MINUTES

REGULAR MEETING OF THE BOARD OF TRUSTEES
SANTA BARBARA COMMUNITY COLLEGE DISTRICT

January 27, 2011

REGULAR MEETING
Room A-211
4:00 p.m.

MacDougall Administration Center
Santa Barbara City College
721 Cliff Drive
Santa Barbara, CA 93109

The District Office is located at 721 Cliff Drive, Santa Barbara, CA 93109. It is wheelchair accessible. The following services are available when requests are made by 4:00 p.m. of the day before the Board meeting: American Sign Language interpreters or use of a reader during a meeting; large print agenda or minutes in alternative format; assistive listening devices. Please contact the Office of the Superintendent/President at (805) 730-4011 if you need assistance in order to participate in a public meeting or if you need the agenda and public documents modified as required by Section 202 of the American with Disabilities Act.

The Office of the Superintendent/President, Room A110 in the MacDougall Administration Center, is the location where documents that are public records relating to any item under discussion on a Board agenda (including documents distributed with the agenda and those distributed to all or a majority of the members of the Board within 72 hours prior to a Board meeting) are available for public inspection.

Board agendas and supporting documents are also posted on the college website at http://www.sbcc.edu/boardoftrustees/.

1. GENERAL FUNCTIONS

1.1 CALL TO ORDER

President Haslund called the meeting to order

1.2 ROLL CALL

Members present:
Marty Blum
Marsha Croninger
Peter Haslund, President
Morris Jurkowitz
Joan Livingston
Lisa Macker
Luis Villegas, Vice President
Nicole Ridgell, Student Trustee

Others present for all or a portion of this meeting:
Dr. Andreea M. Serban, Superintendent/President and Secretary of the Board of Trustees
1.3 WELCOME

President Haslund extended a cordial welcome to all.

1.4 HEARING OF CITIZENS

Jane Dyruff, Association of Continuing Education Students (ACES) representative: This organization was formed with the intent to participate actively and effectively as duly elected representatives in the formulation and development of Santa Barbara City College non-credit policy and procedures that have significant affect on continuing education students. Requested that the discussion of the ratification of ACES be placed on the agenda for the next board study session on February 10.

Jack Wolf, Theater Arts Major: Noted that there were going to be some changes made at the state level, trickling down to the local level. His concern is a short coming that is in place and it should never have been allowed to happen. Didn’t want to say what the shortcoming was but would like to be able to present it for placement on an agenda for the Board’s consideration. Provided a title for this item “Information Systems Analysis of the Impact of the Current California Legislation on the Current Education Programs here at Santa Barbara City College and perhaps turning the bureaucratic dry rot into a strategic opportunity for Fall 2011.”

Mark McIntire, Philosophy Instructor: Applauded two items, one was the Human Presence seminar that he participated in, this is a splendid example of how Superintendent/President Serban, Dr. Jack Friedlander, Dean Doug Hersh, David Wong and all staff work together collaboratively to provide a wonderful opportunity to fulfill the mission of the college by increasing student retention and student success. The second item was that there is an item on the agenda to hire an attorney to address some of the Brown Act issues. Encourages the Board to learn and fully understand the implications of the Brown Act.

1.5 MINUTES OF THE REGULAR MEETING OF DECEMBER 16, 2010

Upon motion by Trustee Livingston, seconded by Mr. Villegas, the Board approved the minutes as amended by Trustee Croninger of the regular meeting of December 16, 2010.

1.6 COMMUNICATIONS

The following reports were presented to the Board of Trustees about various matters involving the District. No action was taken unless listed on a subsequent agenda.

a. REPORT BY ACADEMIC SENATE – NONE

b. REPORT BY ASSOCIATED STUDENTS – Ruby Limon
Ms. Limon reported on the following: Ms. Limon introduced herself and reported that she is a Journalism/Broadcasting major and aspires to transfer to Cal State Long Beach in the fall of 2011. Pleased to note that the semester is off to a smooth and exciting start; the faculty and staff is upbeat, the campus is humming with activity and the severity of the parking dilemma seems to be lessening due to the conscious effort on the part of students who are being creative in their daily commutes. Thanked the Board for their part in making this institution function so effectively especially with the economic challenges being faced today. The Student Senate will hold its first meeting on Friday, February 4. Recent activities included: A chili cook-off against Allan Hancock College on January 22 that was won by SBCC; Club Day will be held on February 9, last year they hosted 55 clubs and they expect the same level of participation this semester. Two of Ms. Limon’s goals this semester will be to make all students aware of the vast number of student support services available and to organize campus events that would raise money and/or awareness of community non-profit organizations.

c. REPORT ON CLASSIFIED EMPLOYEES

- Liz Auchtincloss

Ms. Auchtincloss reported on the following: Reported on the Consultation Group, they met last week and they are discussing program review resource requests. Congratulated Lisa Saunders on her 10 years of service and Stella Castellanos on her 35 years of service.

d. REPORT ON CURRENT EVENTS

- Joan Galvan

Ms. Galvan reported on the following: The exhibit OUTSIDE opened this past Monday at the Atkinson Gallery. OUTSIDE features the works of six California artists whose diverse subject matter often references the outside, literally, abstractly, or conceptually. The exhibit closes on February 17. At the Interim Theatre, Moliere’s comedy Tartuffe will be the spring Student Showcase with performances scheduled for March 2-19. The SBCC Ethnic Studies Department and the Ethnic Studies Club sponsored a celebration honoring Dr. Martin Luther King, Jr. earlier today at the Campus Center. Noted various articles that appeared in the local media. Reported the passing of Henry Reed, Associate Professor and Counselor in the DSPS Department and in his honor, the Reed family and the college will host a celebration of Henry’s life February 4 at the Student Services Plaza on East Campus.

e. REPORT FROM SUPERINTENDENT/PRESIDENT

- Dr. Andreea M. Serban

Superintendent/President Serban reported on the following:
1. The budget news is not good; the best case for us, based on the Governor’s proposal will be that the tax increase extension passes in June. Our share of the cut is $3.7 million or about 5%, if the tax increase extension doesn’t pass and Prop 98 is funded at the minimum level our cut will be $6.6 million or about 9% and if the tax increase extension doesn’t pass and Prop 98 is suspended our cut will be $10.2 million or about 14% and this would be an on-going cut to our base funding. We will have a lot of work ahead of us on how we will deal with this challenge.

2. Very happy with the Gourmet Dining Room Remodel and noted that this was made possible by a generous donations and hopes that everyone goes and sees the remodeled GDR.

3. Recognized the engagement of all Board members over the last few weeks. They all participated in the Board retreat and all of them were able to participate in the Trustee Workshop and the Community College League of California Legislative Conference in Sacramento.

4. Reported on the Task Force on the Involvement of Continuing Education Students in the participatory governance process. This is a task force that the Board established several months ago and it had its first meeting. The goal is to develop a structure where all groups
of students in Continuing Education have an opportunity to participate. Strongly
encouraged the Board to continue to support the work of this task force because it is
important for this group to do its work.
5. Acknowledged the Computer Information Systems Department who recently received
designation as a VMware IT Academy and also acknowledged Esther Frankel who has
done a great job in constantly promoting what new can be done.
6. Reported on Faculty In-Service and appreciates all the work that is done by all to make this
such a successful event.
7. Will host the first President’s chat on February 17 for the spring semester.
8. Congratulated Stella Castellanos and Lisa Saunders on their years of service to the
College. Stella was the first to greet Dr. Serban when she came for the interview for her
first job at SBCC in spring 1999. Stella was extremely gracious, friendly and helpful. A true
HR professional.
9. Expressed condolences on the passing of Henry Reed, we just saw him last week and he
is a reminder to enjoy the present and make the most of what we have now. Henry will be
missed and he was a great example of endurance and he really showed us that it doesn’t
matter what we are given, we can be great individuals and have a great impact.
Acknowledged the support of Janet Shapiro and Marilynn Spaventa during this time and
for their work on planning the memorial.

f. REPORT FROM BOARD MEMBERS

Trustee Livingston noted that she provided the Board members with a copy from the Orfalea
Foundation “Race to No Where” program in case they hear about this in the community as this
does interface with some of the work being done here on campus.

2. GOVERNING BOARD

2.1 APPROVAL OF BOARD POLICY NO. 5075 COURSE ADDS, DROPS AND WITHDRAWALS

Upon motion by Trustee Livingston, seconded by Trustee Jurkowitz, the Board approved Board
Policy No. 5075 Course Adds, Drops and Withdrawals, as contained in the agenda and
attachment.

2.2 APPROVAL OF BOARD POLICY NO. 2015 STUDENT MEMBER(S)

Upon motion by Trustee Croninger, seconded by Trustee Macker, the Board tabled this item to the
next study session.

2.3 PUBLIC HEARING ON CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION AND ITS
CHAPTER 289 COLLECTIVE BARGAINING CONTRACT PROPOSAL

Upon motion by Trustee Villegas, seconded by Trustee Livingston, the Board approved entering
into a public hearing to provide the public with an opportunity to express itself regarding the
proposal.

No one expressed a wish to speak at the public hearing.

Upon motion by Trustee Livingston, seconded by Trustee Villegas, the Board approved closing the
public hearing.

2.4 APPROVAL OF MEMBERS FOR THE MEASURE V CITIZENS’ OVERSIGHT COMMITTEE

Upon motion by Trustee Livingston, seconded by Trustee Villegas, the Board approved the
procedure for the selection of the Measure V Citizens’ Oversight Committee. The procedure being
to rank in order 1 being first and 5 being last the applicants of the Measure V Citizens’ Oversight Committee. There were two groups to rank. In one group five, in another group two. From the first group, the two applicants with the smallest total points will be selected. From the second group, one applicant with the smallest total points will be selected.

Marsha Croninger – Elvira Gomez de Tafoya-3, Sally Green-5, Joe Bailey-1, Walter Hartfield-4  
Loren Mason-2, Lee Moldaver-2, Stuart Orenstein-1.  
Marty Blum – Elvira Gomez de Tafoya-1, Sally Green-2, Joe Bailey-3, Walter Hartfield-5  
Loren Mason 4, Lee Moldaver-2, Stuart Orenstein-1  
Lisa Macker – Elvira Gomez de Tafoya-3, Sally Green 4, Joe Bailey-1, Walter Hartfield-5  
Loren Mason-2, Lee Moldaver-2, Stuart Orenstein-1  
Joan Livingston – Elvira Gomez de Tafoya-5, Sally Green-1, Joe Bailey-2, Walter Hartfield-4  
Loren Mason-3, Lee Modaver-1, Stuart Orenstein-2

Superintendent/President Serban reported that Sally Green received 16 points and Joe Bailey received 17 points, so they will become the new committee members under the category “members at large”. Lee Moldaver with 10 points will become the new committee member under the category “representing an organization supportive of the college.”

2.5 CREATION OF A NEW BOARD SUB-COMMITTEE

Trustee Villegas indicated that this has not been discussed with the entire Board and it is more appropriate to discuss it in a study session. Upon motion by Trustee Villegas, seconded by Trustee Livingston, the Board approved tabling this item to the next Board study session.

2.6 REQUEST TO RETAIN OUTSIDE LEGAL COUNSEL TO ADVISE THE BOARD

Upon motion by Trustee Macker, seconded by Trustee Blum, the Board discussed this item. Trustees Livingston and Jurkowitz noted that this item has not been discussed with the Board as a whole and it was pushed on the agenda with a selection already made by one Board member without providing an opportunity to discuss. Specifically, the following questions were raised: Why should the Board retain additional legal counsel to advise the Board? What is the reason for such a request at this time? The college has legal counsel available through its Vice President of Human Resources and Legal Affairs and outside legal counsel which has assisted the college as needed over time. If additional outside legal counsel is to be retained, what is the process for selecting it? What budget should be allocated for this expense?

Upon motion by Trustee Jurkowitz, seconded by Trustee Livingston, the motion was made to table this item and to bring it back to the next study session for further discussion. A vote was taken by President Haslund and the vote was 5 to 2 to table this item.

2.7 PROPOSAL TO SCHEDULE A SECOND STUDY SESSION IN FEBRUARY 2011

Upon motion by Trustee Macker, seconded by Trustee Villegas, the Board approved scheduling a second study session in February 2011.

3. HUMAN RESOURCES & LEGAL AFFAIRS – Ms. Sue Ehrlich, Vice President Human Resources & Legal Affairs

Upon motion by Trustee Villegas, seconded by Trustee Livingston, the Board approved the Human
Resources & Legal Affairs consent items, as presented in the agenda and attachment.

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4. EDUCATIONAL PROGRAMS – None

5. CONTINUING EDUCATION – Dr. Ofelia Arellano, Vice President Continuing Education

5.1 RECOMMEND APPROVAL OF PROPOSED COURSES TO BE SUBMITTED FOR STATE APPROVAL, CONTINUING EDUCATION DIVISION

Upon motion by Trustee Croninger, seconded by Trustee Blum, the Board approved the proposed courses to be submitted for state approval, as contained in the agenda and attachments.

5.2 RECOMMEND APPROVAL OF NEW OR MODIFIED TUITION FEE-BASED CONTINUING EDUCATION DIVISION COURSES

Upon motion by Trustee Livingston, seconded by Trustee Jurkowitz, the Board approved the new or modified tuition fee based Continuing Education courses, as contained in the agenda and attachment.

6. BUSINESS SERVICES – Mr. Joe Sullivan, Vice President Business Services

6.1 BUSINESS CONSENT ITEMS

Superintendent/President Serban noted that items 6.1-f and 6.1-i were not discussed at the last Board Facilities Committee meeting and that one suggestion is to remove these two items from the consent agenda to allow for an opportunity for the staff to explain these two items and for discussion by the Board, if desired. Upon motion by Trustee Villegas, seconded by Trustee Livingston, the Board approved removing from the consent items, item 6.1-f and 6.1-i.

Items 6.1-f and 6.1-i were removed from the consent items and will be voted on separately.

Upon motion by Trustee Jurkowitz, seconded by Trustee Blum, the Board approved the Business Services consent items, as contained in the agenda and attachments.

a. RATIFICATION OF PURCHASE ORDERS, attachment 6.1-a

b. RATIFICATION OF PAYMENTS AS SUMMARIZED BELOW (Detailed report may be viewed in the Accounting Office, A-130)

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* This includes the ACH payments (including direct deposit payments)

c. ACKNOWLEDGMENT OF RECEIPT OF QUARTERLY FINANCIAL STATEMENT ENDING 09/30/10, attachment 6.1-c
d. ACKNOWLEDGMENT OF RECEIPT AND REVIEW OF THE SBCCD AUDIT REPORT FOR THE FISCAL YEAR ENDING 6/30/10, (This item was discussed at the 1/13/11 Board Study Session), attachment 6.1-d

e. AUTHORIZATION TO ESTABLISH NEW SPECIAL FUND 81 TRUST ACCOUNTS: #819841, #819838, #819839, #819840, attachment 6.1-e

f. APPROVAL OF CHANGE ORDER NO. 001, PROJECT #6697, CLUSTER 1 SITE, ENERGY MANAGEMENT SYSTEM (EMS), COMPASS ENERGY SOLUTIONS, $130,966.00, (This item was discussed at the 1/26/11 Board Facilities Committee), attachment 6.1-f

g. APPROVAL OF CHANGE ORDER NO. 13, DRAMA/MUSIC MODERNIZATION, BID PACKAGE 1 (CORE AND SHELL), DIANI BUILDING CORP., $48,540.00, (This item was discussed at the 1/26/11 Board Facilities Committee), attachment 6.1-g

h. APPROVAL OF AMENDMENT TO DESIGN SERVICES AGREEMENT, DRAMA/MUSIC MODERNIZATION, JOHN SERGIO FISHER & ASSOCIATES, INC. (JSFA), $175,000.00, (This item was discussed at the 1/26/11 Board Facilities Committee), attachment 6.1-h

i. APPROVAL OF CHANGE ORDER NO. 002, PROJECT #6697, DRAMA/MUSIC SITE, ENERGY MANAGEMENT SYSTEM (EMS), COMPASS ENERGY SOLUTIONS, $120,009.00, (This item was discussed at the 1/26/11 Board Facilities Committee), attachment 6.1-i

j. APPROVAL OF LICENSE AGREEMENT WITH MARJORIE LUKE THEATRE FOR "SBCC SPRING DANCE CONCERT", $3,191.00, PERFORMANCE DATES 4/28-4/30/2011, attachment 6.1-j

Upon motion by Trustee Macker, seconded by Trustee Villegas, the Board approved item 6.1-f and item 6.1-l, as contained in the agenda and attachments.

f. APPROVAL OF CHANGE ORDER NO. 001, PROJECT #6697, CLUSTER 1 SITE, ENERGY MANAGEMENT SYSTEM (EMS), COMPASS ENERGY SOLUTIONS, $130,966.00, (This item was discussed at the 1/26/11 Board Facilities Committee), attachment 6.1-f

i. APPROVAL OF CHANGE ORDER NO. 002, PROJECT #6697, DRAMA/MUSIC SITE, ENERGY MANAGEMENT SYSTEM (EMS), COMPASS ENERGY SOLUTIONS, $120,009.00, (This item was discussed at the 1/26/11 Board Facilities Committee), attachment 6.1-i

6.2 BUSINESS ACTION ITEMS

a. ADOPTION OF RESOLUTION NO. 25 (2010-11) ESTABLISHING NON-RESIDENT TUITION FEES FOR 2011-12

Upon motion by Trustee Livingston, seconded by Trustee Jurkowitz, the Board approved Resolution No. 25 (2010-11) establishing the per-unit, non-resident tuition fee for the 2011-12 academic year at $210 for out-of-state and international students, respectively, as contained in the agenda and attachment. The vote follows:

Ayes: Trustee Blum, Trustee Croninger, Trustee Haslund, Trustee Jurkowitz, Trustee Livingston, Trustee Macker, Trustee Villegas

Noes: None

Absent: None
b. ADOPTION OF RESOLUTION NO. 26 (2010-11) AUTHORIZING ROUTINE INTERNAL BUDGET TRANSFERS

Upon motion by Trustee Livingston, seconded by Trustee Villegas, the Board discussed Resolution No. 26 (2010-11) authorizing 2010-11 routine internal transfers. Trustee Croninger objected to the repair of the BC Building Clock Tower. Trustee Livingston explained that the Building Clock Tower was a gift from Mr. Eli Luria, former SBCC trustee and generous donor to the college for over two decades. Trustee Haslund noted that indeed the noise made by the clock is a problem during classes. Upon motion by Trustee Croninger, seconded by Trustee Villegas, the Board approved amending Resolution No. 26 to hold in contingency the $29,000 for the BC Building Clock Tower Repair. This change will be reflected in next month’s agenda. The vote follows:

Ayes: Trustee Blum, Trustee Croninger, Trustee Haslund, Trustee Jurkowitz, Trustee Livingston, Trustee Macker, Trustee Villegas

Noes: None

Absent: None

Concur: Ms. Ridgell, Student Trustee

c. ADOPTION OF RESOLUTION NO. 27 (2010-11) PROVIDING FOR 2010-11 BUDGET REVISIONS DUE TO RECEIPT OF UNBUDGETED REVENUE

Upon motion by Trustee Villegas, seconded by Trustee Livingston, the Board approved Resolution No. 27 (2010-11) authorizing 2010-11 budget revisions for unbudgeted revenue as contained in the agenda and attachment. The vote follows:

Ayes: Trustee Blum, Trustee Croninger, Trustee Haslund, Trustee Jurkowitz, Trustee Livingston, Trustee Macker, Trustee Villegas

Noes: None

Absent: None

Concur: Ms. Ridgell, Student Trustee

d. APPROVAL OF AMENDMENT 01 TO 2010-11 CHILD DEVELOPMENT PROGRAMS CONTRACT $210,683.00 (CSPP-0563) WITH CALIFORNIA DEPARTMENT OF EDUCATION AND ADOPTION OF RESOLUTION NO. 28 (2010-11)

Upon motion by Trustee Livingston, seconded by Trustee Jurkowitz, the Board approved Amendment 01 and adoption of Resolution No. 28 (2010-11) with California Department of Education, as contained in the agenda and attachment. The vote follows:

Ayes: Trustee Blum, Trustee Croninger, Trustee Haslund, Trustee Jurkowitz, Trustee Livingston, Trustee Macker, Trustee Villegas

Noes: None

Absent: None
6.3 BUSINESS INFORMATION ITEM

a. THE MILEAGE REIMBURSEMENT RATE FOR EMPLOYEES USING PERSONAL CARS WHILE ON COLLEGE BUSINESS HAS BEEN SET BY THE I.R.S. TO .51 CENTS PER MILE, EFFECTIVE 01/01/2011.

7. INFORMATION TECHNOLOGY – NONE

8. CLOSED SESSION

Upon motion by Trustee Jurkowitz, seconded by Trustee Livingston, the Board approved adjourning to closed session.

a. ADJOURN TO CLOSED SESSION


8.2 Conference with Legal Counsel-Anticipated Litigation

     Significant exposure to litigation pursuant to Section 54956.9(b)(3)(C) one case Tort Claim of Johann Salgado against District for medical expenses incurred and $5,000,000 for general damages for injuries on July 7, 2010. Claim was received on January 5, 2011.

b. RECONVENE TO OPEN SESSION

Upon motion by Trustee Macker, seconded by Trustee Croninger, the Board approved reconvening to open session.

President Haslund reported on the following:

8.1 The Board gave direction to the negotiators. There is no reportable action.

8.2 The matter regarding litigation, the Board approved to deny the claim. Trustee Jurkowitz, Trustee Croninger, Trustee Macker, Trustee Livingston and Trustee Haslund voted to deny the claim. Trustee Blum and Trustee Villegas were absent from this meeting

9. ADJOURNMENT

Upon motion by Trustee Livingston, seconded by Trustee Croninger, the Board approved adjourning this meeting setting the next Regular Meeting of the Board of Trustees on Thursday, February 24, 2011 at 4:00 p.m. in A211. A Study Session will be held on February 10, 2011 at 4:00 pm in A218C.

APPROVED BY THE BOARD OF TRUSTEES ON February 24, 2011

President, Board of Trustees

Superintendent/President
Secretary/Clerk of the Board