MINUTES
SPECIAL MEETING OF BOARD OF TRUSTEES
SANTA BARBARA COMMUNITY COLLEGE DISTRICT

May 9, 1974
3:00 p.m. - Board Room
Santa Barbara City College
Santa Barbara, California

The Special Meeting of the Board of Trustees of the Santa Barbara Community College District was called to order by President Kathryn O. Alexander at 3:00 p.m. in the Board Room of Santa Barbara City College, Santa Barbara, California.

Members present:
Mrs. Kathryn O. Alexander, President
Mrs. Ann Gutshall, Vice-President
Dr. Joe W. Dobbs
Mr. Sidney R. Frank (arrived 3:10 p.m.)
Mr. James R. Garvin
Mrs. Joyce H. Powell

Member absent:
Mr. Benjamin P. J. Wells

Others present for all or a portion of the meeting:
Dr. Glenn G. Gooder, Superintendent-President and Secretary-Clerk to the Board of Trustees
Dr. Donald K. Sorsabal, Administrative Dean, Business Services and Assistant Secretary-Clerk to the Board of Trustees
Dr. Martin M. Bobgan, Administrative Dean, Continuing Education
Mr. M. L. Huglin, Administrative Dean, Instruction
Dr. Al Silvers, Administrative Dean, Student Services and Activities
Mr. Jim M. Williams, Director, College Information
Dr. John Forsyth, President, Academic Senate
Mr. Jeremy Kramer, Reporter, Santa Barbara News & Review
Mr. Steve Sullivan, Reporter, Santa Barbara News Press
Mr. Andy Warfield, Reporter, THE CHANNELS

Mr. Bernard M. Smuckler, Legal counsel, DMJM
Mr. F. L. Baer, Plumbers & Fitters Court Reporter
Ms. Shirley Barbeatz, Taxpayer
Mr. Firmin F. Feuerborn, Building Trades
Mr. Firmin De Ponce, Plumbers & Fitters #114
Others present for all or a portion of the meeting - continued:

Mr. W. F. Ingalls, Ingalls Plumbing
Mr. John J. Zabzdyr, Taxpayer
Mr. Ed Pasich, Taxpayer
Mr. Francis A. Welch, Taxpayer
Mr. James H. Graham, Taxpayer
Mr. James E. Swihart, Licensed plumbing contractor
Mr. Robert C. Simmons
Mr. Michael Kelly, DMJM
Mr. Eugene Wieczorek, DMJM
Mr. Richard G. Conklin, DMJM
Mr. Leon Stein, State of California, OAC
Mr. Frank McCarthy, Representative, State Fire Marshall
Mr. Jack Ostrander, Don Greene, Inc.
Mr. R. Mager, R. P. Richards, Inc.
Mr. R. P. Richards, R. P. Richards, Inc.
Mr. G. Kendall, R. P. Richards, Inc.
Mr. Dennis M. Harley, Plumbers #114
Mr. Ray Foreman, Plumbers #114
Mr. Jorge Gonzalez, Labor Support Committee
Ms. Patrice Drobot, Labor Support Committee
Mr. William McAdams, Associate Professor, Fine Arts
Mr. Russell Wenzlau, Assistant Dean, Evening College and Summer Session
Mrs. Dee Rose, Administrative Secretary, Business Services
Mr. B. P. Miller, Assistant to the Superintendent-President
Mr. Jack Brashears, Assistant Professor, Trade/Technical
Mr. David Pickering, Controller, Accounting Services
Mr. Danny Foreman, Santa Barbara High School student
Ms. Debbie Samuel, Registered voter
Mr. Terry Foreman, SBCC student
Mr. William J. Cordero, Coordinator, Student Services
Mr. Jim Marshall, SBCC student
Mr. Mark Scott, SBCC student and citizen
Mr. Ron Strahl, Mechanical Engineer
Mr. Carl L. Hehuke, Sheet Metal Workers Local Union #273
Mr. Leo Martinez, Santa Barbara City Council, observer
Mr. Charles Bonvie, Taxpayer
Ms. Doris J. Pelletier, Plumbers & Fitters Local #114
Mr. Conrad Weiler, Associate Professor, Life Science
Miss Gloria Castleberg, Director, Classified Personnel
Mr. Gilbert Robledo, EOP Counselor, Student Personnel
Ms. Diane Alters, Reporter, Santa Barbara News & Review
Mrs. Hanne Sonquist, Citizen
Mrs. Marilu Schaack, Senior Secretary, Facilities Development
Mr. John Belkowski, Custodian, Facilities & Operations Dept.
Mrs. Ruby Trent, visitor
Mr. Donald L. Trent, Director, Facilities Development
Miss Shirley Conklin, Assistant Dean, Health Occupations Dept.
Miss Henriella Stiles, Associate Professor, Health Education
Dr. Joseph A. Bagnall, Assistant Dean, Continuing Education
Mr. Theron E. Barnes, CSEA President and Audio-Visual Supervisor
Mrs. Elsie M. Brandt, Secretary to the Superintendent-President
Mrs. Alexander, President of the Board of Trustees, announced that the special meeting had been called for the purpose of:

"Considering Change Order No. 13 on the Humanities Building Project approving installation of ABS plastic pipe and fittings in lieu of cast iron for drain-waste-vent plumbing systems."

Mrs. Alexander extended a welcome to all present in particular those experts who were present to give some facts requested by the Board members. The previous Board meeting of April 30, 1974 (a Special Meeting) had ended with a list of certain questions to be resolved.

Dr. Gooder then introduced some of the individuals who had been invited to provide facts relative to the questions:

Mr. Frank McCarthy, Representative, State Fire Marshall
Mr. Leon Stein, Office of Architecture and Construction (OAC), State of California
Mr. Richard G. Conklin, Director, Educational Facilities, DMJM
Mr. Michael Kelly, Project Director, Educational Facilities, DMJM
Mr. Eugene Wieczorek, Chief, Construction Management, DMJM
Mr. Bernard M. Smuckler, Attorney, DMJM
Mr. Jack Ostrander, representative, Don Greene, Inc., contractor
Mr. R. P. Richards, R. P. Richards, Inc., plumbing subcontractor
Mr. Robert Mager, R. P. Richards, Inc.
Mr. Jeff Kendall, R. P. Richards, Inc.
Mr. Ray Foreman, Business Manager-Financial Secretary, Plumbers and Fitters Local #114
Mr. William L. Hess, President, Extrusion Control Technology, Inc.

Mr. Don Vickers, Deputy County Counsel for the Santa Barbara Community College District, had expected to attend but was delayed at another meeting.

Dr. Gooder indicated that the chronology of events was important to understand the nature of the controversy over the substitution of plastic pipe in the project. Facts and figures had been gathered by the staff in an attempt to seek answers to the questions posed by the Board concerning Change Order #13. The information, grouped into four categories, 1) Chronology of events, 2) Legal status, 3) Safety and 4) Cost, had been delivered to Board members on Wednesday, May 8, 1974. This packet of information had been prepared as an aid to come to a conclusion on the complaint brought by Mr. Ray Foreman that the use of plastic pipe in the Humanities Building Project was a safety hazard and the installation did not meet the Code. The packet had been prepared by Dr. Donald K. Sorsabal, Administrative Dean of Business Services.

Dr. Sorsabal then spoke in great detail and quoted much of the material contained in the 6-page "Analysis of Plastic Pipe Installation". He, also, read for the benefit of the audience portions of a memo from Mr. Don H. Vickers, Deputy County Counsel, and a portion of a letter from R. P. Richards, plumbing subcontractor, indicating a sequence of events outlining why plastic pipe was used on this project.
Dr. Gooder then read the list of questions that had been posed and were most pertinent to the subject matter and of most concern to the Board members. They were:

A. Are the materials safe?
B. Do the materials meet Code requirements?
C. Why was the substitution first considered?
D. Why was the substitution made?
E. Why were the penetrations of fire walls not properly done?
F. Why is a change order required?
G. Are builders receiving extra profits as a result of the change?
H. What is the District's legal position if it approves a change which is not approved by the Fire Marshall and the OAC?
I. What is the District's legal position if it does not approve a change thus causing extra work which would have been approved by the Fire Marshall and the OAC?

The meeting was opened by Mrs. Alexander to any persons wishing to speak to the subject matter and many persons were recognized by the President of the Board and gave their comments and opinions during the lengthy discussion that followed.

Official representatives of the Fire Marshall's office and OAC, Mr. McCarthy and Mr. Stein, respectively, after having completed an on-site inspection of the construction under question, assured the Trustees most emphatically that the Humanities Building Project was a safe project with plastic pipe in the drain-waste-and-vent systems. Some corrections will be made, at the Fire Marshall's request, where the drain-waste-or-vent system penetrates a fire wall by having plastic pipe connected to cast iron pipe. Mr. Stein of OAC waived a uniform plumbing code section limiting plastic pipe to residential buildings no more than two stories in height.

It was also pointed out that ABS plastic pipe had been installed in Santa Barbara City College's gymnasium.

Mr. Ray Foreman reiterated his primary concern was to make the Board members aware of what was occurring on the construction project.

Mrs. Alexander in finalizing a subject that had taken many hours in several meetings to discuss, emphasized again that the Board was mainly concerned with the safety of the building and felt reassured on that point with the positive statements of OAC and the Fire Marshall's representatives. She expressed appreciation for Mr. Foreman's constancy and perseverance in pursuing this concern of his and complimented him in his demonstration of good citizenship.
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A short period was devoted to specific questions from individual Board members and answers given by those persons to whom the questions were directed.

Dr. Sorsabal indicated that additional change orders involving cost and black steel pipe may be presented for Board consideration at a future meeting.

Board member, James Garvin, stated that he felt conclusive evidence had been presented that the building is safe. The point if whether the Code is written in such a way as to be acceptable to all would have to be resolved by other means. The assurances of OAC and the Fire Marshall officials were sufficient evidence to allow intelligent voting at this time.

Mr. Sullivan, News Press reporter, questioned if the copy of the change order before the Board was identical to the change order at the last meeting of April 30, 1974. He was told it was identical with no changes in it whatsoever, and that the change order at this point signified ten hours of consideration and it was agreed not to make any change in it.

Mrs. Alexander, thereupon, declared enough time had been spent on the subject.

A motion was made by Mr. Garvin, seconded by Dr. Dobbs, and passed by the Board to adopt and approve of Change Order #13 based on the discussion of this meeting. Upon poll of the members, the vote was as follows:

Ayes: Mrs. Alexander, Mrs. Gutshall, Dr. Dobbs
Mr. Frank, Mr. Garvin, Mrs. Powell

Noes: None

Absent: Mr. Wells

Upon motion of Dr. Dobbs, seconded by Mr. Frank, the Board of Trustees of the Santa Barbara Community College District adjourned their Special Meeting at 5:27 p.m.

Attest:

Mrs. Kathryn O. Alexander
President, Board of Trustees
Santa Barbara Community College District

Dr. Glenn G. Gooder
Superintendent-President and Secretary-Clerk to the Board of Trustees

Approved by the Board of Trustees:

on May 23, 1974.