M I N U T E S
REGULAR MEETING OF THE BOARD OF TRUSTEES
SANTA BARBARA COMMUNITY COLLEGE DISTRICT

January 14, 1999

4:00 p.m. – REGULAR MEETING
Room A-211
Administration Building
Santa Barbara City College

STUDY SESSION (Will follow Regular Board Meeting)
Gourmet Dining Room

Items may be taken out of order

1. GENERAL FUNCTIONS

1.1 CALL TO ORDER

The meeting was called to order by President Villegas at 4:07 p.m.

1.2 ROLL CALL

Members present:

  Dr. Kathryn Alexander
  Dr. Joe Dobbs
  Ms. Joan Livingston, Vice President
  Mr. Eli Luria
  Mr. Desmond O'Neill
  Mr. Luis Villegas, President
  Mr. Joey Ferguson, Student Trustee

Member absent:

  Mrs. Joyce Powell (arrived for Study Session)

Others present for all or a portion of the meeting:

  Dr. Peter MacDougall, Supt./President and Secretary/Clerk to the Board of Trustees
  Ms. Liz Auchincloss, President, CSEA
  Mr. Ralph Baas, Goodrich-Baas & Associates
  Mr. Michael Ghens, Member, CSEA
  Dr. Karolyn Hanna, President, Academic Senate
  Dr. Charles Hanson, Vice President, Business Services
  Ms. Mary James, Secretary, CSEA
  Ms. Pat Kistler, Public Information Officer
  Mr. Craig McBride, Goodrich-Baas & Associates
Mr. Ricardo Ornelas, Security Officer II
Mr. Dan Oroz, Vice President, Human Resources
Mr. Alex Piltmon, Director, Facilities and Operations
Mr. Carlos Ramirez, Member, CSEA
Mr. Terry Schwartz, Price, Postel and Parma

1.3 WELCOME

The meeting was called to order by President Villegas at 4:07 p.m.

1.4 CLOSED SESSION - None

1.5 HEARING OF CITIZENS

Ms. Liz Auchincloss spoke under Item 2.1-a.

2. HUMAN RESOURCES – Mr. Dan Oroz

2.1 ACTION ITEMS

a. RECOMMENDED APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN CSEA, CHAPTER 289, AND THE DISTRICT, EFFECTIVE JANUARY 1, 1999

The District negotiators and CSEA, Chapter 289, have reached agreement on Salary and Benefit adjustments.

Mr. Oroz announced that the contract with CSEA is a three-year contract—1999-2001; offers a four percent increase for 1999; years two and three provide for a COLA growth plus one-half percent if the COLA growth is not equal to four percent (will not go above the four percent); an increase in health and welfare contribution limit amounts with a reserve fund set aside to provide for payment of costs that go beyond the base line contribution amounts provided by the District; an increase in the medical plan contributions for retirees between 55 and 65 years of age; and contributions for surviving spouse upon death of employee or retiree; added one step to the Professional Growth Program; one floating vacation day for 1999 only with no carryover; a catastrophic illness leave donation program similar to the faculty program; an emergency closure policy; and technical changes to various policies on overtime, probationary periods, Association rights, performance appraisals, and fall back time.

Mr. Oroz thanked Ms. Auchincloss and members of the CSEA negotiating committee stating that the process was very positive and the approach was interest based. He also thanked members of the District’s management team, Andrea Coert and David Pickering, and Mr. Gary Robinson, the District’s lawyer.

Ms. Auchincloss thanked Mr. Oroz and members of the District’s committee, citing Mr. Robinson for his work, and stated that the agreement was solidified in four sessions—a new record. She expressed appreciation to members of the CSEA team, who also worked with a new negotiator, for their efforts in the process.

Upon motion by Dr. Dobbs, seconded by Ms. Livingston, the Board unanimously approved the agreement between the California School Employees Association, Chapter 289, and the District, effective January 1, 1999, and as required by Rule 32120, the District file a copy of the written agreement with the Public Employment Relations Board.
Dr. Alexander asked that a letter be sent to Mr. Gary Robinson reflecting the positive comments by CSEA for his work and expressing the Board’s appreciation.

Dr. MacDougall acknowledged the work of Mr. Oroz in the process stating that he keeps all specifics in mind and ensures the agreements that are reached are effectively communicated into contract language. He further stated that this is a skill that is vital and important to the District and thanked Mr. Oroz.

Mr. Villegas thanked both negotiating teams on behalf of Board Members.

b. APPROVAL OF COMPENSATION PACKAGES FOR CERTIFICATED ADMINISTRATIVE, AND CLASSIFIED MANAGEMENT/SUPERVISORY/CONFIDENTIAL PERSONNEL

Upon motion by Dr. Dobbs, seconded by Ms. Livingston, the Board unanimously approved the Compensation Packages for the two employee groups: certificated administrative and classified management/supervisory/confidential personnel.

c. APPROVAL OF INCREASE TO CLASSIFIED HOURLY SALARY SCHEDULE

Upon motion by Mr. O’Neill, seconded by Dr. Alexander (Mr. Villegas -- abstained), the Board approved the Classified Hourly Salary Schedule increase by 4 percent. The effective date of the increase shall be January 1, 1999, for Continuing Education and January 11, 1999, for the Credit Program. The different effective dates reflect the respective payroll pay periods for the two programs.

d. RECOMMEND RETROACTIVE APPROVAL OF A FOUR PERCENT (4%) STUDENT SALARY INCREASE EFFECTIVE JANUARY 2, 1999.

Upon motion by Mr. O’Neill, seconded by Ms. Livingston, the Board unanimously approved providing a four-percent salary increase for the Student Salary Schedule as follows:

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<thead>
<tr>
<th>STUDENT WORKER LEVEL</th>
<th>CURRENT HOURLY RATE</th>
<th>PROPOSED HOURLY RATE</th>
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<tbody>
<tr>
<td>I</td>
<td>$6.44</td>
<td>$6.70</td>
</tr>
<tr>
<td>II</td>
<td>7.44</td>
<td>7.74</td>
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<tr>
<td>III</td>
<td>8.46</td>
<td>8.80</td>
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<tr>
<td>IV</td>
<td>9.48</td>
<td>9.86</td>
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3. BUSINESS SERVICES – Dr. Charles Hanson

3.1 ACTION TO BE TAKEN ON FINDINGS AND DETERMINATIONS FOLLOWING PUBLIC HEARING OF DECEMBER 17, 1998

At the Special Board Meeting of January 7, 1999, Mr. Ralph Baas of Goodrich-Bass & Associates, addressed the Board. He submitted a packet of information he felt was germane to the Board’s decision regarding the December 17, 1998, Public Hearing. The Board reviewed the specifics regarding the December 17 Public Hearing, and in Closed Session, consulted with legal counsel. Given the submission of materials by Mr. Baas at the meeting and the lack of time to conduct an in-depth review, the Board did not reach a conclusion regarding this matter. However, the Board did instruct the Superintendent/President to conduct a review of the
materials submitted by Mr. Baas with the staff and legal counsel and be prepared with a recommendation for the Board at the next meeting.

Dr. MacDougall's recommendation follows:

"Along with District staff and legal counsel, I have thoroughly reviewed and considered this matter including the documents submitted by Goodrich-Baas & Associates ("GBA") at the January 7, 1999, public Board meeting.

Based on the Findings and Determinations of the public hearing held on December 17, 1998, consideration of the documents and public comments submitted by Goodrich-Baas & Associates at the Board meeting on January 7, 1999, and review of the pertinent project records, I am recommending that the District should exercise the discretion granted to it under Public Contracts Code §4110 and Section 18 of the Articles of Agreement to terminate immediately the District's contract with Goodrich-Baas & Associates for the following reasons:

1. Goodrich-Baas & Associates’ subcontract with Glass Block Installation was a clear and deliberate violation of the Public Contracts Code and Section 18 of the Articles of Agreement.

2. GBA made wilfully false and misleading statements to District officials concerning the existence of the Glass Block Installation contract at the public hearing conducted at the College on December 17, 1998.

3. Numerous Stop Notices and other communications have been received from subcontractors and suppliers indicating that Goodrich-Baas & Associates has failed to pay for work performed and/or materials used for the project.

4. Serious concerns about Goodrich-Baas & Associates’ performance have arisen because of irregularities in Goodrich-Baas & Associates’ administration of the project including, but not limited to, the following:
   a. Goodrich-Baas & Associates’ failure to produce documentation and backup requested by the District and/or the architect.
   b. Goodrich-Baas & Associates’ failure to produce requested certified job payrolls.
   c. Goodrich-Baas & Associates’ attempt to change the schedule of values some nine months after the original values were established.

That is my recommendation and I urge the Board to support it."

Mr. Ralph Baas addressed Board Members stating his disappointment at the recommendation and urged their reconsideration of this issue.

Upon motion by Dr. Alexander, seconded by Mr. Luria, the Board unanimously approved the immediate termination of the District's contract with Goodrich-Baas & Associates under Public Contracts Code §4110 and Section 18 of the Articles of Agreement.
4. STUDY SESSION

Upon motion by Dr. Alexander, seconded by Ms. Livingston, the Board unanimously approved convening to a Committee-of-the-Whole in Study Session format to informally discuss directions and goals at 4:29 p.m. The following items were discussed:

4.1 Campus Facilities Needed to Meet the Requirements of Projected Enrollment Growth and New Educational Programs
   a. Review of Voter Survey
   b. Discussion of Needs
4.2 California Community College Trustees (CCCT) Board of Directors Election
4.3 Miscellaneous
   a. Trustees Self-Evaluation Instrument
   b. Advisory Committees and Definition of Community Representative
   c. Current Operational Policies re Acceptance of Gifts

5. ADJOURNMENT

Upon motion by Dr. Dobbs, seconded by Mr. O'Neill, the Board unanimously approved adjournment at 9:20 p.m., setting the next Regular Meeting of the Board of Trustees on Thursday, January 28, 1999, at 4:00 p.m., in Room A-211.

APPROVED BY THE BOARD OF TRUSTEES ON January 28, 1999

President, Board of Trustees

Superintendent/President
Secretary/Clerk of the Board