

**SOLANO COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD**

UNADOPTED MINUTES

August 5, 2015

1. CALL TO ORDER

A Regular Meeting of the Solano Community College District Governing Board was called to order at 6:30 p.m., on Wednesday, August 5, 2015, in the Denis Honeychurch Board Room, Room 626, 4000 Suisun Valley Road, Fairfield, California 94534, by Board President Young.

2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

At the request of Board President Young, Gregory Brown, Vice President of Student Services, led those present in the pledge of allegiance to the flag of the United States of America.

3. ROLL CALL

A. Marie Young, President
Michael A. Martin, Vice President
Monica Brown
Sarah E. Chapman, Ph.D.
Denis Honeychurch, J.D.*
Pam Keith
Rosemary Thurston
Stan R. Arterberry, Secretary

*Arrived after the start of the meeting

Others Present:

Greg Brown, Vice President, Student Services
Wade Larson, D.M., Associate Vice President, Human Resources
Yulian Ligioso, Vice President, Finance and Administration
Leslie Minor, Vice President, Academic Affairs
Leigh Sata, Executive Bonds Manager
Michael Wyly, Academic Senate President
Yashica Crawford, Ph.D., Chief of Staff

4. APPROVAL OF AGENDA

Moved by Trustee Keith and seconded by Trustee Brown to approve the Agenda as amended.
Motion passed unanimously.

5. COMMENTS FROM MEMBERS OF THE PUBLIC

There were no comments from members of the public.

6. CLOSED SESSION

Board President Young called the Closed Session to order at 6:32 p.m.

- (a) Conference with Labor Negotiator (Govt. Code § 54957.6)
Agency Negotiator: Wade Larson, D.M., Associate Vice President, Human Resources
Employee Organization: CCA/CTA/NEA, CSEA, Operating Engineers—Local 39
- (b) Public Employee Discipline/Dismissal/Release (Govt. Code § 54957)
- (c) Conference with Legal Counsel—Anticipation Litigation
Significant exposure to litigation pursuant to subdivision (d) of Govt. Code §54956.9:
one potential case
- (d) Conference with Legal Counsel – Existing Litigation (Govt. Code § 54956.9(d)(1))
Case Number: SF-CE-3313-E

7. RECONVENE REGULAR MEETING

Board President Young reconvened the Regular Meeting at 7:20 p.m.

8. REPORT OF ACTION TAKEN IN CLOSED SESSION

- (a) The Board held Conference with Labor Negotiator (Govt. Code § 54957.6)
Agency Negotiator: Wade Larson, D.M., Associate Vice President, Human Resources
Employee Organization: CCA/CTA/NEA, CSEA, Operating Engineers—Local 39 and
no action was taken
- (b) The Board held conference with Public Employee Discipline/Dismissal/Release (Govt.
Code § 54957) and no action was taken
- (c) The Board held Conference with Legal Counsel—Anticipation Litigation
Significant exposure to litigation pursuant to subdivision (d) of Govt. Code §54956.9:
one potential case and no action was taken
- (d) The Board held Conference with Legal Counsel – Existing Litigation (Govt. Code §
54956.9(d)(1)) Case Number: SF-CE-3313-E and no action was taken

9. COMMENTS FROM MEMBERS OF THE PUBLIC (CONTINUED)

Dr. Jowel Laguerre addressed the Board to thank them for the farewell party that was organized for him, and served as a tribute to the many accomplishments that were made during their work together. He is happy to know that the College has leadership from Superintendent/President Arterberry.

10. REPORTS (NO ACTION REQUIRED):

- (a) Solano Community College 70th Anniversary Benefit Gala
Facilitated by Curt Johnston, Executive Director, Solano Community College Educational Foundation

Curt Johnston invited Trustees and members of the public to the 70th Anniversary Gala, which will be held on Friday, August 21st. The gala will feature many activities, including dinner, a keynote speaking address from Scott Zimmerman and Prof. Jim DeKloe, and live music. Persons interested in attending are encouraged to purchase tickets online at the Solano Community College Educational Foundation website. Faculty and staff tickets have been discounted to \$50.

- (b) Preliminary Response to Second Grand Jury Report dated June 25, 2015
Facilitated by Leigh Sata, Executive Bonds Manager

There was public comment from George Guinn, of the Central Solano Citizen/Taxpayer Group. Mr. Guinn commented that the district response was already submitted to the Grand Jury and questioned why the board agenda lists the report as preliminary.

Mr. Leigh Sata reviewed the district response to the second Grand Jury report dated June 25, 2015. The documents can be found on the SCC and county website. Mr. Sata provided a summary of the district response to each of the five findings in the Grand Jury report, including:

- The Board disagrees with the finding that there has been little interaction between the CBOC and the Board of Trustees. The Board will implement the recommendation by requesting that the CBOC send a representative to all board meetings. The Board will investigate whether it be helpful to send a Board member to CBOC meetings
- The Board disagrees with the finding that trainings have not been provided and highlighted that since July 2013, the CBOC has been trained on three occasions (by Bond counsel, the Executive Bonds Manager and Construction Counsel).The recommendation will be implemented by providing additional in-house training and where warranted, approve external training.
- The Board disagrees with the finding that the Board of the Bond Team creates, controls and run the CBOC meetings and contends that the CBOC chair directly sets the content and agenda for the meetings and run the meetings. District staff will continue to provide administrative support to assist the COBC chair in the production and distribution of the agenda.
- The Board disagrees with the recommendation that the CBOC Bylaws be written by the COBC itself, as the Board of Trustees is required to establish the COBC Bylaws by statute.

The CBOC chair has submitted proposed amendments approved by the CBOC, which are being reviewed by the Board and District staff. The Board expects that it can work together with the CBOC to identify bylaw amendments that can be approved by the Board in the near future.

- The Board disagrees with the finding that the CBOC annual report to the Board of Trustees was developed by the company serving as program manager. SCC administration will continue to provide clerical staff support to finalize the report.

Mark Kelley, district construction counsel from Dannis, Woliver and Kelley, offered an overview of the purpose and intent of the CBOC, including a review of the education code that offered a purpose for establishment of the committee. He also provided an overview of the guidance provided to the committee to accomplish its job, and a review of what the law does not cite as authority of the CBOC. In terms of CBOC independence, Mr. Kelley cited that the CBOC is put in place by the Board, and is limited due to compliance with the Brown Act, Board authority to appoint and remove members, committee composition being set by statute, and exposure to liabilities due to conflicts of interest. In his review of the Grand Jury report, Mr. Kelley reviewed inaccuracies of some of the information that was shared, specifically availability of training, of which he reported to have provided one to the committee. He commented that as a public committee, it is an incorrect assumption that CBOCs role is in an advisory capacity. He further stated that the CBOC neither recommendations nor proposals can be made regarding events that have already taken place.

In response to CBOCs requests to revise the bylaws, Mr. Kelley asserted that changes to the bylaws can have negative ramifications to the district. He cited that the proposed BCOB bylaws, such as reduced quorum, reduced majority vote, and additional meetings could have the effect of allowing a small group to take over the CBOC. He further stated that the CBOCs requested changes would require legislation to change the CBOC statute.

President Young thanked Mr. Sata and Mr. Kelley for their presentation. Dr. Chapman asked for clarity of how to support the CBOC with membership to ensure quorum. Mr. Kelley acknowledged that this not a concern unique to Solano, and there are currently language in place to support these efforts.

A copy of both presentations are available in the Superintendent/Presidents Office.

(c) Citizens Bond Oversight Committee (CBOC) Presentation
Facilitated by Lyman Dennis, Ph.D., Chairperson, CBOC

Dr. Lyman Dennis, chair of the CBOC provided a presentation. He stated that when he joined the CBOC, he did not receive a training but would consider what he did receive from staff as presentations. The presentation reviewed activities and role, who the CBOC reports to and how can we ensure that the bylaws are in keeping with the intent of the CBOC. Dr. Dennis stated that as an independent committee, the CBOC can establish its own bylaws. He reviewed an organizational chart that shows a “dotted line” relationship with SP Arterberry and a “solid line” relationship to the Board of Trustees. Dr. Lyman proposed several key recommendations,

including an increase in reports and would like the Board to consider the CBOC to be used for input on project and business decision making.

Trustee Martin asked for clarity on quorum issues that have been experienced with the CBOC. Dr. Lyman stated that there was one meeting that has not had quorum by his definition of 7 members, and he is currently working on this and may need to replace members who are unable to attend. Trustee Thurston thanked Dr. Lyman for his report and in referred to section 3.1 of the CBOC bylaws that states that communication shared by the chairperson reflects the majority of the committee. She further stated that the presentation was not approved. Dr. Lyman acknowledged that the presentation was not approved by the committee but the concepts had been previously discussed and wishes to have more frequent meetings.

A copy of the presentation is available in the Superintendent/Presidents Office.

Mr. Guinn commented that Mr. Kelley's comments are from a paid attorney and Dr. Lyman represents the public as a volunteer. He further stated that the purpose of the oversight committee is to be the eyes of what is going on, and having an attorney participate skews this approach. He further stated that it serves the public better to take heed to these recommendations.

(d) Measure Q Update and Fairfield Science Building Presentation
Facilitated by Leigh Sata, Executive Bonds Manager

Mr. Leigh Sata introduced the staff from Lionakis Team who came to show the work that will take place on the Fairfield campus. Dave Younger, Owen Letcher, and Jason Ellis provided an overview of the guiding principles for the project, the science building and building design context. The planning for the building will be based on its current location, creation of efficient spaces and proximity to other support spaces. The plan also includes a proposed plan for landscaping. In terms of the design direction for the space, the team reviewed 3 options that was most representative of the campus, including arch design. The agreed approach would replicate the arches that are seen on other buildings on campus, with changes to the window design.

Trustee Brown asked for clarity regarding covered spaces that are available for students to walk in during inclement weather. Based on the location of the building and other structural supports, this has been considered in the design. Trustee Chapman supported the changes and appreciated the implementation of previous concerns. Trustee Honeychurch stated that this is his first time seeing these designs and the Board has been shown numerous ideas and need additional time to consider these changes. He also stressed the need for the inclusion of an interesting front for the building. Trustee Thurston stated that these plans have been shown at the Measure Q Subcommittee meeting and expressed appreciation for the design. The team provided further information on the anatomy lab and the availability for space to support the program. A second lab in Vacaville will be added to the new biotechnology building, doubling the Anatomy program.

Mr. Guinn provided comments on the design of the Science Building, specifically the problems that a flat roof can cause to a building.

A copy of the presentation is available in the Superintendent/Presidents Office.

(e) Superintendent-President

Superintendent/President Arterberry commented that he and Dr. Yashica Crawford participated in the commencement ceremony at the VacaValley Adult School at the Solano State Prison in Vacaville. He acknowledged that we will have 6 face-to-face classes in the fall, and will have a future meeting with the warden of the medical facility. Superintendent/President Arterberry asked for Board direction to have Closed Session begin at 6:30 pm and the open session to being at 7 pm. A second Closed Session will be added to the agenda at the conclusion of the meeting to be used as needed. The Board provided direction to move toward this change. He further stated that he would like the College to focus on student success and presented an example of a revised board agenda template where staff will have to indicate how a particular agenda item positively impacts student success.

11. CONSENT AGENDA – ACTION ITEMS

All matters listed under the Consent Agenda are considered by the Board to be routine and will be enacted by the Board in one motion. There will be no discussion on these items prior to the time the Board votes on the motion unless members of the Board, staff or the public request specific items to be discussed and/or removed from the Consent Agenda. Time will be provided before the vote for clarification questions on any item under the Consent Agenda. Clarification questions may be asked without removing an item from the Consent Agenda.

Superintendent-President

(a) Minutes for the Special Meeting held on July 20, 2015

Human Resources

(b) Employment - 2015-2016; Request for Reduced Workload; Resignation of Employees, Page 1

(c) Professional Service Contract, Interim Superintendent/President, Page 3

Finance and Administration

(d) Contract Award to Rudolph & Sletten for the Design and Construction of the Biotechnology and Science Building Project, Page 12

(e) Contract Award to Aquatic Design Group Inc. for Architectural and Engineering Services for the Swimming Pool Deck Improvement Project, Page 14

(f) Contract Award to IDF for Construction Services for Small Capital Projects: B1600 Classroom Improvements and Portable Classrooms Phase II Improvement Project, Page 15

- (g) Contract Award to JLC Contracting, Inc., for Construction Services for the Performing Arts Building (B1200 Renovation) Swing Space Project, Page 16
- (h) Contract Award to IDF for Construction Services for Small Capital Projects: Building 1800 Classroom Improvements and Technology Classroom Projects, Page 17
- (i) Contract Award to JLC Contracting, Inc., for Electrical Construction Services for the Performing Arts Building (B1200 Renovation) Swing Space and Technology Classroom Projects, Page 18
- (j) Contract Amendment to ED2 International for Design-Build Review Services for the Vacaville Biotechnology & Science Project, Page 19
- (k) Contract Award to Omni-Means LTD for Traffic Engineering Services for the Vacaville Classroom Building Renovation Project, Page 20

Moved by Trustee Keith and seconded by Trustee Thurston to approve the Consent agenda, as presented.

The motion passed unanimously.

12. ITEMS REMOVED FROM CONSENT AGENDA

13. RETIREMENTS OF STAFF WITH 10 OR MORE YEARS OF SERVICE

- (a) Resignation to Retire – Lisa Hiner, Thomas Kea and Deborah Mann, Page 21

Dr. Leslie Minor provided recognition to Deborah Mann and Jerry Kea for their many years of service to SCC. Vice President Yulian Ligioso provided recognition for Lisa Hiner's service to SCC. Dr. Kea was in attendance, and provided his appreciations to the Board, faculty, administrators and staff for their support of him and was honored to work with everyone.

Moved by Trustee Honeychurch and seconded by Trustee Thurston to approve the retirements of staff as follows: Lisa Hiner, Alternate Media Specialist effective August 1, 2015, Thomas Kea, Dean, Vallejo Center effective July 31, 2015 and Deborah Mann, Director, Workforce Training & Grants effective September 30, 2015.

The motion passed with the following roll call vote:

AYES: Trustee Martin, Trustee Thurston, Trustee Brown, Trustee Young, Trustee Chapman, Trustee Honeychurch, Trustee Keith

NOES: None

ABSENT: None

14. NON-CONSENT AGENDA ITEMS – ACTION ITEMS

Finance and Administration

(a) Resolution Authorizing the Issuance of the Solano Community College District (Solano and Yolo Counties, California) 2015 General Obligation Refunding Bonds, Resolution No. 15/16-04, Page 22

VP Ligioso stated that this is an opportunity to lower property taxes to homeowners for the bond. The estimated savings have increased as has the net savings, from \$2.1 million to \$3 million. The threshold is a minimum of 3% refund, and we will not move forward if the market conditions change. Representatives from PFM (advising firm) and underwriters were present to answer any questions from the Board.

Mr. Guinn commented that refinancing is a good idea. He stated that he reviewed campaign contributions that were received and a timeline of events related to voter support of Measure Q. He further stated that he reviewed problems in Los Angeles for “pay for play” contracts. The tax collector came up with ideas on how to have a fairer playing field for contractors who contribute to campaigns. He asked the Board to be aware of when these situations take place.

Moved by Trustee Thurston and seconded by Trustee Brown to approve Resolution Authorizing the Issuance of the Solano Community College District (Solano and Yolo Counties, California) 2015 General Obligation Refunding Bonds, Resolution No. 15/16-04 as presented. The motion passed with the following roll call vote:

AYES: Trustee Chapman, Trustee Brown, Trustee Young, Trustee Thurston, Trustee Honeychurch, Trustee Martin, Trustee Keith

NOES: None

ABSENT: None

15. INFORMATION ITEMS – NO ACTION REQUIRED

(a) Solano County Fleet Management Presentation, Page 25

Dave Bastian, head of the Solano County Fleet Management, presented changes to rules and options available to county services. Mr. Bastian stated that vehicle recommendations are provided by them, and due to DMV rules for passenger vans, a commercial license was needed. Given this, vehicles were changed to 10-passenger vans (from 7 to 9 vans were changed). Mr. Bastian also stated that Fleet Management can support organizations with smaller needs, such as SCC, to support and maintain a fleet of vehicles, and also provide pool vehicles for training and workforce needs. Due to placement as an emergency response team, Fleet Management has fueling station access, and due to increased regulation, may be difficult for SCC to manage.

Trustee Brown thanked Mr. Bastian for the information and report.

(b) Districtwide Tree Removal Plan, Page 26

Leigh Sata made the Board aware of the completion of a survey regarding tree removal, and the next step is to identify the first phase of services. Ines Zildzic further stated that this work will go out to bid, and smaller projects will be available to local vendors.

16. ANNOUNCEMENTS

Trustee Thurston, along with SP Arterberry, Cynthia Garcia attended the Rotary Success Scholars presentations, where 10 students received full scholarships to attend Solano Community College. This was a project of the Fairfield-Suisun, Cordelia, and Fairfield-Suisun Twilight Rotary Clubs

SP Arterberry called Trustees attention to several conferences that will be taken place and to inform staff if they are interested in attending.

17. ITEMS FROM THE BOARD

Trustee Young provided the following review of her activities that she attended and/or participated in:

July 24, 25, 31: Attended as a guest and supporter of Vallejo High School's Summer midnight basketball program for young adults and teens at Bottari Gym between 10 p.m. and 3 a.m. This summer program was supported by New Dawn Vallejo, Vallejo Police Department, Vallejo Fire Department, Solano County Probation Department, Solano County Sheriff's Department, Solano County Health and Social Services, Vallejo City Unified School District, The District Attorney's Office and Solano Family Justice Center. In addition to playing basketball, other services were offered to the participants: Health screenings, CPR training, learning about conflict resolution, interviews skills, etc.

July 25: Vallejo Native American Festival (Powwow) that was held at Vallejo water front.

July 27: Board AdHoc Policy Committee meeting

July 27: Vallejo Interagency Committee meeting that was held at Vallejo City Manager's Office

July 28: Reception for Dr. Thomas Jerry Kea at Solano College Vallejo Center

July 28: Vallejo City Council meeting at which Mayor Osby Davis announced Ms. Genea Brice as the first Poet Laureate of Vallejo. The Links, Incorporated Solano County Chapter, of which I am a charter member, joined forces with Vallejo Community Arts Foundation to sponsor the first Poet Laureate of Vallejo. A reception immediately followed the presentation in the Vallejo Sister City Room.

Aug. 1: Celebration Solano BBQ at Solano County Fair

Aug. 2: Vallejo Relay for Life that was held at St. Patrick~ St. Vincent High School's football field in Vallejo.

Aug. 4: 2015 South Vallejo National Night Out Resource Fair that was held in Vallejo at 900 Sixth Street.

18. ADJOURNMENT

Moved by Trustee Honeychurch and seconded by Trustee Thurston to adjourn the meeting. There being no further business to come before the Board, the meeting was adjourned at 9:17 p.m.

SRA:yc

BOARD MINUTES 8.05.15