



## *MINUTES*

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

September 24, 2009

REGULAR MEETING  
Room A-211  
4:00 pm

MacDougall Administration Center  
Santa Barbara City College  
721 Cliff Drive

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) 965-0581 ext 2211 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 A 110 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

Vice President Dobbs called the meeting to order.

##### 1.2 ROLL CALL

###### Members present:

Dr. Joe Dobbs, Vice President

Mrs. Sally Green

Ms. Joan Livingston

Mr. Luis Villegas

Ms. Nicole Ridgell, Student Trustee

###### Members absent:

Dr. Kathryn Alexander, President

Mr. Morris Jurkowitz

Mr. Des O'Neill

**Others present for all or a portion of the meeting:**

Dr. Andreea M. Serban, Superintendent/President and Secretary Clerk to the Board of Trustees	Houlihan-Davis, Susan, PE
Aguilera, Jesus, Facilities	Javanbakht, Soheyla, CS
Dr. Arellano, Ofelia VP Continuing Ed	Johnston, Barbara, Student Finance
Auchincloss, Liz, President CSEA	Lowell, Linda, GDP
Bev Stephen, IT	Marx, Jon, The Channels
Dr. Bishop, Paul, VP IT	Nadeau, Bob, GDP
Brown, Rod, FRC	Nevins, Dean, CS
Cruz, Cruzito Herrera, Guest	O'Connor, Kathy, PE
Ehrlich, Sue, VP Human Resources	Osterhage, Judy, ECE
Ferrer, Mark, FRC	Dr. Partee, Ben, Ed Programs
Dr. Friedlander, Jack, Exec. VP Ed Programs	Pazich, Betty, Ed Programs
Galvan, Joan, PIO	Sanders, Seantel, Photo
Garfinkel, Atty, VP Student Senate Affairs	Shultz, Rich, IT
Gonzales, Olga, IT	Smith, Julie, ECE
Grunt, Greg, IT	Sullivan, Joe, VP Business Services
Grunt, Jetton, Guest	Thomas, Jerry, IT
Harrington, Emily, ASB President	Vasquez, Laurie, CS
Dr. Hersh, Doug, Ed Programs	Watkins, Dan, Info Tech
Dr. Hollems, Diane, PDC	Wong, David, FRC

**1.3 WELCOME**

Vice President Dobbs extended a cordial welcome to all.

**1.4 MINUTES OF THE REGULAR MEETING OF AUGUST 27, 2009**

Upon motion by Mrs. Green, seconded by Mr. Villegas the Board approved the minutes of the regular meeting of August 27, 2009.

Ms. Livingston requested that wording be added or amended in the minutes that would provide a more definitive explanation of the process to reactivate the SoMA building. Superintendent/President Serban noted that this request could not be granted as that subject was not discussed at the meeting; however, it was recommended that this be put on a facilities agenda for discussion. Vice President Dobb asked that the facilities committee members handle this request and report back to the Board.

**1.5 HEARING OF CITIZENS**

Mr. Cruzito Herrera Cruz attended SBCC from 1993-96 and wanted to thank the Board for building the theoretical, analytical and intellectual foundation for his scholar endeavors.

Ms. Atty Garfinkel provided the Board with information received from the State that the Student Senate for California Community College members were asked to share with their boards and districts.

**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**

– Ignacio Alarcon

Mr. Alarcon reported on the following: The Academic Senate Report for 2008-09 was given to you today; it provides highlights of the year for the Academic Senate and its nine

committees. It is always a good exercise to see the final product of all the work done during the year. 2008-09 was a year full of demands between the self-study for reaffirmation of accreditation, continuing the work on Student Learning Outcomes and the new program review process. By the time you meet for your next regular meeting it's hard to believe that the accreditation visit would have taken place, hopefully with good results. We feel we have prepared in the best possible way and we hope the outcomes will be favorable for the college. The Academic Senate is discussing the college priorities for the year based on the planning agendas of the self-study. We are also discussing the structure of our discussions between now and February around the building of the budget for 2010-11. Congratulated all of the classified employees who here for their longevity career increments and wanted to especially commend David Wong, he is a teacher of teachers. We are all grateful to have him here.

b. REPORT BY ASSOCIATED STUDENTS – Emily Harrington

Ms. Harrington reported on the following: This first month of school has been exciting and challenging as well. On September 11 we invited Superintendent/President Serban, Academic Senate President Ignacio Alarcon, and CSEA President Liz Auchincloss to present on Board Policy 2510. Dr. Jack Friedlander and Ms. Sue Ehrlich were invited to attend Student Senate meetings to discuss their roles and responsibilities on campus. These presentations have been informative and have helped student senators to place a face to a position. I would like to bring to your attention an issue that the Student Senate has faced this past week regarding the Brown Act. According to said act "secret ballots are prohibited in meetings of legislative bodies of local agencies" and the Student Senate has unintentionally been violating this stipulation for many semesters. When votes are secretly casted, the public is deprived of a portion of its right to witness the decision making process. The Student Senate will rectify this situation at a special meeting to be held this Friday and they will rescind the secret ballot votes and will re-vote on all of the 15 applicants that were interviewed on September 11 and 18. Student Senate is finalizing plans to make their meeting room technologically smart; funding has been approved for a laptop computer and an overhead projector that will allow us to run our meetings virtually paperless. A photo printer will also be purchased for use in various projects. Student Senate is continually assigning students to attend college-wide committees and sub-committees of the Academic Senate, which is an excellent means of making the student voice heard throughout the local decision making process. This Friday the Student Senate will be voting on an EOPS resolution that will commemorate 40 years of EOPS on this campus and recognize the month of October as EOPS month. Student Senate has had a record number of students applying for at-large senator seats.

c. REPORT ON CLASSIFIED EMPLOYEES – Liz Auchincloss

Ms. Auchincloss reported on the following: Thanked Ms. Harrington and the Student Senate for inviting her to attend their meeting and especially for their expression of appreciation to classified staff for the work they do here. The Consultation Group met on September 8 and spoke about the accreditation visit, the college plan, the categorical budget issues, and also reviewed the discussion that took place regarding the SoMA building. The United Way Day of Caring event this last weekend had a good turn out. On your agenda for approval today is CSEA's Tentative Agreement, expressed her appreciation to the District's team for their professionalism and their good faith negotiations. There is still work that needs to be done to finalize the contract and CSEA has offered to pay for the printing of the contract this time to help alleviate printing costs. The Chapter has voted on this agreement and it was approved 82 to 4.

## d. REPORT ON CURRENT EVENTS

- Joan Galvan

Ms. Galvan reported on the following: The exhibit "The View from Here" will close tomorrow at the Atkinson Gallery with "Small Images" opening on October 2 with a reception from 5 to 7 p.m. The Fall 2009 Harold Dunn Memorial Concert Series launches with "Songwriters" on October 4. Presented by members of John Clark's Songwriting class, this concert will include original music by talented students. Student entries are currently being sought for a Student Symposium on October 23 sponsored by the Luria Library and the SBCC Great Books Curriculum. Five winning papers will be selected and read by their authors addressing the question: "In what ways does the book *Fahrenheit 451* reflect our world today or your own experiences in 2009?"

Major Media Coverage:

The postponement of building SoMA announced on August 29 was picked up by *Edhat*, *Planet Santa Barbara*, *The Santa Barbara Daily Sound*, *The Santa Barbara News Press*, the *Santa Ynez Valley Journal*, and *KEYT-TV, Channel 3*.

Meghan Maiwald, the goalkeeper for the Women's soccer team, was featured in a sports story in the September 17 *Santa Barbara News Press*. Meghan, who is deaf, turned down an opportunity to play with the U.S. team at the Deaflympics in China to stay and compete with the Vaqueros this fall.

Dr. Jack Friedlander, Executive Vice President for Educational Programs, and Dr. Sally Gill, Public Information Specialist for Continuing Education, discussed SBCC credit and non-credit class cancellations for Fall 2009 in the September 19 *Santa Barbara News Press*.

Dr. Andreea Serban's "Community Heroes" segment with Bill Cirone will air on Cox Channel 8, December 14 through January 3.

Dr. Andreea Serban's interview with *American Executive* magazine will run in their November issue.

In Passing

Jacquilynne Dunn, a SBCC freshman majoring in Theatre Arts/Music, died in a tragic accident on August 27. The College hosted a memorial service for her on campus on September 10.

Ben Swatt, an adjunct accounting instructor at the College from 1982 to 1986, passed away in Santa Rosa, also on August 27.

## e. REPORT FROM SUPERINTENDENT/PRESIDENT

- Dr. Andreea M. Serban

Budget:

Very pleased with the work that has been done on the budget that is on the agenda today for your approval. It's a balanced budget as promised. It hasn't come without pain and effort, appreciates the cooperation of various constituents who helped make this happen. Most pleased that we were able to continue to honor our two major commitments that were made throughout this budget crisis:

- The commitment to our permanent employees.
- The commitment to our core instructional and support services for our students.

Comparatively speaking in looking at other colleges, it gives a sense of reality as to where we are as a college and our ability to be able to sustain during these very difficult times and we have done a very good job.

Superintendent/President Serban and Vice President Sullivan will host two budget forums, one on October 14 and the other on October 15 to review our fiscal status and answer any questions the college community may have on the budget.

The CSEA Tentative Agreement dated January 1, 2009-December 31, 2011 is on the agenda for approval today. Superintendent/President Serban stated her appreciation to Liz Auchincloss and the CSEA negotiation team and Bill Millard.

### Centennial

Our great Centennial event was held on August 20 and the next event will be a historical photo display at City Hall beginning December 1 with an opening reception at 5:00 pm.

### College Events

Appreciated the discussion with the Student Senate on September 11 about institutional governance and it was also a day of remembrance. We have a great student senate with great energy, thanked Emily Harrington for inviting her to attend this meeting.

Attended the High School Principal's Breakfast this morning on campus and acknowledged Dr. Diane Hollems and Carol Flores for organizing this event. The reports presented from each high school were positive and every high school, in spite of the budget crisis, is starting the year in good shape fiscally and with stable or higher enrollments. Acknowledged the work of Dr. Hollems with Career Choices, a new initiative with the high schools being piloted this year. A presentation will be made at a future board meeting.

We had 24 volunteers participate in United Way Day of Caring on September 19. The SBCC group weeded and re-mulched the hillside adjacent to the Fitness Center. Thanked Mike Gonella who set up the site for the group. Acknowledged and thanked Ofelia Arellano, Liz Auchincloss, Paul Bishop, Joe Sullivan, Doug Hersh, Joan Livingston and Blair Edwards for coming out and helping with this event. Proud of the recognition received at the end of the morning that was presented by Mike Gonella, the Good Citizen Award with Emphasis on Tree Hugging! It will not be displayed visibly in my office. The United Way Employee Campaign will kick off on October 26 with a short walk-a-thon around campus during the noon hour. There are no pledges required, just exercising to create awareness for a good cause.

### Events:

- September 2 – Academic Innovation Career Choices Appreciation event that brought together high schools, UCSB and other community members.
- Congratulated Des O'Neill on receiving the Jacaranda Award for Community Service from Santa Barbara Beautiful on September 20 and was honored to be asked to present this award to Mr. O'Neill.
- September 24 Mr. Morris Jurkowitz hosted the United Way Red Feather Ball VIP Reception, honoring Dr. Peter MacDougall.

### Kudos:

Congratulated Mark Ferrer for being named a winner in the Research and Planning Group and Statewide Academic Senate's POWER Awards competition. POWER stands for Promising Outcomes Work and Exemplary Research. Mr. Ferrer was named Student

Learning Outcome Mentor of the Year for the student learning outcomes work at SBCC.

SBCC's student newspaper *The Channels* was named national finalist in two Associated Collegiate press categories, James Sinclair was a finalist for photo excellence and *The Channels* was a finalist in the Newspaper Pacemaker 2-year colleges' category. Congratulations.

Congratulated all classified managers and staff being recognized today for 10 or more years of service. Appreciates their contribution and service to the college.

Accreditation Visit:

Looking forward to the accreditation visit. Acknowledged all of the effort being put into this visit as it has been nothing short of extraordinary. It was difficult as it had to be completed in a short time period and acknowledged all of the work that went into putting together the tremendous self-study document. Superintendent/President Serban feels very good about where we are as a college and truly hopes that the accreditation team recognizes our value and our efforts.

f. REPORT FROM BOARD MEMBERS

Ms. Livingston thanked Superintendent/President Serban for all of her work on preparing the college for its accreditation visit.

2. GOVERNING BOARD

2.1 RECOMMEND APPROVAL OF THE TENTATIVE COLLECTIVE BARGAINING AGREEMENT BETWEEN CSEA, CHAPTER 289, AND THE DISTRICT, EFFECTIVE JANUARY 1, 2009

Upon motion by Ms. Livingston, seconded by Mrs. Green, the Board approved the tentative agreement reached between the District's negotiators and the California School Employees' Association, Chapter 289, which was approved by the California School Employees' Association, Chapter 289. Upon approval from the Board, the District and CSEA will work on revising the full agreement, which will brought for approval at a subsequent board meeting. The new agreement is effective January 1, 2009, as contained in the agenda and attachment.

3. HUMAN RESOURCES & LEGAL AFFAIRS – Ms. Sue Ehrlich

3.1 HUMAN RESOURCES & LEGAL AFFAIRS CONSENT ITEMS

Upon motion by Mr. Villegas and seconded by Mrs. Green, the Board approved the Human Resources and Legal Affairs consent items, as contained in the agenda and attachments.

CLASSIFIED LONGEVITY CAREER INCREMENT

Kathy O'Connor spoke on the 15 years of service of Susan Davis-Houlihan. In the time that Susan has been with us, she has seen over 6,000 student athletes and they have about 13,000 visits per year in the athletic training room. Susan is an outstanding employee and this is the first time we have been able to bring her here to acknowledge her years of service. Susan is critical and important to our division and to the success of our student athletes. Susan provides in-service for our dept and she has done a great job with community outreach. It's a pleasure to have her here and to have her on our staff and we appreciate everything she does on a daily basis. Superintendent/President Serban presented Susan with a Certificate of Appreciation on behalf of the Board of Trustees.

Jim Clark, Director of IT, spoke on the 10 years of service of Greg Grunt. Proud to introduce Greg and it's great that he's been here as long as he has. Before being sent off to Continuing Ed he worked down in the tech shop and they really miss him down there. He was known for his skills at data rescue and recovery and the saying was, "if you can't get it working, just call Greg". He's earned a lot of respect among his peers over the years. People speak highly of Greg and he is universally well-liked. The recurring comments about him and several words used over and over to describe him were, courteous, helpful, friendly, generous, knowledgeable, honest, dependable, trustworthy, and an all around nice guy. Superintendent/President Serban presented Greg with a Certificate of Appreciation on behalf of the Board of Trustees.

Dr. Ofelia Arellano, Vice President of Continuing Ed, spoke on the 20 years of service of Jesus Aguilera. Jesus began working on the main campus as a custodian for approximately 10 years and then applied and was hired by Continuing Ed and has now completed 10 years at the Wake Center. Jesus was temporarily assigned to the Schott Center and all of sudden I started to receive emails, as did his supervisor Alex Pittmon, praising the work Jesus was doing at the Schott Center and emails were received from the Wake Center asking that he return. This just demonstrate the caliber of his work in terms of how serious he is and how he has been able to create a great working environment at the Schott Center during his short time there. We are really proud both at the Wake and Schott Centers to have Jesus as one of our colleagues. Congratulations Jesus. Superintendent/President Serban presented Jesus with a Certificate of Appreciation on behalf of the Board of Trustees.

Dean Nevins spoke on the 10 years of service of Soheyla Javanbakht. Soheyla started with us about 10 years ago, she is actually a product of SBCC and she has made herself an indispensable part of our educational mission. She has done that with a constant focus on students and student success. Soheyla has gone out of her way to work with difficult students and has done so in such a manner that sometimes they won't talk to anyone but Soheyla. Soheyla has also modeled successful student behavior by going back to school and getting her masters degree in CIS to further aid students. Soheyla has constantly improved herself, improved her approach to students and improved her contribution to our department. Very happy to see Soheyla recognized in this manner. Superintendent/President Serban presented Soheyla with a Certificate of Appreciation on behalf of the Board of Trustees.

Linda Lowell spoke on the 25 years of service of Robert Nadeau. It's remarkable that so many people do not reach this type of dedication and presence with a singular institution. Bob has done this twice, 22 years in the Navy and now 25 years here at SBCC. Bob is an incredibly dedicated employee who in the very beginning wasn't so sure about how I was teaching photography. Bob became interested in photography over the last 8 year and he usually has his camera hanging around his neck and he very enthusiastically supports all of our students. I quickly did a little math and in the last eight years I think Bob has supported well over 6,000 students in our department. He has shared his enthusiasm and his dedication both to photography, graphic design and this college. With a lot of admiration I thank you for all of your years of service Bob. Superintendent/President Serban presented Bob with a plaque on behalf of the Board of Trustees.

Julie Smith spoke on the 10 years of service of Judy Osterhage. Before Judy became Foster Care Director, she was a teacher at the Kinko's Early Center for four years and was for one year the Laboratory Teaching Assistant at the lab school. Judy then started working with the Independent Living Program, that was a paired grant that went with the Foster Care Education Program and now she is the director of Foster Care and Kinship Education Program. Judy has brought the program from a five hour a week position to a full-time position and she is doing a lot of great work out there with people who are considering fostering, those who are foster parents, as well as kinship providers. Judy does a great job to our community, she works with the Dept. of Social Services, Foster Parent Association and she has networked in this community and has put a lot of resources together. I just want to acknowledge her 10 years as Director of Foster Care and Kinship education. Superintendent/President Serban presented Judy with a Certificate of Appreciation on behalf of the Board of Trustees.

Dan Watkins spoke on the 15 years of service of Jerry Thomas. Jerry works behind the scenes and does an outstanding job he has grown up with our network as the internet expanded and our

connection to the rest of the world via our computers expanded Jerry has been instrumental in providing that. Jerry also maintains our firewall and keeps our security safe and anytime there are any issues with any network slowness, Jerry is the man to solve it. I'm really proud to have worked with him this last year, he's imparted a lot of knowledge to me that I appreciate and I'm now able to go one-on-one with some of our vendors. Thank you Jerry. Superintendent/President Serban presented Jerry with a Certificate of Appreciation on behalf of the Board of Trustees.

Mark Ferrer and Doug Hersh spoke on the 25 years of service of David Wong. Mark reported the following: I extemporized noting that David had worked here for 3 million minutes and that I had had the honor of co-directing the FRC with him for 2 million of those minutes. David has gotten a Ph.D in that time as well. David has done just about anything that can be done here, he worked for media services and he brought all that gift and talent over to our department. Read a few comments made by faculty and staff: I dream David Wong; his excellent moodle video tutorials which I have watched and listen to over and over are imprinted in my unconscious. Without David Wong I would never have continued teaching online for the past 12 years. He has been instrumental in leading us down this path of distance education. His knowledge, wisdom and wonderful way of encouraging us through the unknown has made it possible for us to have such a successful online college. Without David we would have been left behind, because of him we are at the forefront of online education. Doug Hersh reported the following: Twenty-five years! And this is the first time I've seen David in a tie. The College is in the midst of profound changes that we are undergoing here at the college in terms of how we deliver education with technology for teaching and learning and David has been in the center of it. Because he has been a prime mover in how we move the college into the 21<sup>st</sup> century and how we use technology to benefit students and how he works with faculty to teach them how to use this technology, I want to thank him for his centrality in all of this. Thank you, David. Superintendent/President Serban presented David with a plaque on behalf of the Board of Trustees.

#### 4. EDUCATIONAL PROGRAMS – Dr. Jack Friedlander

##### 4.1 PRESENTATION BY MELISSA CRAWFORD, DIRECTOR, ON THE SCHEINFELD CENTER FOR ENTREPRENEURSHIP & INNOVATION AND ITS ACTIVITIES.

Melissa Crawford provided a presentation on the Scheinfeld Center for Entrepreneurship & Innovation.

##### 4.2 RECOMMEND APPROVAL OF NEW COURSES, COURSE MODIFICATIONS, NEW PROGRAMS AND NEW PROGRAM MODIFICATIONS

Upon motion by Mrs. Green, seconded by Ms. Livingston, the Board approved the Curriculum Advisory Committee recommendations, as contained in the agenda and attachment.

#### 5. CONTINUING EDUCATION – Dr. Ofelia Arellano

##### 5.1 RECOMMEND APPROVAL OF MEMO OF UNDERSTANDING WITH THE NATIONAL INSTITUTE FOR ADULT EDUCATION (INEA), MEXICO

Upon motion by Mrs. Green, seconded by Mr. Villegas, the Board approved the Memo of Understanding with the National Institute for Adult Education (INEA), Mexico, as contained in the agenda and attachment.

#### 6. BUSINESS SERVICES – Mr. Joe Sullivan

##### 6.1 BUSINESS CONSENT ITEMS

Upon motion by Mr. Villegas, seconded by Mrs. Green, the Board approved the Business Consent items, as contained in the agenda and attachments.



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

	<u>Check Ranges</u>	<u>Amount</u>
Food Service	3258389-8413	\$ 44,318.09
County Treasury	1187753-9541, 1946-2846 (ACH)	<u>7,147,806.86</u>
		<u>\$7,192,124.95</u>

- c. AUTHORIZATION TO ENGAGE THE CPA FIRM OF GLENN, BURDETTE, PHILLIPS & BRYSON TO AUDIT THE STATEMENT OF PROJECT COSTS OF THE SBCCD GENERAL OBLIGATION BONDS (MEASURE V), attachment 6.1-c
- d. AUTHORIZATION TO PAY CLAIM FOR DAMAGES: SAAM SEBGHATI, \$523.75
- e. APPROVAL OF AMENDMENT TO DESIGN SERVICES AGREEMENT – BRIDGE RENOVATION, attachment 6.1-e, (This item was discussed with the Facilities Committee on 9/21/09).

The construction of the Bridge Renovation project revealed extensive unforeseen damage. In order to affect the needed repairs, it is necessary to increase the design fees for the Structural Engineer and Architect. Staff requests that the Board authorize the Superintendent/ President to approve an amendment for the Design Services Contract in an amount not to exceed \$33,500, payable from Measure V funds, to John A. Martin and Associates, Inc.

- f. APPROVAL OF BRIDGE RENOVATION, CHANGE ORDER #3, attachment 6.1-f, (This item was discussed with the Facilities Committee on 9/21/09).

Due to severe unforeseen damage to the glue-lam beams, additional work is necessary. The College hired a timber inspection firm to perform two inspections of the bridge structure. The inspections resulted in identification of several areas of significant damage to the wood structure of the bridge. The causes of this damage are primarily termite infestation and dry rot due to moisture. Since the last update, several additional areas of significant damage have been revealed. This increased area of damaged has made even more shoring necessary. The ultimate repair will likely now involve replacement of all 10 existing glue-laminated beams.

In order to safely affect this repair, and in order to open the bridge to foot traffic during the semester, it was necessary to install a significant amount of steel shoring to support the bridge. This increased area of damaged has made even more shoring necessary. The shoring has been designed by a structural engineer, under contract with the contractor, and the shoring design has been reviewed and accepted by the College's structural engineer for this project, John A. Martin and Associates. The cost for Change Order #3, totaling \$351,797, is for all extra work performed related to shoring through September 9, 2009. The shoring and repair work is currently underway and additional shoring costs are anticipated, on top of the additional costs for the repair and replacement of the glue-lam beams. As previously indicated, this additional work will add significant time to the overall project contract. The total duration is still unknown. In addition, the repair and replacement costs for the damaged glue-lam beams will result in significant additional cost, which is currently under investigation. However, this work is necessary in order to maintain safe operation of the pedestrian bridge and ensure access between East and West campuses. Staff requests that the Board authorize the Superintendent/ President to approve a change order for the Bridge Renovation Contract to Cushman Contracting Corp in an amount not to exceed \$351,797, payable from Measure V funds.

- g. APPROVAL OF LURIA CONFERENCE AND PRESS CENTER, CHANGE ORDER #1, attachment 6.1-g, (This item was discussed with the Facilities Committee on 9/21/09).

During construction of the Luria Conference and Press Center, several unforeseen conditions were encountered, and additional work was requested from the contractor. Unforeseen conditions include:

- Additional Wall Demolition, \$1,855 Cost;
- Demolition of Unknown Duct Bank, \$1,240 Cost.

Additional requested work includes:

- Performance of Concrete Cutting on Saturday due to Noise, \$954 cost;
- Replace Plastic Laminate Countertops with Granite, \$9,144 Cost;
- Modify Wall Base to Prevent Paving Variations, \$829 Cost;
- Relocate Building Foundation Away from Stadium Foundation, \$2,300 Cost;
- Modify Foundation Detail at Roll-Up Doors, \$1,169 Cost;
- Relocate Conduit Penetrations due to Conflict with Exit Door, \$586 Cost.

The total cost of Change Order #1 is \$18,077. At this time, there is no time impact associated with this change order. Staff requests that the Board authorize the Superintendent/ President to approve a change order for the Luria Conference and Press Center Contract to Diani Building Corp in an amount not to exceed \$18,077, payable from Measure V funds.

- h. TERMINATION OF CONTRACT, DRAMA/MUSIC A/V – SCHIPPER CONSTRUCTION, attachment 6.1-h, (This item was discussed with the Facilities Committee on 9/21/09).

As authorized by the contract, the College has elected to terminate the Drama/Music A/V Bid Package contract utilizing the "termination for convenience" clause. The primary reason for this termination is the exclusion of all conduit and wiring from the Schipper bid. It is estimated that the total expenditures to date by Frank R. Schipper Construction total \$37,350.88 for work performed and bond costs. Staff recommends that the Board authorize the Superintendent/ President to approve a CREDIT change order in the amount of \$440,419.12 for work not performed, bringing the revised contract total to a not to exceed amount of \$37,350.88. Staff is negotiating with Schipper and its bonding company to further reduce the amount due. In the event that those negotiations are successful, an additional credit change order will be presented in October to further reduce the contract total.

- i. AWARD OF CONTRACT, DRAMA/MUSIC A/V – DIANI BUILDING CORP, attachment 6.1-i, (This item was discussed with the Facilities Committee on 9/21/09).

As stated above, the College has elected to terminate the Drama/Music A/V contract for convenience. The second low bidder for this project, ATK, has requested that it be permitted to withdraw its bid. The College has agreed to withdrawal of the bid. Diani Building Corp, the third low bidder for this bid package, has stated that it is willing to honor its bid price, even though more than 90 days have passed since the bid opening. Staff recommends that the Board authorize the Superintendent/ President to approve award of the Drama/Music A/V contract, with all wiring and conduit, to Diani Building Corp in the amount of \$889,000.

## 6.2 BUSINESS ACTION ITEMS

- a. PUBLIC HEARING AND ADOPTION OF THE 2009-10 BUDGET (Budget may be viewed in the Accounting Office, A-130.)

Upon motion by Ms. Livingston, seconded by Mr. Villegas, the Board approved to convene as a Committee-of-the-Whole for the purpose of hearing comments regarding adoption of the 2009-10 Budget.

Upon motion by Ms. Livingston, seconded by Mrs. Green, the Board approved to reconvene to regular session.

Upon motion by Ms. Livingston, seconded by Mrs. Green, the Board approved the adoption of the 2009-10 Budget and authorized its transmittal to the Santa Barbara County Education Office, as contained in the agenda and attachments.

**b. ADOPTION OF RESOLUTION NO. 6 ESTABLISHING THE APPROPRIATION (GANN) LIMIT**

Upon motion by Ms. Livingston, seconded by Mr. Villegas, the Board approved Resolution No. 6 (2009-10) establishing the appropriation limit for the 2009-10 fiscal year, as contained in the agenda and attachment. The vote follows:

Ayes: Dr. Dobbs, Mrs. Green, Ms. Livingston, Mr. Villegas

Noes: None

Absent: Dr. Alexander, Mr. Jurkowitz, Mr. O'Neill,

Concur: Ms. Ridgell (Student Trustee)

**c. ADOPTION OF RESOLUTION NO. 7 (2008-09) AUTHORIZING PAYMENT OF OUTDATED WARRANTS**

Upon motion by Mrs. Green, seconded by Mr. Villegas, the Board approved Resolution No. 7 (2009-10) authorizing payment of an outdated warrant in the amount of \$880.37, as contained in the agenda and attachment. The vote follows:

Ayes: Dr. Dobbs, Mrs. Green, Ms. Livingston, Mr. Villegas

Noes: None

Absent: Dr. Alexander, Mr. Jurkowitz, Mr. O'Neill,

Concur: Ms. Ridgell (Student Trustee)

**d. ADOPTION OF RESOLUTION NO. 8 (2008-09) AUTHORIZING ROUTINE INTERNAL BUDGET TRANSFERS**

Upon motion by Mrs. Green, seconded by Mr. Villegas, the Board approved Resolution No. 8 (2008-09) authorizing routine internal transfers, as contained in the agenda and attachment.

Ayes: Dr. Dobbs, Mrs. Green, Ms. Livingston, Mr. Villegas

Noes: None


Absent: Dr. Alexander, Mr. Jurkowitz, Mr. O'Neill,

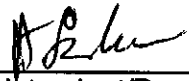
Concur: Ms. Ridgell (Student Trustee)

- 7. INFORMATION TECHNOLOGY – NONE
- 8. CLOSED SESSION - NONE
- 9. ADJOURNMENT

Upon motion by Mrs. Green, seconded by Ms. Livingston, the Board approved adjourning this meeting, setting the next Regular Meeting of the Board of Trustees on Thursday, October 29, 2009 at 4:00 p.m. in A211. A Study Session will be held on October 8, 2009 in A218 at 4:00 p.m.

APPROVED BY THE BOARD OF TRUSTEES ON October 29, 2009

  
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President, Board of Trustees

  
\_\_\_\_\_  
Superintendent/President  
Secretary/Clerk of the Board