of taxpayers.

Superintendent/President Rodríguez noted that the administration is not requesting the approval of a PLA. The administration is recommending that they be allowed to negotiate for a potential pilot PLA program. Dr. Rodríguez pointed out that his intent is not to bring back a standard PLA agreement to the Board. The best agreement that would protect the college would be brought to the Board for consideration.

Trustee Bugarin reemphasized that the administration will negotiate an agreement with the approval of the item. Trustee Bugarin indicated that he has the confidence of the administrative staff and the bond team to hold the best interest of the college.

Trustee Burke expressed his support to allow the administration to negotiate an agreement and bring a recommendation to the Board for consideration.

Trustee Parises moved and seconded by Trustee Bugarin to 1) accept the following projects as candidate projects for the pilot PLA program: Locke Hall Improvements & Renovation (include in PLA) and Danner Hall Improvements & Renovation (exclude from PLA); 2) Apply the study parameters identified in paragraph 1.e of this agenda item to the pilot program; 3) Direct staff to reach out to Union leadership to continue dialogue regarding cost sharing and methodology; and 4) Authorize staff to negotiate a pilot PLA for the Locke Hall Improvement & Renovation project. Board President Rivera called for a roll call vote. Vote: 4/2 (no - McCreary, Simas); motion carried.

G. Stockton Campus Master Plan Adoption.
Vice President of Business Services Andy Dunn and Bond Team member Tim Haley provided a report regarding the Stockton Campus Master Plan. Mr. Haley reported that the 15 year master plan calls for classrooms, labs, and other spaces to be reorganized into “neighborhoods” of related academic departments. Mr. Haley pointed out that the 15 year master plan began in 2003. A copy of the plan is available upon request.

Trustee McCreary moved and seconded by Trustee Simas to adopt the “Stockton Campus Master Plan, July 2005” as the guiding vision for facilities development on the Stockton Campus of the San Joaquin Delta Community College District. Vote: 6/0; motion carried.
X.  Report Items
   A.  Sabbatical Leave Report – Matt Wetstein.

   Political Science Instructor Dr. Matt Wetstein thanked the Board for the opportunity to take a leave last fall and thanked the Faculty Professional Growth Committee for approving his sabbatical proposal. Dr. Wetstein presented a power point presentation to the Board in relation to his sabbatical titled “Research on the Ideology of Canadian Supreme Court Justices.” The report highlighted background information on the research that was conducted, the objectives, and the accomplishments and personal highlights as a result of the sabbatical. A copy of the power point presentation is available upon request.

   Board President Rivera thanked Dr. Wetstein for his presentation as it was very informative.

   B.  District Minimum Qualifications for Faculty – Della Condon.

   Assistant Superintendent/Vice President for Instruction Dr. Della Condon asked Academic Senate President Janice Takahashi to join her on the presentation. Dr. Condon presented information in relation to the district minimum qualifications for faculty. Dr. Condon noted that the current approved district qualifications do not reflect any new disciplines and/or minimum qualification revisions as approved by the State Board of Governors in 2003. Therefore, the information is being shared with the Board to assure that the standards approved by the Board of Governors are being used in the initial determination of qualifications within disciplines. The college will be using the Board of Governors most recent approved standards. Academic Senate President Janice Takahashi noted that the statewide and local Academic Senates review the minimum qualifications before they are actually presented in resolution for approval.

   C.  Measure L Implementation Phase Approach – Andy Dunn.

   Vice President of Business Services Andy Dunn provided a brief update regarding the Measure L Implementation Phase. Bond Team member Bob Bush presented a chart describing the development of performance measures in relation to Measure L.

XI.  Communications
   1.  Superintendent/President:

   Superintendent/President Rodríguez reported that the Accrediting Commission approved the College’s accreditation progress report and thanked Dr. Condon and her team for doing a great job.
2. Board of Trustees:
Trustee Bugarin read the letter from the Accreditation Commission in regard to approval of the progress report and thanked Dr. Condon and everyone else involved in the submission of the report.

Board of Trustees
Trustee Bugarin

3. Constituent Groups:
Ms. Takahashi thanked the Board for requesting that sabbatical reports be brought forward to board meetings as she enjoys listening to the reports.

No comments to report.

No comments to report.

No comments to report.

No comments to report.

No comments to report.

No comments to report.

Dr. Rodríguez introduced and welcomed B.R. Brown as the new Director of Public Information & Marketing.

Board President Rivera adjourned the meeting at 8:15 p.m.

Respectfully submitted,

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