



SAN LUIS OBISPO COUNTY COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

BOARD MINUTES

Regular Meeting

January 6, 2010

4:00 p.m.

The Board of Trustees of the San Luis Obispo County Community College District met in Regular Session in Building N2000, Cuesta College North County Campus, Paso Robles, California, members and the public having been noticed as prescribed by law.

- 1. Call to Order** The meeting was called to order by Board President, Patrick Mullen at 2:00 p.m.

- 2. Roll Call -
Establish
Quorum** Board Members
Patrick W. Mullen, President
Angela Mitchell, Vice President
Gaye Galvan
Per Mathiesen
Marie Kiersch

- 3. Approval of
Agenda** **Motion to approve:** Mitchell — **Passed** by unanimous vote of those members present to approve the agenda, as amended.

Item E.3.a was removed from the agenda, as it was an administrative error (carry over from the last Board meeting.)

- 4. Recess to
Closed
Session** The Board recessed to Closed Session at 2:05 p.m.

- 5. Reconvene in
Open Session
& Pledge of
Allegiance** The Board reconvened in Open Session at 4:10 p.m. Trustee Mitchell led the pledge of allegiance.

**Labor
Negotiations/
Terms &
Conditions**

**Labor Negotiations and Terms and Conditions of Employment for
Represented and Unrepresented Employees**

- a. Human Development Agency Negotiator: Annette Loria
Instructions Regarding Classified Employees; Negotiations
- b. Agency Negotiator: Annette Loria
Instructions Regarding Academic Employees; Negotiations
- c. Agency Negotiator: Patrick Mullen / Gil Stork
Instructions Regarding Unrepresented Employees,
Superintendent/President, Confidential, Managers, Supervisors:

7. REPORTS FROM EMPLOYEE ORGANIZATIONS

**Academic
Senate**

No report.

CCFT

CCFT President, Allison Merzon presented the following to the Board:

- A mediation meeting is scheduled for January 26, 2010 to address the impasse.
- Ms. Merzon thanked Annette Loria for her service. She recently had the opportunity to watch interviews with the Supreme Court Justices, and see what occurred during oral arguments. She said it was important for people to be able present arguments and disagree. She reflected on the group's relationship with the District. Ms. Loria was always willing to listen to the argument. She never confused advocacy with being disagreeable and her service is greatly appreciated.

CCCUE

CCCUE President, John Fetcho presented the following to the Board:

- He wished Annette Loria the best of luck as she begins her new position at Mt. SAC. Annette became the Executive Director of HR at about the same time he became the President of CCCUE and both have grown into their positions. He has found her to always be very civil in her dealings with the union and while there were times when they disagreed, they were never disagreeable. Cuesta will miss her.
- He thanked Paula Robinson, whose retirement was approved today in closed session. Paula decided to retire so that a fellow DSPS employee could keep her job. This is her way of helping ameliorate the DSPS budget crisis and CCCUE would like to profusely thank her and wish her well in her retirement.
- As the group enters negotiations in February, they will keep a keen eye on the budget realities for Cuesta. They will be especially diligent in focusing on real budget data, so they can help the District in what promises to be another trying budget year.
- CCCUE is also closely monitoring and questioning the District's use of temporary hourly employees as permanent classified bargaining unit members are taking furloughs. The District will be held to the Ed Code provisions that prohibit the use of temporary employees to perform unit work during the furlough time of permanent employees.
- The group is looking forward to working with the District as the New Year begins. It is expected the State will again provide the college with a terrible budget situation, but together, with good data, the college can overcome that. The goal is to provide the outstanding service that the students and the local community has come to expect from Cuesta.

Management

Todd Frederick, Vice President presented the following to the Board:

- The Management Senate regrets the departure of Annette Loria and wishes

Senate

her well.

- The group welcomes and congratulates Dr. Stork on his appointment as Superintendent/President and is excited about the prospects of having him assume the leadership of the college; as well as working with the other constituent groups on campus and nurturing those relationships.
- This is an opportunity to make great strides for the college.

8. REPORTS FROM BOARD MEMBERS

Trustee Mitchell

Trustee Mitchell presented the following to the board:

- She thanked Annette Loria for her dedicated service to the college and congratulated her on her new assignment.

Trustee Mullen

No report.

Trustee Galvan

Trustee Galvan presented the following to the board:

- The year is off to a good start with a lot of smiles.
- She also watched the Supreme Court arguments previously mentioned by Ms. Merzon, and has also had the opportunity to observe case arguments in person. She said it is a remarkable process.

Trustee Mathiesen

Trustee Mathiesen presented the following to the board:

- He has been at the college for 20 years.
- He is excited about having Dr. Stork serve as Superintendent/President and has enjoyed hearing him speak at various venues over the past few days.

Trustee Kiersch

Trustee Kiersch presented the following to the board:

- She thanked Annette for her service and congratulated her on her new position.

Student Trustee Shepherd

Trustee Shepherd presented the following to the board:

- The ASCC has worked through the break on advocacy events with student groups throughout the state.
- He has been following the issues surrounding the women's tennis program and said Cuesta College has issues with gender equity regarding women's programs. He introduced Diane Milutinovich, Title IX advocate, who will be addressing the Board regarding the elimination of the women's tennis program and the college's Title IX compliance.

9. Report from Supt/Pres

Dr. Stork presented a written report to the Board and provided copies to the public. He also presented the following to the Board:

- Dr. Stork acknowledged the incentive rebates from Southern California Gas and PG&E and introduced Terry Reece, Director of Maintenance, Operations and Grounds.
- Mr. Reece said the rebates were associated with the HVAC 3100/3200 project, and facilitated by the California Community College/Investor-Owned Utility (CCC/IOU) Energy Efficiency Partnership Program. This accomplishment was two and a half years in the making.
- There was not enough money in the Library remodel project to replace the existing HVAC systems, and soon after the building was completed the units began failing. He said comparing the old and new HVAC units is like comparing a 1960 Buick to a 2008 Prius.
- Mr. Reece introduced Laura Wetmore, PG&E and Tim Mahoney, SoCal Gas.
- Ms. Wetmore said it was a pleasure to be at the meeting and expressed her appreciation for the partnership Cuesta College has with both utilities. She

serves on the team for the CCC/IOU partnership. It is a special partnership only available to community colleges. The current program only runs through 2012 but there was almost \$12 million in funds left on the table in 2008, so she encouraged the district to take advantage of the services provided through the programs.

- Mr. Mahoney recognized the college and Terry Reece. He said these types of projects just don't happen. It takes commitment and an energy champion like Terry. The District has done a very good job in keeping energy conservation in the forefront. It is a win-win for everyone.
- A check for \$59,527.00 was presented to the District.
- Trustee Mullen also acknowledged Frank Meteo, SoCal Gas and Tom Loresh, PG&E.
- Mr. Reece said it is difficult for the District to do these projects because there are no matching funds available. Rebates, such as this, enable the college to move on to the next project.
- Dr. Stork acknowledged the death of Darrilyn Gladstone. She had been quietly battling cancer. The college will miss her. She touched many lives during her service at the college.
- Dr. Stork invited the vice presidents to present an update on their areas.
- Dr. Greiner thanked the Foundation for making the recent remodels of the physical sciences forum (N2400) possible. VTEA funds also provided the opportunity to develop a dedicated space to for LVN and Allied Health programs.
- Dr. Fontanilla announced the completion of grading, and thanked Joy Chambers and the A&R staff for their outstanding efforts to complete this task. All areas and programs are gearing up for the new semester. She also acknowledged Nohemy Ornales, Director of Financial Aid for improving check timelines.
- Toni Sommer announced that requests for extensions for bids on the North County Learning Resource Center had gone out. The Board previously approved a resolution approving the list of vendors, and all the paperwork was sent to the Chancellor's office. The Department of Finance has not responded to any requests since November. She considered moving forward on a conditional approval of the bids to lock the district into the contracts, because they had already been extended a year. The state advised that any quasi commitment to contracts would most likely result in a loss of project funding. The Department of Finance is not awarding any contracts until the budget is complete. Fourteen of the 17 vendors have given a verbal commitment to extend their bids; three were waiting on the official letter request. Negotiations for the construction management firm cannot move forward until the project bids have been accepted, and the full amount is finalized. Local contractors make up 11 of the 17 total contract bids.
- Dr. Stork acknowledged the Foundation gift report.

- 10. Communication** **NOTE:** Members of the Board of Trustees and/or the Superintendent/ President may report the receipt of various items of correspondence that may be of interest to the College District.

A petition was delivered to the board by Mike Napoli.

Trustee Shepherd received correspondence from Miles Barker regarding the recent landscaping at the CPAC. He was concerned that it was labor and resource intensive to maintain. He recommended more drought tolerant plants.

11. Hearing of Public Comment

Mike Napoli, former Cuesta College women's tennis coach, presented the following to the board:

- He wished Annette Loria the best of luck in her future assignment.
- He is a representative at the ITA national convention. Some of the members include very big and successful universities. He spoke on behalf of Cuesta College. The coach from Yale acknowledged that Cuesta was a nationally recognized program for which Napoli had also been recognized. The Yale coach said the termination of the program was a sad reward in light of its success.
- Mr. Napoli said he had retired as coach but did not retire the program. He is willing to come back and coach if that is what it takes. What the program did was remarkable, and it has produced many great individuals.
- He presented a list of individuals who desired to participate in the program.
- He said he was confused as to why the program was terminated when there was money to fund \$30,000 for transportation, and split the men and women's track classes. There is also the issue of gym rental, which generates revenue.

Diane Milutinovich, Title IX advocate, presented the following to the Board:

- She said she was unable to locate information regarding Cuesta's Title IX Coordinator on the web site as required by statute. She said participation in sports programs should be equitable to enrollment.
- The college has a history of expanding but has not added a women's sport in three to five years.
- She said, in her opinion the college is out of compliance and denying female students the ability to participate. She warned the Board that complaints are much more aggressively addressed now. Not having money is not an excuse for gender discrimination.
- The women's tennis team is exceedingly important. It embodies the institution's mission, vision, and values.

12. Reports

None

BUSINESS AGENDA ACTION / DISCUSSION ITEMS
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1. Curriculum

Motion to Approve: Galvan — **Passed** by those members present to approve the Curriculum Committee recommendations for new and revised curriculum, as presented.

Kevin Bontenbal presented the following information to the Board:

- Most of the curriculum presented is related to hospitality and interior design. These actions bring courses up to industry standards.
- He thanked Virginia Findley and Ruth Biering for their work.
- Curricunet is moving forward and conversions are underway. Meetings have included representatives from computer services, academic affairs, and the sponsoring company. The plan is still to go live in fall 2010.
- This program will automate the way curriculum is presented. Load, review, and approval will all be completed online.
- He has been working on a prerequisite pilot task force, established by the statewide academic senate, in response to a related resolution. They are looking into possibly changing Title V language that requires prerequisites to be based on statistical validation rather than content review. This is mainly associated with general education courses and prerequisites for reading, writing, and math.

**2. Academic
/Classified Calendar
for 2011-2012**

Motion to approve: Mathiesen — **Passed** by those members present to approve the proposed Academic/Classified Calendar for 2011-2012, as presented.

- Discussion took place regarding the two week break (overlap) for local school districts that extends the year into the summer college semester.
- Trustee Shepherd said he has heard from students that say they would rather give up a few weeks in June instead of late summer.
- Dr. Stork said this has been a 25 year debate. California moved to an early start to keep the fall semester intact, because there had been a significant drop in returning students from the winter break. It would also put students on track to attend other universities and colleges on the quarter system.
- Trustee Mullen said he would like to see a standardized calendar for all the districts.

Public Comment

- John Fetcho said the bargaining unit had been surveyed regarding starting summer school earlier. The reality is, the amount of work required to close out the previous semester and be ready for the next semester cannot be accomplished in that short period of time.
- Peter Dill said the short calendar had not been discussed but should be.

**3. Revised Job
Description:
Technician I and II**

Motion to approve: Mitchell — **Passed** by those members present to approve the proposed revised job description: Technician I and II, as presented.

Annette Loria presented the following to the Board:

- This position is in the purchasing tech series.
- It does not affect any employees and only cleans up language contained in the description.
- There is no increase or reclassification.

Public Comment

- Peter Dill, faculty, objects in general with the statement that there is no increase in salary but an increase in workload.
- The larger issue is people are being reclassified and salaries are increased. Chris Green has told him there was additional expense involved.
- One of the ways Cuesta is increasing costs is by having people work out-of-class, then bringing a reclassification to the board to make it permanent. He said that is not the way to do business.
- He suggested that out-of-class pay should be brought to Planning and Budget and the Board. There is no budget for this type of pay.
- There was approximately a \$10,000 increase based on the Board's last actions regarding reclassification of employees. Again, the Board is making decisions based on information that is not complete. Any fiscal impact is disclosed to the Classified bargaining unit during negotiations.

Trustee Mitchell asked if these were part of negotiations.

- Ms. Loria said yes. The effects of reclassification have to be negotiated with the bargaining unit. The steps are outlined in the contract. She said when there is a significant change of duties, that issue must be recognized financially because the employee is being asked to perform more or higher level duties.

- She said an example would be when software is implemented. The costs of increased duties should probably be included in the budgeting of the software, but it is often unknown and difficult to plan. It is difficult to place a dollar amount on this issue. When it is realized, it has to be compared to the other 14 districts and analyzed.
- Trustee Mullen asked if there could be a summary of the fiscal impact on these issues in the future.
- Ms. Loria said that would be addressed in an item further down on the agenda.
- Toni Sommer said the setup for out-of-class pay is not tied to a salary scale but to a percentage of salary. The last reclassification cost \$16,000, which included retroactive pay and increase in salary; that is the difference between the placement on the salary scale and the percentage of out-of-class pay received.

4. Revised Job Description: Reprographics Technician I and II

Motion to approve: Galvan — **Passed** by those members present to approve the proposed revised job description: Reprographics Technician I and II, as presented.

Annette Loria presented the following to the Board:

- Currently, there are two incumbents in this position, at this range.
- This adjusts the description to include two separate levels due to the interest to take hourly funding to support a permanent position, potentially at the North County Campus. That position will occupy the lower level position at range 24.

Public Comment

- Karen Reyes, CCCUE, said a legitimate question exists; why would the college want to do this? Sometimes an incumbent occupies a position for quite awhile. When changes come, equitable compensation should follow. Out-of-class pay is not always equitable.

Trustee Shepherd asked how an employee receives out-of-class pay.

- Ms. Loria said it is most often done through HR by the area manager.
- They must justify why the duties are different and what they were previously doing.
- She said out-of-class pay approval does not come to the Board. Reclassification requests are presented to a screening committee. The committee determines whether there is enough evidence to support reclassification. Approval is retroactive to the beginning of the year in which the action is initiated.

5. Revised Job Description: Student Accounts Specialist

Motion to approve: Mathiesen — **Passed** by those members present to approve the proposed revised job description: Student Accounts Specialist, as presented.

Annette Loria presented the following to the Board:

- This position has taken some time to get through the process.
- Trustee Mathiesen asked if this position goes back to January 1 of last year. Ms. Loria said yes.
- Toni Sommer said overall cost for this position came out to \$109.00 per month.

6. Board of Trustees: Revised Board Item Template

Motion to approve: Mitchell — **Passed** by those members present to adopt the revised board item template, as discussed.

Dr. Stork presented the following to the Board:

- Thought has been given to how the college could improve information coming to the Board and improve the decision making process.
- Todd Frederick, Annette Loria and the vice presidents met to discuss and develop a better way of presenting board items.
- Mr. Frederick developed a revised board item template that requires a more detailed explanation of the item being presented. A statement of fiscal impact has also been added.
- It is anticipated that this new form will help the Board better prepare for the decision making process.
- Allison Merzon applauded the effort to streamline information and forms. She said any group having a part in the development of ideas or recommendations to the Board should be involved in the construction of the Board item. She emphasized that the fiscal impact should include actual numbers and not just a statement (budget neutral or no impact.)
- If an item has been vetted through a specific committee, the Chair and/or Co-Chairs of that committee should be allowed to include supplemental information.
- Dr. Stork thanked Mr. Frederick and the executive team for stepping up on this issue and said he hoped it would have a positive impact on decision making.

7. Executive Recruitment

Annette Loria said this was a recurring item to allow the Board to discuss and plan for the selection of a superintendent/president.

Trustee Mathiesen asked what the cheapest way would be to complete a search.

Ms. Loria said the last search was actually quite conservative. Additional costs were incurred through off-site interviews and travel reimbursement; although the amount allowed for travel reimbursement did not cover some of the applicant's costs. There is also release time and other costs outside of HR. The Board will decide on how many people serve on the selection committee. The last search cost the District approximately \$45,000.00. Timing should take into consideration the availability of the applicant pool and start dates. Many incumbents have contracts which take them through June. A consultant could give the District a feel for whom and how many are looking for positions. They provide the who, what, why, when, and where.

8. Agenda Items for Next Meeting

A preliminary list of proposed agenda items for the February 3, 2009 Regular Board meeting is presented for review.

The following items were added:

- Faculty tenure
- An update on the women's tennis program and Title IX

Meeting recess at 5:59 p.m. for 5 minutes.

Meeting reconvened at 6:05 p.m.

Operational Note: Digital recording capability from this point forward was lost due to technical malfunction.

**BUSINESS AGENDA
INFORMATION ITEMS**

- 9. College Planning and Budget Development** Toni Sommer presented the following to the Board:
- The state budget comes out Friday.
 - She will be attending the statewide budget workshop in Sacramento on the 15th of this month, and will provide an update at the next Board meeting based on that conference.
 - The FTES cap has been recalculated to 9151.72.
- 10. Nomination of Candidates for California Community College Trustees (CCCT) Board** This is an information item, calling for nominations to the CCCT Board. Trustees may nominate themselves or others.

CONSENT AGENDA

NOTE: The Board of Trustees will be asked to approve all of the following items by a single vote. Any Board member or public individual may ask that an item be removed from the Consent Agenda to be considered and discussed separately. The Student Board Member **may vote** on any of the items listed under Consent Agenda.

- 1. Consent Agenda** **Motion to approve:** Galvan — **Passed** by unanimous vote of those members present to approve the consent agenda, as amended.

Dr. Stork requested the minutes be pulled from the consent agenda.

Trustee Shepherd requested item P.7 be pulled for further discussion.

- 2. Approval of Minutes** Approve the Draft Minutes of the SLOCCCD regular board meeting held on January 6, 2010, as presented.

Motion to approve: Mathiesen — **Passed** by unanimous vote of those members present to approve the December 9, 2009 regular Board meeting minutes, as amended.

Dr. Stork noted the Board meeting schedule has already been modified to take 2010 election certifications into consideration. The proposed schedule listed the December board meeting for December 8, 2010. Action by the Board moved the meeting further into the month, December 15th. He recommended the minutes reflect the regular Board meeting occurring on December 8, 2010, which should allow enough time to accommodate certification of elections by the county clerk.

- 3. Approval of Warrant Listings** Approve warrant listings, as presented:

11/30/2009	\$ 128,018.39
12/2/2009	\$ 247,528.93
12/7/2009	\$ 336,746.90
12/9/2009	\$ 479,802.81
12/14/2009	\$ 254,976.16
12/16/2009	\$ 48,258.44
12/21/2009	\$ 507,422.23
12/28/2009	\$ 229,809.33
TOTAL	\$2,232,563.19

- 4. Approval of Payroll Orders** Approve Payroll Orders, as presented.

Academic/Classified Hourly	\$	190,606.22	310
Academic/Classified Monthly	\$	3,642,590.27	830
	\$	3,833,196.49	1140

- 5. Approval of Gifts to the College**
- a. Auto mechanical parts valued at \$2,800.00 donated by Doug Dye (Perry Ford) for use by the Engineering / Technology Department.
 - b. Boxes of books (14) donated by Paul Gladstone, on behalf of Darrylin Gladstone, for use by the Library.

- 6. Employee Appointments** Approve salary/wages for unrepresented employee appointments, as presented.

- 7. Change Orders for the (Cultural and Performing Arts Center (CPAC))** Approve change orders (02-04, 03-22, 04-09, 07-22, 07-23, 13-04, 14-03, and 23-03) for the CPAC, totaling \$23,479.11, as presented.

Motion to approve: Galvan — **Passed** by unanimous vote of those members present to approve the change orders for the CPAC, as presented.

Trustee Shepherd asked for clarification on the content of the change orders. Toni Sommer said she has met with the contractor and more changes will be submitted for February, but there should be no more after that point. The close-out process has begun. The current construction management group is not being considered for future management jobs. She will be prepared next month to provide detailed information.

- 8. Declaration of Surplus Equipment** Declare obsolete equipment as surplus, as presented.

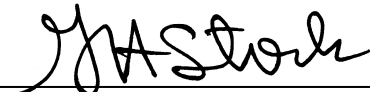
Q. DISCUSSION

1. What went well?
- Trustee Mathiesen – The group has already addressed improvements by adopting the new template. He thinks the Board sets good expectations regarding reports.
 - Trustee Kiersch - The meeting went well and was timed well. She thinks the Board sets clear expectations on reports.
 - Trustee Shepherd - The meeting went well and was informative. The revised template is a good start.

- Trustee Mitchell - She agrees with Trustee Mathiesen. She said the Board has not been heard with regard to reports in the past. She appreciated Dr. Stork including the vice presidents in his report.
- Dr. Stork said he will be looking at a series of reports and scheduling them with regard to other items. He wants to champion the good work being done by all staff.
- Trustee Galvan - The meeting went well. The Board discussed processes and methods to improve. She is glad to hear the President will be bringing reports on positive activities and programs. The group is moving in the right direction with the new template.
- Trustee Mullen - He needs to be aware of the polycom location.
- Dr. Stork said his concern is, historically, how board meetings have been conducted. This is the Board's meeting and the public is invited to participate in a structured way. The Board must be mindful regarding public comment. It is important to let them know how they may participate.
- Trustee Mullen said his goal was to be as informal as possible while maintaining the structure of the meeting. He will continue to work on that.
- On a follow-up from a previous discussion, Annette Loria said the process does exist for out-of-class pay, and is embedded in CBA 3.2.1. It is listed as inconsistent duty pay. She appreciated the opportunity to speak. She thanked everyone for their kind comments, and was appreciative of those remarks. She said it had been a pleasure working with particular individuals, and has good relationships with several in the room. They have been excellent and she will miss that. She hopes that others will agree that her working relationship with the unions has been good, and is in good hands with the remaining HR staff. She will maintain her home in Morro Bay.
- Trustee Mullen thanked Ms. Loria for her service.

ADJOURNMENT

Adjournment The meeting was adjourned at 6:36 p.m. Unless otherwise announced, the next meeting of the Board of Trustees will be held on Wednesday, February 3, 2010, at 4:00 p.m., in 5401, Student Conference Center, San Luis Obispo Campus, San Luis Obispo, California



Gilbert H. Stork, Ed.D.
Superintendent/President