



MT. SAN ANTONIO COLLEGE

REGULAR MEETING OF THE BOARD OF TRUSTEES

Wednesday, July 28, 2010

MINUTES

CALL TO ORDER

The regular meeting of the Board of Trustees of Mt. San Antonio College was called to order at 6:00 p.m. on Wednesday, July 28, 2010. 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 Annette Loria, Vice President, Human Resources.

1. PUBLIC COMMUNICATION

None.

2. CLOSED SESSION

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

- Employment/Appointment of College President
- Public Employee Performance – President/CEO, Discussion of Goals, Pursuant to Government Code 54957
- Anticipated Litigation - Conference with Legal Counsel Pursuant to Government Code Section 54956.9(b)(1) - Upon Advice of Legal Counsel (two cases)
- Conference with Legal Counsel - Settlement Agreement with Los Angeles Air Conditioning, Inc. (Case No. 0710-1)

3. PUBLIC SESSION

The public meeting reconvened at 6:41 p.m.

4. INTRODUCTIONS/RECOGNITION

- Introduction of the following newly appointed staff:

Classified

April Garcia, Laboratory Technician II, Biological Sciences
Caitlin Rodriguez, Secretary, Facilities Planning & Management

- Recognition
 - Board President Hall presented Certificates of Service to the following retiring staff in acknowledgement of their years of service to the College. They were both wished success and luck in retirement.

Madhu Bhatnagar, Database Administrator – 24 years of service
Jeff Parker, Director, Public Safety – 8 years of service

5. APPROVAL OF MINUTES

It was moved by Trustee Baca, seconded by Trustee Chen Haggerty, to approve the minutes of the regular meeting of June 16, 2010. Motion unanimously carried.

6. ACTION TAKEN IN CLOSED SESSION

Dr. Hall reported that the following action was taken in closed session:

- The Board unanimously approved a settlement agreement (Case No. 0710-1) with Los Angeles Air Conditioning, Inc., Math/Science Building (Mechanical/HVAC) Project (Bid No. 2778), in the amount of \$98,087.42.
- The Board voted unanimously to reject the Breach of Construction Contract claim from Tri-Power Electric, Inc., dated June 29, 2010, filed pursuant to Government Code sections 910 et. seq. concerning the Southwest Pathway project (Bid No. 2866).
- The Board voted unanimously to terminate AC Martin's contract for the Agricultural Sciences Complex for default effective as of July 23, 2010.

7. PUBLIC COMMUNICATION

None.

8. REPORTS

A. Xavier Padilla, Associated Students President, reported the following:

- As of July 1, the Associated Students has a new executive Board:

Jaejin Eum, Vice President of Business
Jeremy Cooper, Vice President of Activities
Lisa Bastio, Inter-Club Council Chair
Brenda Diaz, Inter-Club Council Vice Chair
Elisa Marin, Senator Pro Temp

Bruno Hernandez, Senator Pro Temp
Patrick Martinez, Student Trustee

- In the fall semester, 5 out of 18 appointed senators will be returning to student government to finish their one-year terms. Associated Students hopes to have 13 newly appointed senators by the third week of the fall semester.
 - Arts Senator Itzel Aguilar was recently elected as the Student Senate of California Community Colleges (SSCCC) Secretary and will sit on the SSSCC Executive Board representing Mt. SAC at the state level.
 - Four out of five justices will be returning in the fall to Student Court to complete their one-year terms.
 - The Associated Students Fall Leadership Conference is scheduled for September 24-26, 2010. Board members will be receiving invitations soon.
- B. Eric Kaljumagi, Academic Senate President, reported the following:
- The first full Senate meeting of the year will be held on September 2.
 - President Kaljumagi said the Academic Senate exists to advise the Board on “academic and professional matters.” The Senate has a goal and priority setting retreat planned for August 19. Professor Kaljumagi extended an invitation to Board members to suggest any academic and professional matters that the Senate might discuss this year.
 - The professional development “Flex Day” is scheduled for Friday, August 20. The day will consist of a general session, two breakout sessions, and department (or division) meetings. Mr. Kaljumagi said 26 different breakout sessions are planned covering many topics, including: disaster preparedness, brain-based research and developmental education, field trip safety, and the role of counselors at Mt. SAC.
 - President Kaljumagi attended the Academic Senate for California Community Colleges’ Leadership Institute in June. He and the Senate’s Curriculum Liaison were part of a team of five who attended the Academic Senate for California Community Colleges’ Curriculum Institute earlier this month.
- C. Donna Lee, Classified Senate President, reported the following:
- The Classified Senate welcomed two new senators at its July meeting: Janet Shoemaker, Natural Sciences Division; and DeeJay Santiago, ESL.
 - Members of the 2010-11 Classified Senate Executive Board are: Marchelle Nairne-Proulx, President-Elect; Virginia Macias, Treasurer; Jacqueline Carmona, Karen Braggins and Nancy Gordien; Directors; and Liz Callahan, Recording Officer and Past President.
 - President Lee said the Classified Senate strives to support Mt. SAC’s classified staff in their professional growth endeavors. Throughout the coming year, the Senate will continue to concentrate on fund-raising efforts in order to provide the classified staff with opportunities through its Professional Growth Scholarship. The first fund-raiser, a Stateline Turnaround trip, is planned for October 16.
 - One of the main goals of this year’s Classified Senate is to increase publicity and outreach to classified professionals through the College website and the Mt. SAC Portal. The Senate’s publicity committee is working on updating the

Senate homepage. The Senate is also discussing potential new ideas for fundraisers and other ways in which it can provide recognition and support to the hardworking classified staff.

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

- The 2010-11 Faculty Association Executive Board will have its first meeting on Tuesday, August 31. The Representative Council will have its first meeting on Tuesday, September 7. At this meeting, the representatives will be voting on an insurance policy for adjunct faculty.
- President Galbraith said that she and Vice President Howell attended the CTA Presidents' Conference from July 19-22 at the Asilomar Conference Grounds in Pacific Grove. She said it was very enlightening to get together with most of the CCA Association Presidents as well as numerous CTA Association Presidents.
- This year the required on-campus Flex Day is scheduled for August 20. President Nixon will be hosting his annual Welcome Back BBQ to coincide with the Flex Day. The Faculty Association will once again be providing promotional items to those in attendance at the Faculty Flex Day.

E. Bill Rawlings, President of CSEA Chapter 262, presented the following written report:

“At the June 21, 2010, Board of Trustees meeting, Action item #2 was approved resulting in the layoff of two classified staff. This reduction in staff was the direct result of the elimination of a grant-funded program. As a result of this layoff, CSEA met with the District to negotiate the effects of this layoff. During the course of these negotiations, CSEA presented evidence proving the transference of classified bargaining unit work. CSEA is in the process of preparing a proposal for the continued funding of these critical classified positions. The tentative agreement reached with the District calls for the elimination of temporary personnel whose duties the classified employees are qualified to perform. CSEA is extremely dismayed that despite this tentative agreement, the District continues to hire hourly personnel under the guise of Professional Experts, as evidenced on pages 21 through 25 of the Personnel Transactions on tonight's agenda.

We hope the District will be receptive to our proposals and work toward keeping both of these members employed. If we are not able to do so, our expectation is that the District will completely and immediately implement the provisions of the Memorandum of Understanding.”

F. President Nixon's report included the following:

- Dr. Nixon welcomed Classified Senate President Donna Lee to the Board table and Xavier Padilla to his new role as Associated Students President.
- Earlier today, Dr. Nixon and Trustees Baca, Bader, and Chyr attended a SanFACC meeting at Rio Hondo College. SanFACC (San Gabriel/Foothills Association of Community Colleges) was formed in 2007 and consists of Citrus, Chaffey, Glendale, Mt. San Antonio, Pasadena, and Rio Hondo Colleges. Meetings are held four times a year and include the college presidents, trustees, and community and governmental relations officers. The purpose of the group is to educate and inform locally-elected representatives; to impact legislation; to share information among districts; to coordinate

programs; and to combine efforts on issues of common interest. Through SanFACC, the colleges have been working on a mentor/mentee professional development program. The kick-off event for the first group of mentees is September 2, here in Founders Hall.

- Grace Hanson, Director, Disabled Student Programs & Services (DSP&S), provided Board members with copies of DSP&S's new *Guide to Services*. The handbook was written for the entire college community with an eye toward students. In reviewing the table of contents, Director Hanson pointed out that it follows a student's natural progression. Vice President Yamagata-Noji also presented Board members with copies of the 2010-11 Student Handbook and Calendar.
- Dr. Nixon reported that five Mt. SAC students competed in the USA Track and Field Junior Nationals, noting that this competition features the top 19 years and under athletes from colleges, universities, and high schools. Four Mt. SAC students fell within the top 10-20 across the country.

9. INFORMATIONAL REPORT

Board members were provided with a written briefing on Emergency Preparedness, prepared by Karen Saldana, Director, Safety & Risk Management.

In 2006, a task force was appointed to develop and organize the College's emergency response plan. The main goal of the plan is to be efficient and timely when responding during emergencies. While training continues to be a major challenge, a significant accomplishment was achieved this past year with over 700 staff and faculty trained in the National Incident Management System-required courses.

The most recent development in the emergency planning process involves the implementation of a mass communication system for notifying faculty, staff, and students of a threat by telephone, text message, and email.

10. CONSENT AGENDA

Trustee Hall asked that the following corrections/amendments be made to the agenda:

- Consent item #2 - Personnel Transactions. On page 30 of the backup packet, please change Phillip Wolf, Physics and Engineering to Department Chair rather than Co-Chair.
- Consent item #22 – Contract Amendments. On pages 101 and 102, Item Nos. 2, 3, 4, and 5 (AC Martin Partners, Inc., Amendment Nos. 7, 8, 9, and 10) were pulled from the agenda.

It was moved by Trustee Baca, seconded by Trustee Chyr, to approve or ratify the following items:

PRESIDENT'S OFFICE

1. Approval of expenses related to the Accreditation site visit in October.

HUMAN RESOURCES

2. Approval of Personnel Transactions, dated July 28, 2010, as corrected.

INSTRUCTION and STUDENT SERVICES

3. Approval of activities and acceptance of funds for the Enrollment Growth and Retention for Associate Degree Nursing Programs grant.
4. Approval of activities and acceptance of funds for the Family and Consumer Sciences Discipline/Industry Collaborative grant.
5. Approval of an amendment to the Teacher Preparation Pipeline grant.
6. Approval of activities and acceptance of funds for the Basic Skills grant.
7. Approval of a contract and acceptance of funds for the Child Development Center.
8. Approval of expenditures for the Child Development Center.
9. Ratification of track and field travel to Des Moines, Iowa, for the USA Junior National Championships held June 24–25, 2010.
10. Approval of additions and changes to the Continuing Education program.
11. Approval to accept funds and approve activities for the Aid Success Project.
12. Approval of the Cooperative Work Experience Education Plan.

ADMINISTRATIVE SERVICES

13. Approval of the Appropriation Transfers and Budget Revisions Summary.
14. Approval of a two-year agreement with Vicenti, Lloyd & Stutzman LLP to provide Auditing and Tax Preparation Services for the Mt. SAC Foundation, which includes the 2009-10 and 2010-11 annual audits.
15. Approval of an agreement with Fagen Friedman & Fulfroost LLP to provide legal services on an as-needed basis to assist with interpretation of existing agreements and other similar services, for the period July 1, 2010, through June 30, 2011.
16. Approval of an agreement with Dolinka Group, LLC for Redevelopment Assistance – Phase II and Phase III.
17. Approval to renew the Aviation Insurance Policy with Falcon Insurance Agency of California, Inc., for the period July 1, 2010, through July 1, 2011.
18. Approval to reject a Claim Against the District by Su Chen Chen and instructed Administrative Services personnel to notify the claimant of the rejection in accordance with Government Code Sections 910 through 915.4.
19. This item was pulled from the Consent Agenda and acted on separately by the

Board. See paragraph 11.

20. Approval to rescind and approve the following Bid:

- Bid No. 2833 Child Development Center – DSG Mechanical Corporation (Mechanical/HVAC Contractor) – Rescind.
- Bid No. 2833 Child Development Center – Comfort Conditioning Co., Inc. (Mechanical/HVAC Contractor) – Awarded in the amount of \$1,374,000.

21. Approval of the following Change Orders:

- Bid No. 2665 Classroom Remodel – PW Construction (General Contractor) – Change Order Nos. 14, 15, and 16.
- Bid No. 2779 Agricultural Sciences Complex (Main Building) – American Electric (Electrical Contractor) – Change Order No. 2.
- Bid No. 2777 Agricultural Sciences Complex (Main Building) – Continental Plumbing (Plumbing Contractor) – Change Order No. 11.
- Bid No. 2776 Agricultural Sciences Complex (Main Building) – Daart Engineering (Fire Sprinklers Contractor) – Change Order No. 3.
- Bid No. 2781 Agricultural Sciences Complex (Main Building) – Lozano Caseworks (Laboratory Casework Contractor) – Change Order No. 2.
- Bid No. 2782 Agricultural Sciences Complex (Construction & Site Work of Equine Tack and Raptor Building, plus Site Work for Animal Care and Greenhouse) – Harik Construction, Inc. (General Construction Contractor) – Change Order No. 9.
- Bid No. 2825 Art Center Landscape Project – Green Giant Landscape (Landscape Contractor) – Change Order No. 2.
- Bid No. 2841 Demolition and Abatement of Several Row Buildings – American Wrecking (Demolition Contractor) – Change Order No. 2.
- Bid No. 2846 Design Technology Center – KAR Construction (Caissons & Concrete Contractor) – Change Order No. 3.
- Bid No. 2849 Design Technology Center – RC Construction (General Contractor) – Change Order No. 1.
- Bid No. 2853 Design Technology Center – Brewster Electric (Electrical Contractor) – Change Order No. 2.
- Bid No. 2855 Administration Building Remodel – Angeles Contractor Inc.

(General Contractor) – Change Order No. 1.

- Bid No. 2859 Administration Building Remodel – Rancho Pacific Electric, Inc. (Electrical Contractor) – Change Order No. 1.
22. Approval of the following Contract Amendment:
- Contract Demolition and Abatement of Several Row Buildings – HMC Architects (Professional Design and Consulting Services Consultant) – Amendment No. 1.
23. Approval of the following Completion Notice:
- Bid No. 2783 Agricultural Sciences Complex (Construction of Greenhouse Building) – Nu Age Development, Inc. (Contractor)
24. Approval of the following Proposed Gifts and Donations to the College:
- William and Floy Hawkins – One large Fossil Ammonite and a Suite of Fossil Echinoderms (3), valued by donor at \$500, to be used by the Natural Sciences Division.

Motion unanimously carried.

11. PROFESSIONAL DESIGN AND CONSULTING SERVICES AGREEMENTS

Trustee Bader said reading this Board item reminded her of all the College efforts to save on utilities. She asked if a report could be prepared outlining current savings. Vice President Gregory said a report will be presented at the next Board meeting.

Trustee Hall commented on the financial contribution by the College to the City of Walnut for the Grand/Temple intersection improvements. He said this was a good partnership with the City of Walnut and the Walnut Valley Water District, and certainly has been beneficial for the College.

Trustee Chyr asked for more information on the agreement with Bovis Lend Lease, specifically why these services are over and above the current base contract. Director Nellesen explained that, with Measure R, only one claim by a contractor went beyond the regular process of evaluating the request for additional service. Everything else was resolved with little involvement from counsel and was within the scope of regular service. In the current construction market, contractors are more aggressive with their claims, and the College is finding that we are working more with legal counsel. When matters move toward litigation, that is the trigger that requires additional work from Bovis that is not within the scope of regular service.

It was moved by Trustee Bader, seconded by Trustee Chen Haggerty, to approve agreements to provide Professional Design and Consulting Services with P2S Engineering for the Child Development Center and Utility Master Plan projects; with the City of Walnut for the Grand/Temple Intersection Improvements project; with Bovis Lend Lease for the Construction Claims Support Services project; with GNA-Brook Fire Protection for the Annual Fire Sprinkler Inspection project; with First Fire Systems for the Annual Fire Alarm Monitoring project; with Southland Industries for the Annual McQuay

Chiller Maintenance project; with Getinge Signature Services for the Annual Sterilizer and Steam Generator Maintenance project; and with Schindler Elevator Corporation for the Annual Elevator Maintenance/Service project. Motion unanimously carried.

12. PROPOSED BOARD POLICY 4700 – CLASSROOM VISITORS AND OTHER ATTENDEES

At its last meeting, the Board received for first reading and discussion proposed Board Policy 4700 – Classroom Visitors and Other Attendees. No revisions were recommended.

It was moved by Trustee Baca, seconded by Trustee Chyr, to approve proposed Board Policy 4700 – Classroom Visitors and Other Attendees. Motion unanimously carried.

13. PRESIDENTIAL SEARCH FIRMS

It was moved by Trustee Bader, seconded by Trustee Chyr, to invite the following firms to be interviewed by the Board on August 2, 2010:

Association of Community College Trustees
Community College Search Services
College CEOs Executive Search
PPL Inc.

Motion unanimously carried.

14. BOARD COMMUNICATION

- All Board members shared the following comments:
 - Best wishes were extended to retiring staff Madhu Bhatnagar and Jeff Parker. All Trustees thanked Jeff Parker for his outstanding service as the College's Director of Public Safety.
 - Trustees welcomed Donna Lee to her new position as President of the Classified Senate and Xavier Padilla as the new Associated Students President.
- Trustee Chyr said that, this past spring, the Board approved a resolution to support legislation that would ensure that any increase in student fees would be directed to the local community college and would not be offset in the base apportionment revenue. Trustee Chyr said he believes there is a proposal by Senator Huff that would support this concept. This concept was discussed at today's SanFACC meeting and he was surprised that there were different viewpoints. Trustee Chyr said he believes student fees will be increased, and he feels it is very important that those fees be directed to the community college and not the State's general fund. He said it is vitally important that community colleges present a unified voice on this issue so we have a better chance of success on how the legislation is written.
- Trustee Bader said she enjoyed participating in the Hacienda Heights 4th of July parade. She also commented on the SanFACC meeting, noting that the colleges have a bigger voice as a group rather than individual colleges.
- Trustee Chen Haggerty said she attended the international student orientation yesterday. When asked, she said most students said they had heard about Mt.

SAC from someone who recommended the College. Trustee Chen Haggerty pointed out that international students pay nearly \$200 per unit, which stays at the College. She sees this as a possible funding source for the College.

Trustee Chen Haggerty thanked Dean Redinger and others who arranged for a special show at the Planetarium for some Rowland Unified students, community members, and the Chinese Press.

- Trustee Hall thanked the College for hosting a recent Relay for Life event, sponsored by the American Red Cross. Dr. Hall said he raised \$4,875, which he matched, in support of the City of Hope.

Dr. Hall said he enjoyed attending the Robotics Team's Open House. He was glad to see some technicians from Boeing and other high-tech companies in attendance. For some, this was their first time on campus. He thanked Foundation Executive Director Richard Morley for arranging this event.

Trustee Hall read from an article in the *Community College Week* listing the top associate degree producers. Of those identifying themselves as Asian American, Mt. SAC was the number three producer in the United States last year; Mt. SAC was number seven for those whom identified themselves as Hispanic; and was number 10 overall for those who fall into a minority category. Mt. SAC was ranked as number 31 in the United States for total degree production.

15. ADJOURNMENT

The meeting adjourned at 8:18 p.m.

JSN:dc