

MINUTES
Board of Trustees
San Diego Community College District
Public Meeting

CHARLES W. PATRICK BUILDING
 3375 Camino del Rio South
 ROOMS 235/245,300
 San Diego, California 92108

These minutes of a meeting of the Board of Trustees of the San Diego Community College District were Approved and adopted by the BOARD OF TRUSTEES on 6-11-09
ACTION AUTHORIZED BY BOARD

Mary Graham	Rich Grosch	Bill Schwandt	Maria Nieto Senour	Peter Zschiesche	Student Trustee Advisory Vote
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May 14, 2009

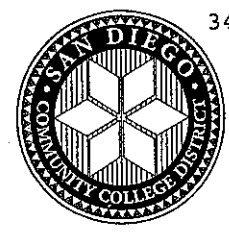
2:50 p.m.

Present	X	X	X	X	X

ATTENDANCE AT THIS REGULAR PUBLIC MEETING
 (Board members who arrive after meeting begins will be noted as "Present" at point in this agenda at which they arrive.)

- 100 CALL TO ORDER (In Room 235/245)
- 101 ANNOUNCEMENT OF CLOSED SESSION ITEMS:
 The following Closed Session items are scheduled:
1. Conference with labor negotiator Kim Myers, Vice Chancellor of Human Resources (pursuant to Government Code Section 54957.6)
 Bargaining/Meet and Confer Units under Consideration:
 - a. AFT Guild Local 1931 College Faculty
 - b. AFT Guild Local 1931 Continuing Education Faculty
 - c. AFT Guild Local 1931 Office Technical Unit
 - d. AFT Guild Local 1931 Maintenance and Operations Unit
 - e. AFT Guild Local 1931 Food Service Unit
 - f. AFT Guild Local 1931 Non-Academic Non-Classified Employees
 - g. AFT Guild Local 1931 Naval Technical Training Program (San Diego)
 - h. POA - Police Officers Association
 - i. Management Association
 - j. SPAA - Supervisory & Professional Administrators Association
 - k. ACE - Association of Confidential Employees
 - l. Technical Instructors Bargaining Organization (Corry Station, FL)

Call to Order at 2:50 p.m



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Peter Zschiesche
Student Trustee Advisory Vote

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- 101 ANNOUNCEMENT OF CLOSED SESSION ITEMS:
(Continued)
- The following Closed Session items are scheduled: (Continued)
2. Conference with or receive advice from legal counsel (pursuant to Government Code Section 54956.9) concerning pending litigation. One (1) case to discuss.
 - a. Case #37-2009-00087928-CU-CR-CTL
 3. Conference with David Umstot, Vice Chancellor, Facilities Management regarding one (1) real property transaction (pursuant to Government Code Section 54956.8)
 - a. Victorian House at 1037 15th Street
 4. Conference with or receive advice from legal counsel concerning significant exposure to litigation (pursuant to Government Code Section 54956.9(b)). One (1) case to consider.
 - a. H1N1 Influenza Type A
 5. Public employment (pursuant to Government Code Section 54957), the title of which is Vice President of Instruction, Mesa College.

Items not completed during the
3:00-4:00 p.m. Closed Session will be continued after the Open Session.



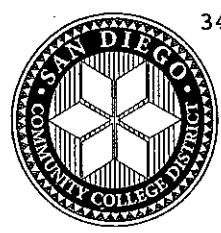
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					102	<u>PUBLIC COMMENT OR PRESENTATIONS ON CLOSED SESSION ITEMS</u>	None.		
					103	<u>CONVENE CLOSED SESSION</u> (In Conference Room 300)	Convene into Closed Session at 2:55 p.m.		
Present	X	X	X	X	X	X	104	<u>RECONVENE OPEN SESSION</u> (Approximately 4:00 p.m.) (In Room 235/245)	Reconvene into Open Session at 4:00 p.m.
							105	<u>PLEDGE OF ALLEGIANCE</u>	
							106	<u>REPORT OF ACTION IN CLOSED SESSION</u> Board President Rich Grosch read the following statement: <u>On a motion by Trustee Senour and second by Trustee Zschiesche, the Board unanimously approved a package of agreements with bargaining and meet and confer groups, which will be read out in Item 146 (C).</u>	



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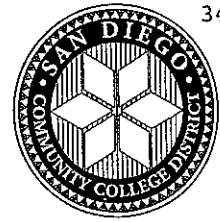
Table with 6 columns: Mary Graham, Rich Grosch, Bill Schwandt, Maria Niero Senour, Peter Zschiesche, Student Trustee Advisory Vote. Rows include Motion, Second, and Ayes.

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130 APPROVAL OF MINUTES
Regular Meeting - 4/28/09 - 2:20 p.m.

Approve...



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Mary Graham	Rich Grosch	Bill Schwandt	Maria Nieto Senour	Peter Zschiesche	Student Trustee Advisory Vote
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ACTION AUTHORIZED BY BOARD

Motion
Second
Ayes

	135	<u>CALL FOR REMOVAL OF ITEMS FROM THE AGENDA</u>	
	137	<u>DEVELOPMENT OF CONSENT CALENDAR</u>	
	138	<u>CALL FOR ACADEMIC SENATE'S AGENDA ITEMS FOR DISCUSSION</u>	
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X
	139	<u>ADOPTION OF CONSENT CALENDAR</u> In order to provide for speedy approval of routine items, the Board will review the agenda under DEVELOPMENT OF THE CONSENT CALENDAR. All items not designated for discussion will comprise the Consent Calendar. Sufficient backup material will be available in advance so the Board members will have complete data regarding the items.	

None.

Items removed for discussion: 140, 150, 170, 180, 190, 191, 192, 590, 591, 690, 831, 902, 903 and 904.

None.

Approve.



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Table with 6 rows: Mary Graham, Rich Grosch, Bill Schwandt, Maria Nieto Senour, Peter Zschiesche, Student Trustee Advisory Vote

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140 PUBLIC/STAFF PRESENTATIONS

141 Carl Frank - DBRS Medical Systems

Addressed the Board regarding (Agenda Item 731), bid award for radiology equipment for Mesa College. His company submitted a bid for this project and alleges that the other two contractors who submitted bids were not properly licensed.

Chancellor Carroll stated that the District's understanding is that the award of bid is appropriate and the company awarded the project has met the requisite requirements, and further, that any concerns that result from a complaint by Mr. Frank will be addressed if and when such a complaint is filed.

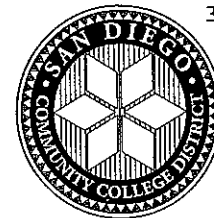
PUBLIC PRESENTATIONS:

In accordance with Education Code Section 72121.5, members of the public are invited to participate in the governance system of the District by utilizing the PUBLIC PRESENTATIONS section of the Board meeting agenda.

Public presentations on items listed on the Board meeting agenda shall be heard at the time the item is discussed and prior to Board action on the item. Each presentation shall be limited to five minutes (a total of twenty minutes on the same subject) unless this time limit is waived by action of the Board.

Public presentations on matters not listed on the Board meeting agenda may do so during the PUBLIC PRESENTATIONS section of the Board meeting. In accordance with Education Code Section 72121.5, the Board shall take no action on such matters, other than an action of referral. Each presentation shall be limited to five minutes (total of 20 minutes on the same subject) unless this time limit is waived by action of the Board.

If you wish to submit questions to the Board in your presentation, they should be in writing. At the Board's request, the Chancellor will provide written responses to your questions as soon as possible after the Board meeting.



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145 CALL FOR PRESENTATIONS (IF ANY) BY EXCLUSIVE AGENT (S) REPRESENTING EMPLOYEES.

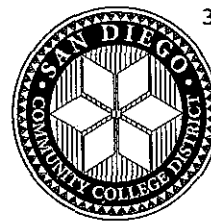
None.

146A PUBLIC RESPONSE TO INITIAL PROPOSAL(S) OF EMPLOYEE ORGANIZATIONS.

None.

146B ANNOUNCEMENT(S) OF PROPOSED TENTATIVE AGREEMENT(S) BETWEEN THE DISTRICT AND EXCLUSIVE AGENTS REPRESENTING EMPLOYEES.

None.



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**146C ANNOUNCEMENT(S) OF AGREEMENT(S)
 BETWEEN THE DISTRICT AND EXCLUSIVE
 AGENTS REPRESENTING EMPLOYEES.**

Board President Grosch read the following statement:

The Board is pleased to announce that on a motion by Trustee Senour, second by Trustee Zschiesche, and approved unanimously, the District has approved the following agreements:

- I Agreement to utilize the Resource Allocation Formula (RAF) for collective bargaining with the AFT Guild Local 1931, the Management Association, the Supervisory and Professional Administrators Association (SPAA), and the Association of Confidential Employees (ACE).
- II Side letters with the Management Association, SPAA, and ACE Regarding non-economic salary changes, and ability to negotiate over improvements provided by the District outside the RAF.
- III Side letters with the AFT Guild regarding
 1. Noncredit faculty salary adjustment
 2. Credit of adjunct office hours rebates for 2006-07 and 2007-08, totaling \$134,863.
 3. Consolidation of AFT Guilds units
 4. The ability to negotiate with the District for improvements provided to other units outside the RAF; and
 5. Transitioning of 9 former hourly positions into the classified service.

All of these agreements have been ratified by their respective bargaining or meet and confer units



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150 REPORT ON COMMUNICATIONS/STATEWIDE & LEGISLATIVE ISSUES

Chancellor Carroll

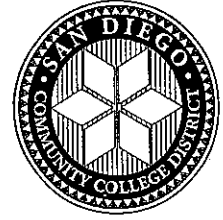
Chancellor Carroll reported that the Governor's State Budget Revision proposed yesterday contains further deep cuts for all California public education. The Governor put forth two scenarios based upon the possible outcomes of the May 19 special election.

Under the first scenario, if all the ballot propositions pass, California still faces a \$15.4 billion deficit, which would result in a \$3 billion reduction for California education.

Under the second worst-case scenario, if the ballot propositions fail, the California state deficit would increase to \$21.3 billion, which would force even deeper cuts to education, estimated at \$5.3 billion.

The Community College League of California (CCLC) released an initial response to the Governor's budget proposal stating that the impact of the proposal would equate to removing almost 250,000 full-time students from California community colleges.

The details of the impact to the SDCCD won't become available until after the results of the May 19 Special Election are known.



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170 REPORT OF THE TRUSTEES

171 Student Trustee

1. Student Trustee Sebastian Law reported that the Associated Student Government elections were successfully completed at all three colleges. He announced the three new Associated Students Presidents:

David Campbell, City College
 Jamaal Mason Walker, Mesa College
 Franchesca M. Gade, Miramar College

2. On behalf of all the student trustees, he publicly thanked the Board and the administration for the constant and outstanding work they do for the students.

172 Mary Graham - No report.

173 Maria Nieto Senour - No report.

174 Bill Schwandt

1. Trustee Schwandt reported on several end-of-the-year events he recently attended at the institutions of the District. He appreciated the effort of the staff for the work they do to make these events so successful.
2. He also complimented Student Trustee Sebastian Law for the excellent comments he made at a recent Mesa College event.

175 Peter Zschiesche - No report.



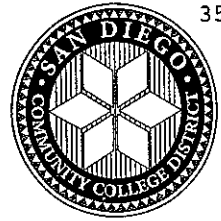
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- 170 REPORT OF THE TRUSTEES (Continued)
- 176 Rich Grosch
 - 1. Board President Grosch reported on his attendance at several special events including the groundbreaking ceremonies for the Miramar Arts & Humanities and Business Technology & Math Buildings; West City Campus grand opening; District Honors Program reception; and Classified Awards programs at City and Miramar Colleges. He also attended the SDICCCA Board Alliance meeting, Propositions S & N Citizens' Oversight Committee meeting, and Trustee Advisory Council meeting.
 - 2. He concluded his report by presenting Student Trustees Robert DeMartini, Brittany Forester, and Sebastian Law with plaques and thanked them for their excellent service throughout the academic year.



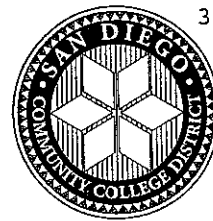
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180 REPORT OF THE CHANCELLOR
Chancellor Carroll - No report.



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**Motion
Second
Ayes**

**Motion
Second
Ayes**

- 190 NEW BUSINESS
- 191 Consideration and approval of Board Meeting Schedule for July 2009 through December 2009.
- 192 In the matter regarding the Trustee Advisory Council (TAC), authority is requested to:
1. Appoint the following individuals (nominated by Trustee Rich Grosch):
 Herb Delute
 Arlie Ricasa
 2. Remove the following individual who has ended his service on the TAC (nominated by Trustee Rich Grosch):
 Doug Langdon

Approve.

**Approve.
Exhibit 192**

X	X	X	X	X	X
X	X	X	X	X	X



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Motion Second Ayes	X	X	X	X	X	X
Motion Second Ayes	X	X	X	X	X	X
Motion Second Ayes	X	X	X	X	X	X

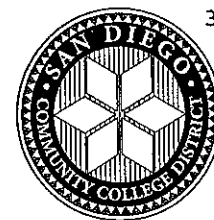
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- 400 BUDGET AND FINANCE**
- 420** In the matter of the collaborative grant project with San Diego State University Research Foundation from the United States Department of Health and Human Services National Institutes of Health, to conduct activities at City College and San Diego State University to strengthen access for minority students to careers in the biological sciences, authority is requested to:
1. Enter into an agreement with San Diego State University Research Foundation; and
 2. Accept, budget and spend \$5,000 in the 2008-2009 General Fund/Restricted Budget.
- 421** Authority to accept, budget and spend in the 2008-2009 General Fund/Restricted Budget, \$95,861 from the Chancellor's Office California Community Colleges (COCCC) for the Nursing Student Retention Program Grant at San Diego City College.
- 422** Authority to accept, budget, and spend in the 2008-09 General Fund/Restricted Budget for Continuing Education an additional \$7,922 from the California State Department of Education through the Workforce Investment Act, Title II, Section 231, Adult Education and Family Literacy Act, English Literacy and Civics Education (EL Civics) increasing the budget from \$1,183,636 to \$1,191,558.

CONSENT CALENDAR

ACTION AUTHORIZED BY BOARD

- * Approve. Exhibit 420
- * Approve. Exhibit 421
- * Approve. Exhibit 422



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Mary Graham	Rich Grosch	Bill Schwandt	Maria Nieto Senour	Peter Zschiesche	Student Trustee Advisory Vote
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**Motion
Second
Ayes**

**Motion
Second
Ayes**

- 400 BUDGET AND FINANCE (Continued)
- 423 In the matter of Student Support Services (SSS)/STAR/TRIO program from the U.S. Department of Education, and the Cooperative Agencies Resources for Education (CARE) from the Chancellor's Office, California Community Colleges (COCCC), in the 2008-2009 General Fund Restricted Budget, authority is requested to:
1. Accept, budget and spend an additional \$26,605 in the General Fund Restricted Budget at Mesa (\$14,231) and at Miramar (\$12,374) Colleges; and
 2. Transfer \$57 from the Financial Aid Fund Budget to the General Fund Restricted Budget at Miramar College.
- 490 Approval of the District's Quarterly Investment Report for the period ending March 31, 2009.

* Approve.
Exhibit 423

* Approve.
Exhibit 490

X	X	X	X	X	X
		X	X	X	X



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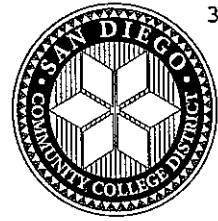
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CONSENT CALENDAR

ACTION AUTHORIZED BY BOARD

						500	<u>OPERATIONS</u>		
Motion			X			540	In the matter of the District's health occupations programs, authority to:	*	Approve.
Second							Enter into agreements with health care agencies for use of clinical facilities by students enrolled in District health occupations programs during the 2008-2009 fiscal year.		Exhibit 540
Ayes	X	X	X	X	X				
Motion			X			560	Authority for three students and one faculty advisor from City College to attend the International Study Program in Salzburg, Austria from May 29, 2009, through June 5, 2009.	*	Approve.
Second									Exhibit 560
Ayes	X	X	X	X	X				
Motion					X	590	Approval of San Diego Community College District Endowment Trust Investment Policy Statement (IPS), effective June 11, 2011.		Approve.
Second									Exhibit 590
Ayes	X	X	X	X	X				
Abstain					X				
Motion	X					591	Identification of a structure for the San Diego Community College District Endowment Trust, effective June 11, 2011; and		Motion to select a Donor-Advised Fund at a Community Foundation.
Second			X				Direct the administration to bring back a recommended local organization that can provide services consistent with the defined structure.		Approve.
Ayes	X	X	X	X	X				



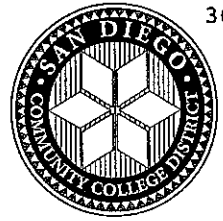
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							600	<u>PERSONNEL</u>
Motion			X				610	Certification of short-term personnel service effective on or after May 15, 2009, per California Education Code Section 88003.
Second				X				
Ayes	X	X	X	X	X	X		* Approve. Exhibit 610
Motion			X				611	Approval of academic, classified, substitute and student personnel actions relating to appointments, assignment changes, salary changes, status changes, leaves of absence, separations and volunteerism during the period April 1, 2009, through April 30, 2009.
Second				X				
Ayes	X	X	X	X	X	X		* Approve. Exhibit 611
Motion			X				650	Consideration and approval of sabbatical leaves for Fall 2009/ Spring 2010.
Second				X				
Ayes	X	X	X	X	X	X		* Approve. Exhibit 650
Motion			X				651	Consideration and approval of amended sabbatical leave for two employees in the AFT unit for the corrected semester of fiscal year of 2008-09 at City College and Mesa College.
Second				X				
Ayes	X	X	X	X	X	X		* Approve. Exhibit 651



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Motion
Second
Ayes

X X X X X X

600 PERSONNEL (Continued)

660 In the matter of the reorganization of the Business Services Office, effective June 1, 2009, authority to:

Reclassify 1.0 vacant Senior Accounting Technician position (#008382), Range 23 (\$3,169-4,577), in the AFT Office Technical Unit, to 1.0 District Office Accounting Specialist, Range 27 (\$3,604-5,205) in the AFT Office Technical Unit.

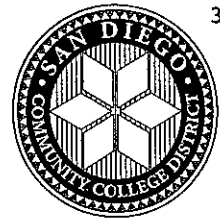
* Approve.
Exhibit 660

Motion
Second
Ayes

X X X X X X

690 Consideration and adoption of a Proclamation to recognize the week of May 17-23, 2009, as Classified Employee Week.

Approve.
Exhibit 690



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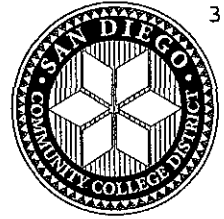
ACTION AUTHORIZED BY BOARD

	Mary Graham	Rich Grosch	Bill Schwandt	Maria Nieto Senour	Peter Zschiesche	Student Trustee Advisory Vote
Motion			X			
Second				X		
Ayes	X	X	X	X	X	X
Motion			X			
Second				X		
Ayes	X	X	X	X	X	X

- 700 SUPPLIES AND EQUIPMENT
- 730 Authority to award Bid #09-35 SN for the purchase, delivery, assembly and installation of new furniture products for the San Diego City College "L" Building to the following companies: Virco Inc., items 1, 2, and 4; Innovative Commercial Environment, items 3 and 5; and, BKM Office of San Diego dba BKM Officeworks, item 6, as the low, responsive and responsible bidders.
- 731 Authority to award Bid #09-04, a requirements contract for the purchase, delivery, installation, set up, calibration and training for institutional-quality radiology equipment for the new Allied Health Building of Mesa College to Radiographic Equipment Services, Inc., the most responsive and responsible bidder.

* Approve.
 Exhibit 730

* Approve.
 Exhibit 731



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							800	<u>BUILDINGS AND REAL ESTATE</u>
Motion			X				810	Authority to utilize the new off-campus facility of the Lemon Grove Fire Department at 7853 Central Avenue by Miramar College.
Second Ayes	X	X	X	X	X	X		* Approve. Exhibit 810
Motion			X				811	Authority to utilize the new off-campus facility San Diego Regional Firearms Training Center by Miramar College.
Second Ayes	X	X	X	X	X	X		* Approve. Exhibit 811
Motion			X				830	Adopt a Resolution approving the use of the design-build contracting method for the mechanical, electrical, and plumbing/fire protection systems for the Miramar College Cafeteria, Bookstore and Student Services project.
Second Ayes	X	X	X	X	X	X		* Approve. Exhibit 830
Motion						X	831	In the matter of testing and verifying the performance of 60 Variable Air Volume (VAV) units serving the west end of the District Office and performing recommissioning of the heating, ventilation and air conditioning (HVAC) system serving the District Office:
Second Ayes	X	X	X	X	X	X		President Grosch opened the Public Hearing. No Speakers came forward President Grosch closed the Public Hearing.
Abstain						X		Approve. Exhibit 831
								PUBLIC HEARING on:
							1.	Adoption of a resolution making the finding necessary under Government Code Section 4217.12 for entering into an <u>Energy Service Contract with MBO Inc. without formal competitive bidding</u> ; and
							2.	Authority to enter into an Energy Service Contract with MBO Inc. The contract is subject to approval by District Counsel and available for review in Facilities Management at the District Office.



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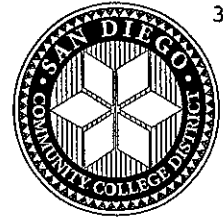
Mary Graham	Rich Grosch	Bill Schwandt	Maria Nieto Senour	Peter Zschiesche	Student Trustee	Advisory Vote
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							800	<u>BUILDINGS AND REAL ESTATE</u> (Continued)		
Motion			X				840	Authority to establish a Consultant Agreement with URS Corporation for storm water compliance consulting services throughout the San Diego Community College District.	*	Approve. Exhibit 840
Second				X						
Ayes	X	X	X	X	X	X				
Motion				X			841	Authority to establish a Consultant Agreement with Randall Lamb for engineering consulting services related to preparation, advertisement, award and technical support for a power purchase agreement to procure 2 Mega Watts (MW) of renewable energy using photovoltaics throughout the San Diego Community College District.	*	Approve. Exhibit 841
Second			X							
Ayes	X	X	X	X	X	X				
Motion				X			842	Authority to establish a Consultant Agreement with Step Function FMC for lean management consultant services in the Facilities Services Department.	*	Approve. Exhibit 842
Second			X							
Ayes	X	X	X	X	X	X				
Motion				X			870	Authority to award a contract for the District Service Warehouse Remodel at the District Service Center to 3-D Construction, Inc., the lowest responsible, responsive bidder, on the basis of the Base Bid of Eight Hundred Thirty-Nine Thousand Six Hundred Dollars (\$839,600).	*	Approve. Exhibit 870
Second			X							
Ayes	X	X	X	X	X	X				
Motion				X			871	Authority to award a contract for the Athletic Facility Improvements at San Diego Mesa College to Byrom-Davey, Inc., the lowest responsible, responsive bidder, on the basis of the Base Bid of Two Million Six Hundred Thirty-One Thousand Five Hundred Forty-One Dollars (\$2,631,541).	*	Approve. Exhibit 871
Second			X							
Ayes	X	X	X	X	X	X				



MINUTES
Board of Trustees
 San Diego Community College District
Public Meeting

	Mary Graham	Rich Grosch	Bill Schwandt	Maria Nieto Senour	Peter Zschiesche	Student Trustee Advisory Vote
Motion			X			
Second				X		
Ayes	X	X	X	X	X	X
Motion			X			
Second				X		
Ayes	X	X	X	X	X	X
Motion			X			
Second				X		
Ayes	X	X	X	X	X	X

May 14, 2009

CONSENT CALENDAR

ACTION AUTHORIZED BY BOARD

800 BUILDINGS AND REAL ESTATE (Continued)

872 Authority to award a contract for the Re-Roof of Building D-100 at San Diego Mesa College to Commercial and Industrial Roofing Co. Inc., the lowest responsible, responsive bidder, on the basis of the Base Bid of Seventy-Seven Thousand Three Hundred One Dollars (\$77,301).

* Approve.
Exhibit 872

873 Authority to award a contract for the Re-Roof of Building E-1 (LRC) at San Diego Mesa College to Commercial & Industrial Roofing Co. Inc., the lowest responsible, responsive bidder, on the basis of the Base Bid of Three Hundred Sixteen Thousand Four Hundred Ninety-One Dollars (\$316,491).

* Approve.
Exhibit 873

874 Authority to award a contract for the Modernization of the Hydraulic Elevator at the I-300 Building at San Diego Mesa College to Omega Elevator Corporation, the lowest responsible, responsive bidder, on the basis of the Base Bid of One Hundred Ninety-One Thousand Five Hundred Twenty-Three Dollars (\$191,523).

* Approve.
Exhibit 874



MINUTES
Board of Trustees
 San Diego Community College District
Public Meeting

Mary Graham
Rich Grosch
Bill Schwandt
Maria Nieto Senour
Peter Zschiesche
Student Trustee Advisory Vote

May 14, 2009

ACTION AUTHORIZED BY BOARD

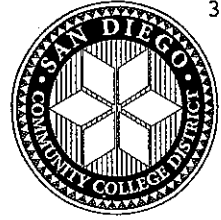
900 INFORMATION ITEMS

- 901 Board Sub-Committees:
- Community College/City Schools Partnerships: Trustee Schwandt
 - Budget Study and Audit: Trustees Grosch and Zschiesche
 - Retirement Board: Trustees Grosch and Zschiesche
 - Citizens' Oversight Committee Liaison: Trustees Grosch and Zschiesche
 - Trustee Advisory Council Cultural Competency Subcommittee Liaison: Trustees Schwandt and Senour
 - Accreditation and Student Learning Outcomes: Trustees Senour and Graham

902 Report of the 2008-2009 Third Quarter Financial Status Report, CCFS-311Q Exhibit 902

903 Report on the District Honors Program 2008-2009 Exhibit 903
 Presentation by Professors Carmen Jay, Wendy Smith, Adrian Arancibia, and Sarah Pitcher: and students Heather Paulson (Miramar), Lizbeth Barcelata (Mesa), and Jose Mondragon (City).

904 Report on Retiree Health Benefit GASB-45 Valuation Exhibit 904



MINUTES
Board of Trustees
San Diego Community College District
Public Meeting

Mary Graham
Rich Grosch
Bill Schwandt
Maria Nieto Senour
Peter Zschiesche
Student Trustee Advisory Vote

May 14, 2009

ACTION AUTHORIZED BY BOARD

950 ADJOURNMENT

Adjourn 5:21 p.m.

Respectfully submitted,

Constance M. Carroll
Chancellor and
Secretary of Board

Rich Grosch
President

2008-09 Series 16

Margaret Lamb
Recording Secretary