

MINUTES OF MEETING OF
BOARD OF TRUSTEES
STATE CENTER COMMUNITY COLLEGE DISTRICT
April 5, 2005

Call to Order A regular meeting of the Board of Trustees of the State Center Community College District was called to order by President Patrick Patterson at 4:30 p.m., April 5, 2005, at the Forum Hall, Reedley College, 995 N. Reed Avenue, Reedley, California.

Trustees Present Patrick E. Patterson, President
Isabel Barreras, Vice President
Dorothy Smith, Secretary
H. Ronald Feaver
Phillip J. Forhan
William J. Smith
Leslie W. Thonesen
Mayra Gonzalez, Student Trustee, RC
Shreya Shah, Student Trustee, FCC

Patrick E. 5(Ag of2(o]TJ.4(Se08s t weretCa.4(fT*ow)]TJsign by 4(guest 1)
Also present were:

Tom Crow, Chancellor, SCCC
Ned Doffoney, President, Fresno City College

Introduction of Guests
(continued)

Kim Perry, Dean of Instruction, RC

Rick Barton, Kitchell

Jan Krueger, Secretary to the President, RC

Anthony Jewell, Instructor, RC

Al Foletta, Associate Dean-Business, MSE, & Community
Campus, RC

Approval of Minutes

The minutes of the Board meeting of March 1, 2005, were presented for approval. A motion was made by Ms. Smith and seconded by Ms. Barreras to approve the minutes of the March 1, 2005, meeting as presented. The motion carried unanimously.

Delegations, Petitions,
and Communications

There were no delegations, pe

Academic Senate
Report (continued)

- Update on the Accreditation Self-Study process
- Joint meeting with the North Centers on staff development

Resignation, Reduced
Load, and Employment,
Certificated Personnel
[05-52]
Action

approve certificated personnel recommendations, Items A through C, as presented. (Lists A through C are herewith made a part of these minutes as Appendix I, 05-52).

Employment,
Promotion, Change of
Status, Resignation and
Retirement, Classified
Personnel
[05-53]
Action

approve classified personnel recommendations, Items A through J, as presented. (Lists A through J are herewith made a part of these minutes as Appendix II, 05-53).

Consideration to
Approve Additional
Full-Time Faculty
Positions for 2005-06,
North Centers
[05-55]
Action

approve a total of two (2) new faculty positions at the North Centers for the 2005-06 fiscal year to be funded through the General Fund.

Consideration to
Approve Out-of-State
Travel, Phi Theta
Kappa Students, Fresno
City College
[05-56]
Action

approve out-of-state travel for four Fresno City College Phi Theta Kappa students to attend the Phi Theta Kappa International Conference in Dallas, Texas, from April 13-17, 2005, with the understanding that the trip will be financed without requiring expenditures of District funds.

Consideration to
Approve Out-of-State
Travel, Registered
Nursing Students,
Fresno City College
[05-57]
Action

approve out-of- state travel for seven Fresno City College Registered Nursing students to attend the SNA National Convention in Salt Lake City, Utah, from April 6-10, 2005, with the understanding that the trip will be financed without requiring expenditures of District funds.

Consideration to
Accept Student Equity
Plan, Reedley College
[05-58]
Action

approve the Reedley College Student Equity Plan as presented.

Review of District
Warrants and Checks
[05-59]

Action

review and sign the warrants register for the period February 22, 2005, to March 31, 2005, in the amount of \$16,593,332.46; and

review and sign the check registers for the Fresno City College and Reedley College Co-Curricular Accounts and the Fresno City College and Reedley College Bookstore Accounts for the period February 11, 2005, to March 23, 2005, in the amount of \$414,119.00.

Consideration to
Accept Maintenance
Project, Light Pole and
Canopy Painting
Project, Madera Center
[05-60]

Action

- a) accept the Light Pole and Canopy Painting Project, Madera Center; and
- b) authorize the Chancellor or his designee to file a Notice of Completion with the County Recorder.

Consideration of
Claims for Personal
Injuries, Georgian
Shantell Thomas and
Clardy Lee Mullin, Jr.,
Parents and Heirs of
Deondrae Marcquise
Mullin
[05-61]

Action

reject the claims submitted on behalf of Georgina Shantell Thomas and Cardy Lee Mullin, Jr., parents and heirs of Deondrae Marcquise Mullin, and direct the Chancellor or Vice Chancellor-Finance and Administration to give written notice of said action to the claimants.

Consideration to
Approve Agreement
with SixTen and
Associates for 2005-06
Mandate
Reimbursement Claim
Preparation Services
[05-62]

Action

- a) authorize entering into an Agreement with SixTen Associates in an amount not to exceed \$24,000.00 for the preparation and submission of the 2005-06 mandate reimbursement claims; and
- b) authorize the Chancellor or Vice Chancellor-Finance and Administration to sign the Agreement on behalf of the

Consideration to Adopt
Resolution Authorizing
Agreement with
California Department
of Education, Child and
Adult Care Food
Program Promoting
Integrity Now, Fresno
City College
[05-63] (continued)
Action

Consideration of Bids,
Roofing Project,
Various Buildings,
Reedley College
[05-73]
Action

award Bid #0405-16 for the Roofing Project, Various Buildings at Reedley College to the following contractors:

- a) Nations Roof West, the lowest responsible bidder for Bid A (Gymnasium) in the amount of \$88,090.00;
- b) Graham Prewett, Inc., the lowest responsible bidder for Bids B, C, and D (Men's P.E., Women's P.E., and Staff Office Buildings) in the amount of \$24,900.00; and
- c) authorize the Chancellor or Vice Chancellor-Finance and Administration to sign Agreement

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Consideration to
Authorize Agreement
for Construction
Inspection Services,
Railroad
Underpass/Grade
Separation Project,
Fresno City College
[05-76]; and

Consideration to
Authorize Agreement
for Construction
Inspection Services,
Reedley Classroom
Project, Reedley
College
[05-77]

Public Hearing on
District's Initial
Bargaining Proposals to
the State Center
Federation of Teachers
Part-Time Bargaining
Unit Local #1533,
CFT/AFT, CIO/AFL
[05-78]
No Action
(continued)

This Agreement between the State Center Community College District (District) and the State Center Federation of Teachers, Local 1533, CFT/AFT, AFL-CIO (Federation) covering part-time faculty members (hereinafter also referred to as part-time academic employees, unit members) is effective July 1, 2002 **2005** or on the date the Agreement is ratified and approved by both parties, whichever is later, and will remain in full force and effect through ~~June 30, 2005~~ **June 30, 2008**.

ARTICLE V
WAIVER OF BARGAINING

ARTICLE V, WAIVER OF BARGAINING, shall remain unchanged except for the following amendments.

Section 1. WAIVER:

- A. This Agreement shall constitute the full and complete commitment between both parties and shall supersede and cancel all previous agreements between the parties, both oral and written. This Agreement may be altered, changed, added to, deleted from, or modified, only through the voluntary, mutual consent of the parties in a written and signed amendment to this Agreement. **The Federation acknowledges that during negotiations which preceded this Agreement they (the Federation) had the unlimited right and opportunity to make demands and proposals with respect to any subject or matter not removed by law from the area of collective negotiations and that the understandings and agreements arrived at by the parties after the exercise of that right and opportunity are set forth in this Agreement. This Agreement shall constitute the full and complete commitments of both parties.**

The Association and the District mutually agree that for the life of this Agreement neither party shall be obligated to negotiate collectively with respect to any subject or matter referred to, or covered in this Agreement, or with respect to any subject or matter not specifically referred to or covered in this Agreement, even though such subjects or matters may not have been within the knowledge or contemplation of either or both of the parties at the time they negotiated and signed this Agreement, unless there is mutual agreement by both parties to reopen negotiations on those specific matters, except as otherwise specified in this Agreement.

Public Hearing on
District's Initial
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CFT/AFT, CIO/AFL
[05-78]
No Action
(continued)

C. **The District shall have the sole discretion in determining the impacts and effects of any matter outside the scope of representation as defined and determined pursuant to the Educational Employment Relations Act at California Government Code section 3540 et seq.**

Section 2.

The District and Federation agree that except as expressly set forth herein, this contract shall not be subject to reopening on any item for the duration of the Agreement unless mutually agreed to by the parties. Neither party is obligated to agree to reopen this contract except as stated herein, and any agreement to reopen this contract must be signed in writing by both parties. The contract will run through June 30, ~~2005~~ **2008**. The Federation's initial proposals for the ~~2005-2006~~ **2008-2009** school years will be presented to the Board of Trustees no earlier than ~~January 1, 2005~~ **the later date of when the State of California budget is signed into law for the 2006-2007 school year and the District's budget is adopted.**

ARTICLE IX
FEDERATION RIGHTS

ARTICLE IX, FEDERATION RIGHTS, shall remain unchanged except for the following amendments.

Section 4. MAILBOX USAGE:

Duly authorized communications may be placed by the Federation in the mailboxes of unit members. Such communications must be dated and bear Federation identification as the distributor. **The Federation and its members agree not to use District's mail service for purposes of urging the support or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the Governing Board of the District in accordance with California Education Code section 7054.**

Section 7. FACILITIES USAGE:

Upon advance request, and with approval, the Federation will be granted the use of facilities, depending upon availability of space **and conformity with the Civic Center Act. It is expressly understood and agreed to that the Federation and its members will not use District services, supplies, or equipment for the purpose of urging the support or defeat of any ballot**

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Unit Local #1533,
CFT/AFT, CIO/AFL
[05-78]
No Action
(continued)

measure or candidate, including but not limited to, any candidate for election to the Governing Board of the District, in accordance with California Education Code section 7054.

Section 10. DUES DEDUCTIONS:

B.(3)(d) The parties acknowledge that the agency shop organizational security arrangement described in this Article is subject to subsequent changes, if any, arising in applicable law, including decisional law. The parties further acknowledge that the agency shop arrangement described in this Article is subject to change pursuant to the “rescission” process authorized under current applicable law. (See Cal. Govt. Code section 3546.) The parties acknowledge that the current controlling law allows unit employees to vote to rescind the agency shop arrangement/mandatory agency fee requirements once during the term of the Collective Bargaining Agreement. Specifically, prevailing law permits employees within the bargaining unit an opportunity to vote to rescind the mandatory agency fee arrangement if at least 30% of the unit’s employees sign a petition requesting a rescission election from the Public Employment Relations Board

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[05-78]
No Action
(continued)

2006 school year. Under no circumstances shall the District be required to provide more money to part-time and overload faculty in excess of the District's allocation actually received.

Mr. Rowe stated that at this time it is necessary for the Board of Trustees to hold a public hearing on the District's Initial Bargaining Proposals to the State

Public Hearing

or Lease/Purchase
Portable Classrooms,
Fresno City College
[05-80]

Ayes	-	6
Noes	-	0
Absent	-	1

Action

(continued)

(Ms. Barreras returned at 5:35 p.m.)

Consideration to
Approve Selection of
Independent Auditor
[05-81]

Action

Mr. Patterson clarified that the District can continue with the same CPA firm but is required by law to have a different principal to conduct the audit.

A motion was made by Ms. Smith and seconded by Ms. Shah that the Board of Trustees:

- a) authorize utilizing the firm of Vavrinek, Trine, Day & Co., LLP, for the purpose of conducting the District's annual audits and Measure E financial and performance audits for the period 2004-05 through 2006-07 in the total amount of \$67,000.00 per year; and
- b) at the conclusion of the three-year term, consider an extension for the period of two years with the fee to be negotiated.

The motion carried unanimously.

Consideration to
Approve 2005-06
Decision Package
Recommendations
[05-82]

Action

Mr. Brinkley noted that the draft Decision Package requests were reviewed at the recent Board Retreat and no changes were recommended.

A motion was made by Ms. Barreras and seconded by Ms. Smith that the Board of Trustees approve the 2005-06 Decision Package recommendations as presented. The motion carried unanimously.

Consideration to Select
Project Architect,
Residence Hall,
Reedley College
[05-83]

Action

Mr. Thonesen asked about insulation to be used in connection with the cement block walls.

Mr. Forhan stated that he wa

Consideration to Select

Project Architect,
Residence Hall,
Reedley College
[05-83]
Action
(continued)

are comfortable having a place for their students to live on
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Authorize Agreement
for Construction
Testing Services,
Willow/International
Project
[05-84]
Action

A motion was made by Ms. Smith and seconded by Ms. Barreras that the Board of Trustees table Item Nos. 05-84 and 05-85 until the May 3, 2005, meeting so that additional information regarding the rates for inspection services can be provided. The motion carried unanimously.

and

Consideration to
Authorize Agreement
for Construction
Inspection Services,
Willow/International
Project
[05-85]
Action

Board Reports

Ms. Mayra Gonzalez, Reedley College Student Trustee reported on the following:

- Election of ASB officers is currently underway
- Student participation in the Reedley Relay for Life on April 23-24
- The annual Tiger Awards will be held on May 4 in the cafeteria.
- Cinco de Mayo will be celebrated on May 5.

Ms. Shreya Shah, Fresno City College Student Trustee, reported on:

- Review of March activities
- Showcase is scheduled for April 7 with the theme of 'Students Start your Education'. An official Indy Racing Car will be on display.
- The Career Skills Challenge will also take place in connection with Showcase.
- Asian American Week started yesterday and there are numerous events planned.
- The Spring Job Fair will be held on April 13 from 9 a.m. to 1 p.m.
- The Vendor Faire is scheduled for April 19-21.
- CalSACC Region V Lobby Day will be held on April 19 in Sacramento.
- RamDoggie Roundup will be on April 20.
- Blood drive in the College Center on April 27.

Board Reports

- ASG elections will be held April 26-28 in the main

(continued)

fountain area.

Dorothy Smith
Secretary, Board of Trustees
State Center Community College District

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