



SAN LUIS OBISPO COUNTY COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

BOARD MINUTES

Regular Meeting

February 4, 2009

3:00 p.m.

The Board of Trustees of the San Luis Obispo County Community College District met in Regular Session in room 5401, Student Conference Center, San Luis Obispo Campus, San Luis Obispo, California, members having received notice as prescribed by law.

- 1. Call to Order** The meeting was called to order by Board President, Patrick Mullen at 3:04 p.m.

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

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

- 4. Recess to Closed Session** The Board recessed to Closed Session at 3:05 p.m.

- 5. Reconvene in Open Session & Pledge of Allegiance** The Board reconvened in Open Session at 4:21 p.m. Gaye Galvan led the pledge of allegiance.

BOARD MEMBERS PRESENT

Patrick W. Mullen, President
Angela Mitchell, Vice President
Gaye L. Galvan
Per Mathiesen
Joe Vanherweg, Student Trustee

ADMINISTRATION PRESENT

Dave Pelham, Superintendent/President
Ed Maduli, Asst Supt / VP Administrative Services
Cathleen Greiner, Asst Supt / VP Student Learning
Linda Fontanilla, Asst Supt / VP Student Services
Annette Loria, Exec Dir, HR and Labor Relations
June Stephens, Exec Dir, Foundation / Inst Adv
Toni Sommer, Dean
Deborah Wulff, Dean
Pamela Ralston, Dean

VISITORS SIGN-IN

Andrea Devitt
Debbie Milner
Sara Bendrick
Larry Cooper
Sam Rodriguez
Dina Ebeling
Megan Barnes
Sara Kennedy
Haila Hafley-Kluver

Joy Chambers
Ruth Biering
Virginia Findley
Chris Green
Patrick Schwab
Steve Leone
Kevin Bontenbal
Gary Rubin

John Fetcho
Allison Merzon
Terry Reece
Peter Dill
Gordan Gadow
Steve Beneso
Gaye Steil
Kent Brudney
Jack Sullivan

6. PLEDGE OF ALLEGIANCE

Trustee Galvan led the pledge of allegiance.

7. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Board President Patrick Mullen announced the following actions taken in closed session.

- All classified/management appointments and resignations were approved as presented.
- All faculty recommendations for Second, Third Year and Tenure Contracts – 2008 - 2009 were approved as presented.
- Litigation - rejected.

**Supt/Pres
Evaluation**

SUPERINTENDENT/PRESIDENT

- a. Agency Negotiator: Patrick Mullen
Instructions Regarding Unrepresented Employees: Superintendent / President;
general evaluation

**Classified/
Management
Personnel
(Attachment)**

CLASSIFIED/MANAGEMENT PERSONNEL

Motion to Approve: Mitchell — **Passed** by unanimous vote of those members present to approve the following action pertaining to Classified/Management personnel:

Appointments, Classified/Management

- a. Short-term, Hourly Employees
- b. Graphic Designer, 75% FTE
- c. Police Sergeant

Resignations

- a. Mailroom Clerk
- b. Case Worker, Independent Living Program

Public Employee Discipline/Dismissal/Release

None

Academic Personnel
(Attachment)

ACADEMIC PERSONNEL

Motion to Approve: Mitchell — **Passed** by unanimous vote of those members present to approve the following action pertaining to Academic personnel

Appointments

None

Recommendations for Second, Third Year and Tenure Contracts – 2008 - 2009

Public Employee Discipline/Dismissal/Release

None

Labor Negotiations/ Terms & Conditions

LABOR NEGOTIATIONS AND TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED AND UNREPRESENTED EMPLOYEES

- a. Agency Negotiator: Annette Loria
Instructions Regarding Classified Employees; Negotiations
- b. Agency Negotiator: Annette Loria
Instructions Regarding Academic Employees; Negotiations
- c. Agency Negotiator: Patrick Mullen / Dave Pelham
Instructions Regarding Unrepresented Employees: Superintendent/President, Confidential, Managers, Supervisors; Contract for Interim Sergeant and Interim Director, Public Safety

Litigation

Existing Litigation

Motion to Approve: Mathiesen — **Passed** by unanimous vote of those members present to reject the bid protest claim as presented.

- a. Conference with Legal Counsel, Anticipated Litigation, Significant Exposure to Litigation Pursuant to Government Code 54956.9(b), One Case; Bid Protest

8. REPORTS FROM EMPLOYEE ORGANIZATIONS

Academic Senate

Academic Senate President Steve Leone presented the following to the board:

- The senate and the President continue to work jointly on the presentation of shared governance by the College League and Statewide Faculty Senate.
- The senate supports the sabbatical leave request before the board and encourages the District to continue its support to this invaluable program.
- The senate will be conducting faculty evaluations of managers in the coming weeks. It includes deans, vice presidents, and president.

CCFT

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

- The union is concerned with the direction in which the dialogue is going regarding reductions in the summer schedule, specifically the impact on the students and the community. These issues impact the core of what the faculty does. The question on the minds of the faculty is, "what will happen to the students and how would this impact the community as a whole."

CCCUE

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

- He agreed with Ms. Merzon's concerns regarding summer budget reductions.
- He said there is anxiety among the classified and some have expressed that they do not have an impact on the process. Some classified employees think the decisions have already been made. He said he would like to stay with the dialogue and ensure the process is transparent.

- Management Senate** Management Senate President, Patrick Schwab presented the following to the Board:
- He thanked Lisa Gray for her extensive work on the Management Senate Professional Development Committee.
 - The senate members have agreed to move forward on a 360 evaluation survey.

9. REPORTS FROM BOARD MEMBERS

- Trustee Mitchell** Trustee Mitchell presented the following to the board:
- She has been communicating to every branch of the government regarding advocacy of budget issues.
 - She attended the Paso Robles Chamber of Commerce installation dinner.
 - She attended the Foundation Board retreat on Monday and thanked June for an excellent event.

- Trustee Mullen** Trustee Mullen presented the following to the board:
- He appreciates the comments regarding the budget.
 - He said there are some tough decisions to make and that all the information available is being considered.

- Trustee Galvan** Trustee Galvan presented the following to the board:
- She attended the Paso Robles Chamber of Commerce installation dinner.

- Trustee Mathiesen** No report.

- Trustee Kiersch** Absent

- Student Trustee Vangerweg** Trustee Vanherweg presented the following to the board:
- The ASCC organized "meet and greet your administrators". These events occurred last Thursday and earlier today. It allowed the students an opportunity to meet the college administrators and ask questions. Everyone enjoyed it.

- 10. Report from Supt/Pres (Attachment)** In addition to the following written report, Dr. Pelham presented the following to the Board:
- Oath of Office - Dr. Pelham administered the Oath of Office to newly selected Cuesta College Police Sergeant, Ron Schram, and presented him with his badge of office.
- He said Ron Schram comes to Cuesta with 30 years experience in law enforcement and will be a good fit for the college.

- 11. Communication (Attachment)** **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.

The Board received communications from Robert Dockerty - AmericanStar Trailways regarding charter bus service and bidding procedures.

12. Hearing of Public Comment

Mr. Lionel Johnston, of the "One Cool Earth" organization presented his plan for the restoration of the San Luis Obispo Creek and tree planting plan. (Attachment 12.A) He also introduced Ms. Sara Bendrick, Cal Poly student, who also spoke to the plan and encouraged the District's support. They want to plant native plants and grasses and remove foreign flora.

13. Reports

Cuesta College Foundation Quarterly Report

Director of Foundation / Institutional Advancement, June Stephans presented the following to the board:

- County Supervisor and Cuesta College Alum, Katcho Achadjian received the prestigious California Community College Distinguished Alumni Award at the last SLO Supervisor's meeting. He was extremely emotional regarding his comments about community college and the impact it had on his life. This award is presented to alumni who are accomplished professionals and contributing citizens of their communities. Dr, Pelham and Iris Swisher made brief comments during the presentation.
- The Foundation retreat was a great success. The purpose is to learn about major needs of the college so the Foundation can prioritize its needs and efforts.
- She commended Faculty Gary Ruben and Linda Harris for their participation on the Foundation Executive Board. They represent the college well.
- Mr. Bob Wacker was named Citizen of the Year by the SLO Chamber of Commerce.
- She encouraged trustees to attend the Cuesta Gold event March 10.

Professional Development

Devon Hodgson, Director of Professional Development presented the following to the Board:

- Her first year as director has been a rewarding experience. She thanked Annette Loria for her leadership and mentoring, and all those she has had the pleasure of working with.
- She explained the support process and flow of information (Attachment A)
- She summarized the activities of the professional development committees.
- She summarized the planning and implementation of development workshops for opening day and the activities that took place on staff development day.
- She explained the plans for the upcoming year and looks forward to the continued enthusiasm from the committees and the college.

BUSINESS AGENDA ACTION / DISCUSSION ITEMS
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1. Sabbatical Leave

Motion to approve: Mitchell — **Passed** by those members present to approve the request for sabbatical leave as recommended by the Sabbatical Leave Committee for 2009-2010, as presented.

John Knutson presented the following to the Board:

- He fully supports the committee's recommendation for sabbatical leave as presented and encourages the board to approve the request.
- Jeff Grover is outstanding faculty and this experience will enable him to work with leaders in his field and in rich areas of exploration.
- Sabbatical leaves are important to Cuesta. It is the single most important program available to faculty. Faculty want to continue to explore and create within their areas much like a craftsman wants to continue to create his or her ideas in the home in which they live. It is important to morale and esteem.
- When Jeff Grover returns, he will be fired up and an invaluable asset to the college.

2. Sewer System Management Plan

Motion to approve: Vanherweg — **Passed** by those members present to approve the Sewer System Management Plan to meet new State Water Quality Control Board regulations, as presented.

Ed Maduli presented the following to the Board:

- It is a little known fact that the Cuesta College Maintenance Department maintains 1.5 miles of sewer lines with 15 manholes.
- The state has adopted new mandates for controls.
- The plan must be completed by 2010 with Board approval.
- The plan is in compliance with the water board and is under capacity. The liable party is Camp San Luis Obispo. Some lines will be repaired in

collaboration with the County Office of Education.

- A letter of intent will go out this week.

3. Resolution of Election to Become Subject to the Uniform Public Construction Cost Accounting Procedures, and Resolution Enacting Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act

Motion to approve Galvan — Passed by those members present by roll call vote approve SLOCCCD Resolution 02-09; Election to Become Subject to the Uniform Public Construct Cost Accounting Procedures, and SLOCCCD Resolution 03-09; Enacting Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act, as presented.

Both resolutions under one motion.

Ayes - Mullen, Mathiesen, Mitchell, Galvan, Vanherweg
Nays - None

Ed Maduli presented the following to the board:

- One action makes the District subject to these procedures, the other is enacting the procedures for under the Act.
- One of the areas which would benefit is the Maintenance Department. A project often goes beyond \$15,000 which is currently the limit under the current code. Then formal bidding is required. This becomes problematic when there is a critical maintenance issue that requires quick resolution.
- This method saves time and money. It also develops relationships with local trades and vendors.
- The process must be adopted first and notify the state controller.
- Most community colleges are moving to this method as an alternative.
- On page O.3.4 "business services" should read "administrative services".
- This does not remove the requirement to take these issues to the Board.

4. Management/ Classified Emeritus Status

Motion to approve Mathiesen — Passed by those members present to approve the proposed naming opportunities for campus facilities as presented.

- It is noted that Ms. Scott-Dewing's name should read "Judi".

5. Agenda Items for Next Meeting

A preliminary listing of proposed agenda items for the February 4, 2009 Regular Board meeting is presented for review.

- The board has agreed that the President's evaluation to be moved from March to June. There is another stipulation in the contract regarding a rolling three-year contract. An addendum moving the time associated to the June evaluation with regard to the rolling contract will be included as recommended by Trustee Galvan.
- Tax Revenue Anticipation Note (TRAN) resolution is added.
- Hollister Bridge report is added.
- Traffic violation penalty schedule is added.

The proposed agenda was approved through consensus of the board.

**BUSINESS AGENDA
INFORMATION ITEMS**

6. College Planning and Budget Development

Mr. Maduli presented the following to the board:

- An enrollment form has been forwarded to the Community College League for a 2009-2010 TRAN.
- The maximum limit is 12 million dollars.
- Much depends on the deferrals of apportionment from the state.
- A resolution as indicated in the agenda items for the next meeting will be presented to the Board.
- There are sufficient funds for the mid-year cuts. Next year there is an estimated \$1 million dollar deficit.
- The state is looking at mitigating the entire \$42 billion deficit.
- The information that was presented at the joint Budget and Planning / Shared Governance Council was handed to the Board.
- Trustee Mullin said the \$42 billion deficit for California is larger than the entire state budget for 39 other states.

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 presented.

2. Approval of Minutes (Attachment)

Approve Draft Minutes of the January 2009 regular/organizational meeting as presented.

3. Approval of Warrant Listings

Approve warrant listings, as presented:

1/7/2009	\$934,162.19
1/12/2009	\$119,279.47
1/14/2009	\$253,835.38
1/21/2009	\$318,551.65
1/26/2009	\$758,404.98
1/28/2009	\$156,443.53
TOTAL	\$2,540,677.20

4. Approval of Payroll Orders

Approve Payroll Orders, as presented.

Academic/Classified Hourly	\$	289,594.94	441
Academic/Classified Monthly	\$	3,508,070.27	854
	\$	3,797,665.21	1,295

5. Approval of Gifts to the College

Approve gifts to the College, as presented.

- a. A Kodak Easyshare camera, camera case, and USB cable donated by Mary Sylvester for use by the Physical Plant.
- b. Various art books donated by Anna Schmierer for use by the Cuesta Library.

- c. Fenders, hoods, and sheet metal donated by Dennis Vigeant of Keystone Auto for use by the Engineering and Technology Department.
- d. Sheet Metal donated by Dave Hernandez, U.S. Auto Parts Perfect Fit for use by the Engineering and Technology Department.

6. **Change Orders for the Theater Arts Building** **Motion to approve:** Mitchell — **Passed** by unanimous vote of approve the change orders for the Theater Arts Building as presented.

7. **Declaration of Surplus Equipment** Declare equipment as surplus and approve of its disposal, as presented.

Q. DISCUSSION

1. What went well?

- Trustee Mathiesen – The meeting went well; minimum controversy.
- Trustee Galvan – The moved well regarding time.
- Trustee Kiersch – Absent.
- Trustee Mitchell – The meeting went well.
- Trustee Mullen – He is pleased about the new audio.
- Trustee Vanherweg – The meeting went well. The audio / visual system is great.

Question 2.

Do the board members work together as a unit for the good of the District?

- Trustee Vanherweg – Yes.
- Trustee Kiersch - Absent.
- Trustee Galvan – Yes.
- Trustee Mathiesen - Absolutely.
- Trustee Mitchell - Yes.
- Trustee Mullen - Yes.

ADJOURNMENT

Adjournment The meeting was adjourned at 5:50 p.m. Unless otherwise announced, the next meeting of the Board of Trustees will be held on Wednesday, March 4, 2009, in the Lucia Mar District Board Meeting Room/Orchard MPR, 602-G Orchard Street, Arroyo Grande, California



Dave Pelham
Superintendent/President