



MT. SAN ANTONIO COLLEGE

REGULAR MEETING OF THE BOARD OF TRUSTEES

Wednesday, September 23, 2009

MINUTES

CALL TO ORDER

The regular meeting of the Board of Trustees of Mt. San Antonio College was called to order at 6:03 p.m. on Wednesday, September 23, 2009. Trustees Baca, Bader, Chen Haggerty, Chyr, and Hall were present.

STAFF PRESENT

John S. Nixon, President/CEO; Virginia Burley, Vice President, Instruction; Michael D. Gregoryk, Vice President, Administrative Services; Audrey Yamagata-Noji, Vice President, Student Services; and Jack Miyamoto, Interim Vice President, Human Resources

1. PUBLIC COMMUNICATION

None.

2. CLOSED SESSION

The Board adjourned to Closed Session to discuss the following items:

- Conference with Labor Negotiator Jack Miyamoto, Interim Vice President, Human Resources, per California Government Code Section 54957.6
CSEA Chapter 651
- Conference with Labor Negotiator Virginia Burley, Vice President, Instruction, per California Government Code Section 54957.6
Faculty Association
- Anticipated Litigation – Conference with Legal Counsel – Bid Protest, per Government Code Section 54956.9
- Anticipated Litigation – Conference with Legal Counsel Pursuant to Government Code Section 54956.9(b)(1.)
- Public Employee Discipline/Dismissal/Release – Government Code section 54597

One Position

3. PUBLIC SESSION

The public meeting reconvened at 6:38 p.m.

4. INTRODUCTIONS/RECOGNITION

- Introductions

The following newly appointed staff member was introduced to the Board:

Management

Rich Lee, Interim Payroll Manager

5. APPROVAL OF MINUTES

It was moved by Trustee Chen Haggerty, seconded by Trustee Bader, to approve the minutes of the regular meeting of August 26, 2009. Motion unanimously carried. Student Trustee concurred.

6. ACTION TAKEN IN CLOSED SESSION

Trustee Chyr reported that the Board took the following action in Closed Session:

- The Board voted unanimously to reject the Bid Protest filed by DSG Corporation and confirm the award of the Design Technology Center (Bid No. 2852) to West-Tech Mechanical, Inc.
- The Board voted unanimously, pursuant to Education Code Section 88013, to adopt the decision of the hearing officer and to terminate Employee #801433936 as a classified employee effective May 28, 2009, and to send notice of its decision to the employee.

7. PUBLIC COMMUNICATION

Representing custodial staff, Frank Williams, Johnny Armendariz, Michael Breen, Manny Rivera, and Royanne Garrison spoke in opposition to consent item #16, the ManageMen, Inc. (OS1) Cleaning Program. According to the speakers, the College has been piloting the program for the last ten months and none supported its implementation. They described the program as being inflexible and a physical hardship. It was suggested that this might be a good program for offices, but not for a college setting.

8. REPORTS

A. Rene Kouassi, Associated Students President, reported the following:

- President Kouassi reported that students now have a full senate and will be pursuing the discussion of a no-smoking policy. Once students have a recommendation, they will bring it to the President's Advisory Council and then to the Board of Trustees.

- Mr. Kouassi thanked the Board and administration for their hard work on behalf of students. As the College goes through difficult times, Mr. Kouassi said students are inspired by the College leadership.
- A couple of months ago, Mr. Kouassi shared his vision for a community discount program where students would be able to get a discount from businesses around the College. Mr. Kouassi said that, to date, 23 businesses are on board. Board members will be receiving a flyer with more information on the program.
- Any Board members who haven't RSVP'd for the students' leadership retreat were encouraged to do so.

B. Michelle Grimes-Hillman, Academic Senate President, reported the following:

- The Academic Senate held orientations for its senators and standing committee members on August 27 and September 1. Faculty reaffirmed their primacy in the creation of syllabi. The Academic Senate is recommending that there not be any administrative mandates (outside of legal requirements) in the creation of course syllabi, recommending that departments create their own syllabi policies, and recommending that the faculty members of each department determine the appropriate public venue for course-level SLOs/GEOs.
- At the next full Senate meeting, faculty will take action on changes to its constitution and consider a recommendation that any minor be designated on the faculty rosters and that faculty will also be trained on their legal responsibilities regarding minors to ensure compliance with laws and regulations.
- The Academic Senate invited the faculty body to an Academic Senate Retreat on September 18. Participants created Senate goals and set priorities for the academic year. The faculty body will review and approve these goals in October.
- Members of the Student Preparation & Success Council and the task force on special admission students worked collaboratively to revise Board Policy 5010 - Admission. Board members were encouraged to approve the proposed revisions.

C. Liz Callahan, Classified Senate President, reported the following:

- The committee formed to revise the Senate's constitution met earlier today and began the task of identifying key areas that need updating and began discussion of a new mission statement. The committee will contact CSEA leadership for its input on proposed changes.
- President Callahan said she continues to receive excellent ideas for cost-cutting and revenue-enhancing ideas to be taken back to the Budget Committee task force, which meets again in October. Classified staff have submitted creative and feasible ideas.
- The Senate is working on collecting donations (monetary and physical) for its fund-raising Stateline Turnaround trip, scheduled for Saturday, November 7.
- Many classified staff who participated in the mandatory NIMS/SEMS training said they felt this training provided important safety tips they might never have known had they not received the training. Classified Senate would like to thank

Karen Saldana, her staff, and the Professional and Organizational Development staff for providing these training courses.

D. Jennifer Galbraith, Faculty Association President, reported the following:

- The California Community Colleges Association will be holding its annual Fall Conference and Council meeting in Santa Clara October 9-11. The Faculty Association will be sending several delegates to the conference.
- The Faculty Association will be sending out a ratification ballot to all Association members this week. The ballot will consist of the District's last, best, and final offer on full-time benefits, as well as a summary of tentative agreements. The Executive Board believes that the Association members need to make the choice that is right for them, so it was decided, by a very close vote, to send out the ballot without a recommendation to ratify or a recommendation not to ratify. Ballots are to be returned to the Faculty Association Office by October 12.
- The Faculty Association has notified the faculty that, as faculty at a public institution, they are all considered Disaster Service Workers and, thus, are required to participate in training on the National Incident Management System. The District has begun training for full-time faculty, staff, and managers this semester. The District is working with the Association to set up more options for training in the future.
- At the September 1 Representative Council meeting, the Council voted to support and to endorse Dr. David K. Hall and Judy Chen Haggerty in the 2009 Mt. SAC governing board election.

E. Johnny Jauregui, President, CSEA Chapter 651, reported the following:

- President Jauregui thanked Trustees Chen Haggerty and Hall for attending CSEA Chapter 651's general meeting. Mr. Jauregui said that CSEA Chapter 651 supports the reelection campaign for both candidates.
- Mr. Jauregui told Board members that the annual CSEA Installation Banquet will be held in January and Board members are invited to attend. As the date approaches, more information will be provided to Board members.
- Board members are also invited to attend the annual conference next August in Sacramento. Again, more information will be provided to Board members.
- Mr. Jauregui said he is pleased to see his colleagues share their concerns with the Board. He recently met with Vice President Gregoryk and Director Nellesen to express his concerns about the OS1 program.
- Mr. Jauregui said that CSEA has been very active in fighting for more state funding for education and will continue to seek additional funding.

F. Laura Martinez, 1st Vice President, CSEA Chapter 262, reported the following:

- Ms. Martinez thanked Trustees Chen Haggerty and Hall for attending the last CSEA Chapter 262 Chapter meeting. She said CSEA members appreciated the frank dialogue at the meeting and look forward to similar discussions with all Board members in the future. Ms. Martinez said the members voted to endorse both trustees in their reelection campaigns.

- Ms. Martinez announced that Cason Smith has been appointed as the CSEA Community College Representative to the Statewide Public Relations Committee.

G. President Nixon's report included the following:

- Dr. Nixon said the College has settled into the fall semester and he is seeing signs for continued success and marks of excellence – the College football team and men's soccer teams are undefeated to this point.
- Earlier in the week Mt. SAC representatives signed a transfer agreement with Brandman University (formerly known as Chapman University). Under the agreement, both institutions will participate in the development and maintenance of program-specific articulation agreements. Brandman University will provide early admit Mt. SAC students with advising services, program evaluation, transfer credit through the use of Web Advisor, and personalized advising. Dr. Nixon commended Vice President Yamagata-Noji and Heidi Lockhart, Director of Career and Transfer Services, for pursuing these transfer agreements with a variety of institutions.
- Dr. Nixon acknowledged the sudden and untimely death earlier this week of Dr. Chris McCarthy, President of Napa Valley College. Dr. Nixon described Dr. McCarthy as an excellent leader.

9. INFORMATIONAL REPORT

Board members were provided with a written briefing on the Accreditation Self Study, prepared by Accreditation Self Study Co-Chairs Barbara McNeice-Stallard, Director of Research & Institutional Effectiveness, and Kristina Allende, Professor, English, Literature, and Journalism.

Mt. SAC's accreditation was reaffirmed in 2004. In anticipation of an October 2010 site visit, the College has begun the process of preparing a self study report to show its accomplishments in the areas of Institutional Mission and Effectiveness (Standard I), Student Learning Programs and Services (Standard II), Resources (Standard III), and Leadership and Governance (Standard IV). Four teams, comprised of members representing all constituencies on campus (administration, faculty, classified staff, confidential staff, and students) have been assigned a standard to research, gather evidence, write narrative, and justify the statements made about the accomplishments at Mt. SAC. Concurrent with the work being done by the standard teams is the work being done by the co-chairs to ensure that Mt. SAC is meeting all requirements set by ACCJC.

A draft of the College's self study will be released campus-wide this semester so that members of the campus community can review it and provide feedback to the co-chairs. Following college community input, a final draft of the self study will be presented to the President's Advisory Council, to the College President, and to the Board of Trustees for approval.

Trustee Hall noted that the College received a six-year accreditation in 2004 and asked what percentage of community colleges receive a full accreditation. Dr. Nixon said that, currently, about 30-40 percent receive reaffirmation of accreditation with a mid-term report. Another 23 percent are put on sanction. Areas of performance that would result in

sanctions most often are deficits in planning, followed by governance (usually problems with boards). A third reason would be related to fiscal solvency.

10. CONSENT AGENDA

Trustee Chyr asked that the following items be pulled from the Consent Agenda:

- Consent item #16 – ManageMen, Inc. (OS1) Cleaning Program; and
- Consent item #18 – Only those bids related to the Health Occupations Building Remodel (Nos. 2861, 2862, 2863, 2864, and 2865).

It was moved by Trustee Hall, seconded by Trustee Bader, to approve or ratify the following items, as revised:

HUMAN RESOURCES

1. Approval of Personnel Transactions, dated September 23, 2009.

INSTRUCTION and STUDENT SERVICES

2. Approval to accept funds and approve activities for the Upward Bound Grant.
3. Approval of a contract with UCLA Conference Center in Lake Arrowhead for the Annual Associated Students Fall Leadership Conference.
4. Approval of use of facilities agreements for the Parent Education Program.
5. Approval of an affiliation agreement with St. Jude Medical Center for students in the Nursing Program.
6. Approval of activities and acceptance of funds for the Basic Skills Grant.
7. Approval to accept funds from the Flight Safety Grant.
8. Approval of activities for the Family and Consumer Sciences Discipline/ Industry Collaborative Grant.
9. Approval of activities and contracts for the Advanced Technological Education Grant – Regional Information Systems Security Center.
10. Approval of activities and acceptance of funds for an Early Childhood Reading grant titled “Children’s Literature Day at the Mt. San Antonio College Library,” funded by Target Corporation.
11. Approval of activities and acceptance of funds for a Hispanic-Serving Institutions Education grant titled “Mt. SAC Agriculture Pathways Program.”
12. Approval of additions and changes to the Continuing Education program.

ADMINISTRATIVE SERVICES

13. Approval of the Budget Revision Summary.

14. Approval to reject a Claim Against the District by Michelle C. Trautwein, and instruct Administrative Services to notify the claimant of the rejection in accordance with Government Code Sections 910 through 915.4.
15. Approval of Resolution No. 09-03 – Resolution Recognizing and Adopting the National Incident Management System (NIMS).
16. This item was pulled from the agenda.
17. Approval of agreements to provide Professional Design and Consulting Services with P2S Engineering for the Administration Building Remodel LEED Commissioning, the Design Technology Center LEED Commissioning, the Energy Monitoring, Evaluate Chillers and Cooling Towers at Performing Arts Center, the Campus Design Standards, and the Child Development Center Construction Site Power projects; with HMC Architects for the Physical Education Complex Phase 2 – Final Project Proposal project; with gkkworks for the Facilities Planning Support project; and with Travis Companies, Inc. for the Fuel Station Replacement project.
18. Approval of the following Bids:
 - Bid No. 2854 Administration Building Remodel – Abatement and Demolition Contractor. Awarded to Janus Corporation in the amount of \$709,243.
 - Bid No. 2855 Administration Building Remodel – General Construction Contractor. Awarded to Angeles Contractor in the amount of \$2,582,000.
 - Bid No. 2856 Administration Building Remodel – Floor Coverings Contractor. Awarded to Donald M. Hoover Company in the amount of \$349,695.
 - Bid No. 2857 Administration Building Remodel – Plumbing and Site Utilities Contractor. Awarded to Emyrean Plumbing, Inc., in the amount of \$239,485.
 - Bid No. 2858 Administration Building Remodel – Mechanical/HVAC Contractor. Awarded to DSG Mechanical Corporation in the amount of \$901,500.
 - Bid No. 2859 Administration Building Remodel – Electrical Contractor. Awarded to Rancho Pacific Electric in the amount of \$1,667,700.
 - Bid No. 2860 Administration Building Remodel – Fire Sprinklers Contractor. Awarded to JPI Development Group, Inc., in the amount of \$99,000.
19. Approval of the following Change Orders:
 - Bid No. 2785 Humanities Exterior Improvements – Bridge/Walkway at North Parking Lot – Sea West Enterprises, Inc. (General Contractor)

– Change Order No. 4.

- Bid No. 2823 Roof Replacements – Alcal Arcade Contracting, Inc. (General Contractor) – Change Order No. 1.

20. Approval of the following Contract Amendments:

- Contract Administration Building Remodel – Marlene Imirzian & Associates (Professional Design and Consulting Services Consultant) – Amendment No. 3.
- Contract Administration Building Remodel Temporary Space – Marlene Imirzian & Associates (Professional Design and Consulting Services Consultant) – Amendment No. 1.
- Contract Removal and Replacement of Hydraulic Lifts at Garage – Absolute Consulting Engineers (Professional Design and Consulting Services Consultant) – Amendment No. 1.
- Contract Art Building Tank Replacement – Absolute Consulting Engineers (Professional Design and Consulting Services Consultant) – Amendment No. 1.

21. Approval of the following Completion Notices:

- Bid No. 2786 Chemistry Building Exterior Improvements – K.A.R. Construction, Inc. (Contractor)
- Contract Energy Conservation, Phase III – Chevron Energy Solutions (Contractor)

Motion unanimously carried. Student Trustee concurred.

11. PUBLIC HEARING ON PROPOSED BUDGET

In accordance with Title 5 of the California Code of Regulations, Section 58301, the 2009-10 Proposed Budget was made available to the public from September 18, 2009, through September 22, 2009, and a Public Hearing was scheduled for 6:30 p.m., on Wednesday, September 23, 2008. Trustee Chyr opened the Public Hearing at 7:27 p.m. There were no statements made relative to the proposed Budget. The Public Hearing was closed at 7:28 p.m.

12. ADOPTION OF THE 2009-10 BUDGET

President Nixon said the current fiscal situation is the most difficult he has seen in over 30 years in education, and he believes 2010-11 will be an even tougher revenue year. He informed the Board that the budget presented tonight is not a balanced budget, but does not represent significant reduction to programs and services, and does not represent proposed reduction to staff due to good fiscal management and good fiscal policies by this Board and staff.

Vice President Gregoryk reviewed the proposed 2009-10 budget. He noted that included

in the adopted budget are ongoing general fund revenues of \$140,992,738. Ongoing expenditures are estimated at \$146,105,896, leaving a projected ongoing budget deficit of \$5,113,158, which does not include approximately \$6,500,000 in ongoing cuts to the categorical programs. Also budgeted are one-time expenditures totaling \$3,824,338, including \$1 million for the Board of Trustees' election cost (fees the county charges us), \$1.6 million in carry-over obligations from 2008-09, and \$1.2 million for one-time support of categorical programs that are experiencing extreme reductions in State funding.

The use of one-time funds (carry-over funds from the categoricals and undistributed reserves above the Board mandated 10%) and expenditure reductions allow us to offset revenue reductions for the current year. However, the revenue reductions are ongoing, and our one-time funds are finite. Consequently, the College will continue to work collectively to identify additional actions to reduce expenditures, developing a plan that will take us through the following two fiscal years.

Mr. Gregoryk indicated there will likely be no employee layoffs during the 2009-10 fiscal year, but that some should be expected in 2010-11, given the ongoing \$15.5 million shortfall. He commended staff and faculty for submitting cost-saving ideas, which are expected to be reviewed by a Budget Committee task force in October.

It was moved by Trustee Baca, seconded by Student Trustee Padilla, to approve the 2009-10 adopted budget. Motion carried unanimously. Student Trustee concurred.

13. 2009-10 COLLEGE GOALS

President Nixon explained that the Institutional Effectiveness Committee and President's Advisory Council regularly review the College Goals. The goals presented to the Board are the same as last year, with a modification to goal 10 and the addition of goals 12 and 13.

It was moved by Trustee Chen Haggerty, seconded by Trustee Hall, to approve the 2009-10 College goals. Motion unanimously carried. Student Trustee concurred.

14. PROPOSED REVISIONS TO BOARD POLICY 5010 - ADMISSIONS

It was moved by Trustee Bader, seconded by Trustee Hall, to approve proposed revisions to Board Policy 5010 – Admissions. Motion unanimously carried. Student Trustee concurred.

Trustee Hall said he is hearing from many in the community about how difficult it is to get a class. He asked if the trustees could be provided with information on registration priorities.

15. BOARD COMMUNICATION

- All Board members welcomed Dr. Hall back and wished him well as he continues to recover from his hospital stay.
- Trustee Hall thanked everyone for their sentiments at his return to the Board. He noted that this was the first Board meeting he has missed during his 14-year tenure on the Board. As Trustee Hall and Chen Haggerty prepare to run for reelection to the Board of Trustees, they have been meeting with College stakeholders to better understand the challenges that face the College for the next couple of years. Dr.

Hall said he is committed to shared sacrifices to deal with projected budget deficits. He believes the College has to plan for worse-case scenarios. Dr. Hall said he enjoyed meeting with the employee groups and wants to continue that dialogue.

- Trustee Chen Haggerty thanked the Faculty Association and two CSEA chapters for their faith in her and Dr. Hall. She said she is looking forward to continuing her service on the Board. Trustee Chen Haggerty said it is important that we work together and have open communication as we face the challenges ahead.
- Trustee Bader thanked Vice President Gregoryk, Associate Vice President Baldwin, and the entire Fiscal Services team for all their hard work on developing the 2009-10 budget. Trustee Bader reminded everyone that tomorrow is Mt. SAC Day at the Los Angeles County fair. Admission is free with a valid Mt. SAC I.D. and the Mt. SAC coupon.
- Dr. Baca assured everyone that, even though we are really struggling with the budget situation, we are going to get through it. We are all engaged in a great effort here for the students.
- Student Trustee Padilla congratulated the newly appointed student senators, noting that he is looking forward to working with them. Mr. Padilla attended the San Gabriel Valley Economic Partnership Gala and found it to be a great evening. He enjoyed spending time with Mike Shay, the College's Foundation Board President.
- Trustee Chyr commended the Faculty Association for moving forward with the collective bargaining process.

The Board took a brief recess at 8:09 p.m.

16. CLOSED SESSION

The Board adjourned to Closed Session at 8:16 p.m. to conduct a student expulsion hearing. The meeting reconvened to regular session at 8:36 p.m.

17. STUDENT EXPULSION

It was moved by Trustee Baca, seconded by Trustee Hall, to accept the findings and recommended decision of the President to expel student No. 889-27-2217 permanently from the College, effectively immediately. Motion unanimously carried.

18. ADJOURNMENT

The meeting adjourned at 8:37 p.m.

JSN:dc