

MINUTES OF MEETING OF
BOARD OF TRUSTEES
STATE CENTER COMMUNITY COLLEGE DISTRICT
SEPTEMBER 1, 2009

- Call to Order A regular meeting of the Board of Trustees of the State Center Community College District was called to order by President William J. Smith at 4:30 p.m., September 1, 2009, at the District Office Boardroom, 1525 E. Weldon Avenue, Fresno, California.
- Trustees Present William J. Smith, President
Patrick E. Patterson, Vice President
Dorothy Smith, Secretary
Isabel Barreras
Richard Caglia
H. Ronald Feaver
Leslie W. Thonesen
Erika Gutierrez, Student Trustee, Fresno City College
Alexandria Morales, Student Trustee, Reedley College
- Also present were:
Tom Crow, Chancellor, SCCCCD
Doug Brinkley, Vice Chancellor, Finance and Administration, SCCCCD
Cynthia Azari, President, Fresno City College
Barbara Hioco, President, Reedley College
Terry Kershaw, Vice Chancellor, North Centers
Randy Rowe, Associate Vice Chancellor, Human Resources, SCCCCD
- Introduction of Guests Among the others present, the following signed the guest list or were noted as present:
Jan Krueger, Executive Secretary to the Chancellor, SCCCCD
Thomas Mester, Academic Senate President, RC/NC
Linda DeKruif, Academic Senate President, FCC
Melanie Highfill, Classified Senate President, RC/NC
Zwi Reznik, SCFT President
Jason Meyers, CSEA President
Tony Cantú, Vice President, Instruction, FCC
Scott Thomason, Vice President, Administrative Services RC
Michael Guerra, Vice President, Administrative Services, FCC
Elba Garcia, HR Analyst, SCCCCD
Jacquelyne Morales, RC
Ed Eng, Director of Finance, SCCCCD
Charles House, SCCCCD/CSEA
Richard Briones, Custodian, FCC
Randall Vogt, Director of Purchasing, SCCCCD
Charles Francis, Director, Training Institute, FCC

Lucy Ruiz, Public Information Officer, RC
Michael White, Vice President, Student Services, RC
Christopher Villa, Vice President, Student Services, FCC
Diane Clerou, District Dean of Human Resources, SCCC
Gurdeep Sihota-He'Bert, SCCC Foundation
Ernie Garcia, Classified Senate President, FCC
Teresa Patterson, Executive Director, Public and Legislative
Relations, SCCC
Brian Speece, Associate Vice Chancellor, Business and
Operations, SCCC
Gregory Taylor, General Counsel, SCCC
Ron Nishinaka, Retired Faculty, RC
Larry Dickson, Classified Staff, FCC
Natalie Culver-Dockins, Dean, Workforce Development, FCC
Carolyn Drake, Dean of Instruction, Health Sciences, FCC
Stephanie Robinson, Director of Nursing, FCC
Steven Williams, Classified Staff, FCC
Ray Johnson, Executive Director, African American Museum
Carmen Alessandro, Classified Staff, FCC
Sylvia A. Sanchez, Classified Staff, FCC

Approval of Minutes

The minutes of the Board meeting of August 4, 2009, were presented for approval. Ms. Barreras noted a correction to minutes. A motion was made by Mr. Thonesen and seconded by Mr. Feaver to approve the minutes of the August 4, 2009, meeting, as corrected. The motion carried unanimously.

Delegations, Petitions,
and Communications

Mr. Rowe reported having one request to address the Board that will be introduced at the appropriate time on the agenda.

Swearing
In/Affirmation of New
Student Trustee

Dr. Crow administered the Oath of Allegiance to Ms. Erika Gutierrez, Fresno City College Student Trustee. Ms. Gutierrez thanked the Board and is looking forward to working together. On behalf of the Board, Mr. Smith welcomed Ms. Gutierrez.

Chancellor's Report

Dr. Crow reported the following:

White House Initiative on Educational Excellence for Hispanic Americans - On August 21, the district, including Fresno City College and Reedley College, California State University-Fresno; Central Valley Higher Education Consortium, the Hispanic College Fund, and University of California, Merced, hosted representatives from the White House Initiative on Educational Excellence for Hispanic Americans. The initiative was created by executive order on September 24, 1990, to improve federal efforts to promote quality education for Hispanic Americans. The initiative is traveling throughout the nation and the trips include visits with community leaders, elected officials and

Chancellor's Report
(continued)

educators. The purpose of the town hall-style meetings is to gain public input on the status of Hispanic education. Juan Sepulveda, Director of the White House Initiative, led "community conversation" at the UC Center in Fresno.

Police Website - Safety and security for faculty, staff and students has always been one of the highest priorities. To that end, a newly designed district police website has just been completed. Important information can be found on the website regarding safety and security on the campuses and centers. Campuses are "mini cities" and incidents do happen, and it is important to be aware and prepared. The website can be accessed through the main page of each campus and center website as well as the district website, and includes important information on preventing crime on campus.

Art Elish - Earlier this month Dr. Crow shared with the Board the recent passing of Dr. Arthur Elish, former Dean of Instruction of Fresno City College. A memorial service will be held in the FCC library on Sunday, September 6, at 2:00 p.m. Dr. Elish started at FCC in 1973 and served 26 years as the Dean of Instruction. In addition he served as acting president at FCC on three occasions before retiring at the end of June in 2002. Art dedicated his life to serving the college and was personally involved in hiring hundreds of faculty and staff over the years. He will be missed. The family is asking any remembrances to be sent to the SCCC Foundation, attention, Dr. Arthur Elish Memorial Scholarship Fund.

Campus Reports

Dr. Azari reported on the following from Fresno City College:

- The Leon S. Peters Foundation has committed \$25,000 a year over the next 10 years to the FCC Leon S. Peters Honors Program. Each year twenty-five \$1,000 scholarships will be awarded to Honors students.
- Welcome week was a success with the help of 38 volunteers comprised of faculty, staff, students and alumni who staffed information booths. Dr. Azari thanked the staff and volunteer team who assisted over 12,000 students.
- English instructor Jim Ewing is being inducted into the Hall of Fame at Howard Payne College in Texas where he received his undergraduate degree in English and French.
- Mexican Independence Day celebration is September 16.
- Transfer Day and College Night are both on September 9.
- Dr. Azari extended an invitation for the start of the Fresno City College 100th anniversary celebration to take place with the Centennial Ball on December 31, 2009.

Campus Reports
(continued)

Dr. Hioco reported the following from Reedley College:

- Student Martin Castro, animal science major, was elected state president of Collegiate Agriculture Leaders (CAL). Kara Martin, agriculture education major, will be the Statewide Officer.
- Reedley College welcomed new SEED international students (Scholarships for Education and Economic Development).
- Reedley College has two new partnerships in the Valley Regional Occupational Programs. Students attend RC in the afternoons for aviation maintenance and forestry classes.
- September 9, RC will participate in the annual Fresno Area College Night at the Fresno Convention Center Exhibit Hall.
- Sept. 10 is RC's annual transfer day with representatives from both public and private colleges and universities on campus.
- The opening of the semester went very well at RC with record enrollments. The opening day faculty and staff workshops also went well with opportunities for faculty and staff to attend sessions on student learning outcomes, green technologies, program review, Facebook and Twitter.

Dr. Kershaw reported the following from the North Centers:

- The North Centers had a very productive and positive fall semester opening including duty and flex days. Dr. Kershaw thanked students and support services personnel and instructional faculty that have worked hard to accommodate the increased numbers of students at all the North Centers.
- META is a new Madera Center learning community project (Making Every Transfer Attainable). Students will receive accelerated writing instruction and academic counseling.
- North Centers Associated Student Body is planning events for Patriot Day, Constitution Day and Hispanic Heritage Month.
- North Centers will also be participating in Fresno Area College Night, and the annual Madera District Fair.
- The new Center for Advanced Manufacturing facility at Madera will be dedicated on September 22 at 10 a.m. The Board members are invited. The building project was made possible through Measure E bond monies in the amount of \$3.6 million. The 7800 square-foot building houses a 6800 square-foot shop and has 1000 square feet of classroom and office space.
- The Madera Center will be hosting the October 6 Board meeting. There will be a tour of the CAM facility and an update on the licensed vocational nursing program.

Academic Senate
Report

Linda DeKruif reported the following from the Fresno City College Academic Senate:

- Ms. DeKruif is starting her two-year term as president of the FCC Academic Senate.
- Academic Senate had their first meeting of the semester on August 26. The executive board members are President-elect Claudia Habib (two-year term), Past President Paul Demanett, Membership Secretary Ted Ostrander, Officer-At-Large John Fitzer, Curriculum Chair Maggie Taylor and Recording Secretary Lynn Campbell.
- Campus-wide committees and task forces are being discussed and are filling senate representation for them.
- Based on discussion at the last Board of Trustees meeting about a proposal for the African American Museum to enter into an agreement with the SCCCDC, the Academic Senate passed a motion on August 26, 2009, a copy of which had previously been provided to the Board. The motion stated:
"While the Fresno City College Academic Senate generally supports partnerships with any museum in Fresno, given the current budgetary restraints, any financial contribution to such a partnership cannot be supported by the Fresno City College Academic Senate at this time."
- The faculty is involved in the preparations for the Fresno City College 100th year centennial celebration.

Classified Senate
Report

Melanie Highfill, President of Reedley College Classified Senate, reported the following:

- All the Classified Senate positions and committee positions have been filled.
- The Classified Senate vice president is Brian Shamp from the North Centers, the secretary treasurer is Linda Dover, and past-president is Mary Helen Garcia. Meetings are held the second Tuesday of every month at 2 p.m. August 20 was the first meeting and had an excellent turnout. The Classified Senate is currently planning a half-day motivational and educational flex day in November. They are establishing a Blackboard site so they can post meeting agendas, minutes, summaries from committee representatives, and upcoming events to keep the RC and NC classified staff informed.
- Classified Professionals is offering an Access class on tables.
- Class IX of Classified Leadership began in July and has had two meetings. Classified Leadership will be sending the Board invitations to the Class IX graduation in December.

Fresno City College
Nursing Program

Dean of Health Services Carolyn Drake, RN, EdD, and Director of Nursing Stephanie Robinson, RN, MHA, delivered a presentation on the Fresno City College Registered Nursing Program. The RN Program at Fresno City College is the largest associate degree in nursing (ADN) program in the state of California and provides theory and clinical training for students who plan to become RNs, as well as training for licensed vocational nurses (LVN) to become RNs. In 2002-2009, 1,237 FCC RNs passed the NCLEX (National Council Licensure Examination). In 2008 to 2009 there were 287 new enrollments and 288 graduates. Nursing program data by student ethnicity, age, and gender were provided for Fall 2006 through Spring 2009. Other data for this range showed GPAs averaging from 2.93 to 3.26, retention of 97%, and successful completion from 90% to 92%. Grant funding sources from the State Chancellor's Office are enrollment/growth augmentation, Kaiser Foundation, Song Brown funding for two years, Allied Equipment-Smart classrooms Health Sciences building, paramedic to RN, and Paradigm program with five hospital partners. New grants are the WIB Distance Education LVN to RN Articulation Grant, WIB LVN to RN Articulation – 10/18/2009, ADN to BSN to MSN advancement of degree involving three community colleges and six universities.

The presentation was followed by questions and discussion from the Board members. Mr. Smith expressed his appreciation for the presentation, stating that this is one of our signature programs; we have a lot of recognition for this program; and the Board appreciates the work it takes to make it an outstanding program.

Consent Agenda
Action

Mr. Smith announced that Consent Item 09-23HR has been amended and copies provided. It was moved by Mr. Patterson and seconded by Ms. Barreras that the Board of Trustees approve Consent Agenda Items 09-23HR, as amended, and 09-24HR, and 09-86G through 09-96G, as presented. The motion carried unanimously.

Employment,
Academic Personnel
[09-23HR]
Action

approve the academic personnel recommendations, Lists A and B, as amended

Employment, Change
of Status, Resignation,
Retirement, Classified
Personnel
[09-24HR]
Action

approve classified personnel recommendations, Lists A through E, as presented

Review of District
Warrants and Checks
[09-86G]

Action

review and sign the warrants register for the period July 25, 2009, to August 21, 2009, in the amount of \$19,383,043.56; and

review and sign the check registers for the Fresno City College and Reedley College Co-Curricular accounts and the Fresno City College and Reedley College Bookstore accounts for the period July 23, 2009, to August 21, 2009, in the amount of \$3,463,916.46.

Financial Analysis of
Enterprise and Special
Revenue Operations
[09-87G]

No Action

the statements are provided for Board information only and no action is required

Consideration to
Approve Quarterly
Budget Transfers and
Adjustments Report
[09-88G]

Action

approve the June 30, 2009, Budget Transfers and Adjustments Report

Consideration of
Report of Investments
[09-89G]

Action

accept the Quarterly Performance Review, as provided by the County of Fresno, for the quarter ending June 30, 2009

Consideration to
Approve Voluntary
Payroll Deductions,
2009-10
[09-90G]

Action

approve the list of voluntary payroll deductions for 2009-10, as presented

Consideration to
Authorize Agreement
with the California
Community Colleges
Chancellor's Office,
Governor's 15% WIA
Funds, Paramedic to
RN Bridge Program,
Fresno City College
[09-91G]

Action

- a) authorize the District, on behalf of Fresno City College, to enter into a grant agreement with the California Community Colleges Chancellor's Office for a Paramedic to Registered Nurse (RN) Bridge Program for the period June 25, 2009, through December 30, 2010, with funding in the amount of \$125,000;
- b) authorize renewal of the agreement with similar terms and conditions; and
- c) authorize the Chancellor or Vice Chancellor, Finance and Administration, to sign the agreement on behalf of the District.

Consideration to
Authorize Agreement
with Pacific Café,
Fresno City College
[09-92G]
Action

authorize a five-year agreement with Mr. Tom Hagihara, beginning August 1, 2009, whereby the Pacific Café will continue to provide food service operations on a year-round basis at Fresno City College, and authorize the Chancellor or Vice Chancellor, Finance and Administration, to sign an agreement on behalf of the District

Consideration to
Authorize Agreement
with the Kaiser
Permanente Northern
California Fund for
Health Care Education
at the East Bay
Community Foundation
for the ADN to BSN
Phase II Grant, Fresno
City College
[09-93G]
Action

- a) authorize the District, on behalf of Fresno City College and the State Center Community College Foundation, to enter into a grant agreement with the Kaiser Permanente Northern California Fund for Health Care Education at the East Bay Community Foundation in support of the ADN (Associate's Degree in Nursing) to BSN (Bachelor of Science in Nursing) Phase II collaborative project for the period July 31, 2009, through July 30, 2011, with funding in the amount of \$250,000;
- b) authorize renewal of the agreement with similar terms and conditions; and
- c) authorize the Chancellor or Vice Chancellor, Finance and Administration, to sign the agreement on behalf of the District.

Consideration of Bids,
HVAC Replacement,
District Operations
[09-94G]
Action

award Bid #0910-04 in the amount of \$26,700.00 to Nolte Sheet Metal, Inc., the lowest responsible bidder for the HVAC replacement, District Operations, and authorize the Chancellor or Vice Chancellor, Finance and Administration, to sign an agreement on behalf of the District

Consideration to
Approve Out-of-State
Travel for Business
Students, Fresno City
College, Reedley
College and Madera
Center
[09-95G]
Action

approve out-of-state travel for approximately 25-30 Fresno City College, Reedley College and Madera Center business students to attend the Collegiate Entrepreneurs' Organization (CEO) annual conference in Chicago, Illinois, from October 20, 2009, through October 25, 2009, with the understanding that the trip will be financed without requiring expenditures of District funds

Consideration to Adopt
Amended 2010
Summer Session
Instructional Calendar
for Fresno City
College, Reedley
College and North
Centers
[09-96G]
Action

adopt the proposed amended 2010 summer session instructional calendar for Fresno City College, Reedley College and North Centers

*****End of Consent Agenda*****

Public Hearing and
Adoption of 2009-10
Final Budget
[09-50]
Action

Mr. Brinkley gave a slide presentation on the 2009-10 Final Budget. He reported the SCCCD 2009-10 budget is balanced and the budget development was guided by three criteria: 1) Maintain student access, 2) maintain current permanent staff, and 3) adopt a balanced budget. Mr. Brinkley presented the 2009-10 budget considerations from the perspectives of the state and the district. He compared the 2008-09 and 2009-10 budgets and discussed the general/categorical funding shortfall. Mr. Brinkley summarized by stating SCCCD will serve more students than are being funded by the state; current permanent staff is being maintained; categorical funding is expected to be increased by the federal stimulus funding for one year, allowing very modest adjustments to the budgets; the SCCCD budget is balanced; and the budget represents a large change in the SCCCD operating practices as a result of severe state revenue shortfalls.

Mr. Smith opened the public hearing on the matter for adoption of 2009-10 final budget at 5:45 p.m.

Mr. Reznik had a question on the \$9.3 million loss in general revenue and was having difficulty understanding what that directly relates to. He said his understanding from Mr. Brinkley's last presentation is that was a reduction in what we had expected originally, and it is not clear what we are actually down in general fund revenue from last year.

Mr. Brinkley responded that general fund revenue last year was \$134,700,000 in the P2 report and that will not be finalized until February, but the general fund revenue this year is projected to be \$134.7 million. SCCCD's budget this year, just general fund revenue, is based upon \$131.3 million. Had this been a typical year, the base budget would not have been \$134 million. The \$134.7 million we received from state was deficated. SCCCD's general fund revenue would have been projected to be \$137 million, but the state cannot fund that and so they have reduced our budget from what we normally roll over to be \$137 million down to \$131 million. So, there is a pure \$6 million reduction in what would be normal had we not received COLA and not received growth. The additional \$3.3 million is growth funding, and in this district growth funding has been critical to advancing a lot of programs. There is actually about \$3.3 million in growth that we did not budget. We would have anticipated \$137 million in state funding to have rolled over regardless of what would have happened. But, with the budget cuts, they have taken us down to purely \$131 million, so there is a true \$6 million reduction because there is clearly in excess of \$3 million in reductions last year to this year.

Public Hearing and
Adoption of 2009-10
Final Budget
[09-50] (continued)
Action

Ms. Judy Ramirez from the FCC EOPS Program asked about the additional reductions to the categorical program from last's month presentation. She also commented on how the budget is affecting the FCC EOPS program this year, compared to where it was last year. She said last year at this time the program served 1,950 students for the semester, and they were able to assist those students with \$200 book assistance. This year they were only able to serve 1,500 students with \$150 book assistance.

Hearing no further comment from the public, Mr. Smith closed the public hearing at 5:52 p.m.

In Board discussion, Mr. Patterson asked where and when the categorical funding cuts will be applied—books, awards, different classes, personnel, at the beginning or end of the fiscal year. Mr. Brinkley responded that based on the budget, the reductions are being taken today. The federal monies are going to be small so there is no advantage in waiting to apply the reductions. The reductions are taken across the board.

Ms. Smith suggested that microphones be provided for the audience for public hearings in the future.

Ms. Smith asked if any money is being saved by implementing the \$6 per unit student fee increase because of the expenses of mailing notifications and billing, and what happens when students do not pay the fee increase. Mr. Brinkley explained that notifications are sent to students by email and U.S. mail, and the students who do not have BOG waivers are responding by paying the additional fees. Ms. Smith also inquired about how the reduction in classes and resources was determined. Dr. Azari and Dr. Hioco explained some of the criteria such as eliminating low enrolled classes and multiple sections. Ms. Smith asked why CSUs and UCs cannot take on additional students the way community colleges are doing. Dr. Crow explained that the community colleges are open door, while the CSU and UC systems have a hard cap on enrollment. These two different philosophies are based on how funding is allowed. Community colleges may have reached the limit, as well, on how gracious they can be in accepting students if there is no funding for enrollment growth. Ms. Smith stated that she has more questions and will contact administration directly. She said it goes back to what Mr. Patterson had said in terms of discussing the budget, and maybe an in-depth workshop is needed.

Mr. Caglia thanked the schools for the reductions they have made. He is curious about one reduction based on the staff comment from the EOPS program who spoke during the public hearing regarding the reduction in the book allowance. He asked

Public Hearing and
Adoption of 2009-10
Final Budget
[09-50] (continued)
Action

how that decision was made. Ms. Ramirez responded that the staff looked at how they could make the program work with the money available, and decided to serve fewer students now. If the federal stimulus dollars comes in, then next semester the services could be brought back.

Ms. Barreras asked if the colleges have reserves which could be used to supplement. She said it seems that the cuts are drastic in terms of her concerns about FCC library, tutorial services and counseling. She asked how the reductions are impacting students who need basic skills.

Dr. Crow said the campuses do have reserves; however, the Board has been hearing since about March about a two- to three-year problem. To build this budget, the campus reserves essentially were frozen so that reserves cannot be used to balance their budgets for 2009-10. The 2010-11 budget year is not expected to be any better so the philosophy has been to make the hard cuts in 2009-10, and look to using some reserves in 2010-11 to balance the budget. From what has been gathered from the state, the district is not anticipating any growth money either and that is why reserves have been frozen in order to hold it for the 2010-11 budget.

Ms. Smith said she has seen from her experience on the state and national boards what can happen when schools start using their reserves, and suggests the district stay away from using reserves.

Mr. Thonesen complimented staff and said the people in the district have done well in taking on more students and cutting back in the budget where they can, and he appreciates it.

Mr. Patterson noted receiving positive comments on how faculty and staff have a great attitude of doing all they can for students.

Ms. Smith expressed her appreciation of the faculty and staff who work directly with the students.

Mr. Smith noted concern for students who cannot find their final classes here to transfer to four-year schools. He asked for attempts to accommodate those students in that situation to the extent possible. Budgetarily it may not be possible, but if anything can be done, he would like to see us do it.

Dr. Crow said this semester there has been better intercampus cooperation for helping students find the classes they need at other locations within the district.

Public Hearing and
Adoption of 2009-10
Final Budget
[09-50] (continued)
Action

It was moved by Mr. Patterson and seconded by Mr. Thonesen that the Board of Trustees adopt the State Center Community College District 2009-10 Final Budget, as presented. The motion carried unanimously.

Acknowledgment of
Quarterly Financial
Status Report, General
Fund
[09-51]
Action

Mr. Brinkley presented the Quarterly Performance review.
On behalf of the Board of Trustees, Mr. Smith acknowledged the Quarterly Financial Status Report (CCFS-311Q), as presented.

Consideration to
Review Contracted
Legal Services
[09-52]
Action

Dr. Crow introduced the item to review contracted legal services. About three years ago the Board approved the use of specific legal firms and designated areas for the first time, formally. The areas were land acquisition, collective bargaining, employment law, and general business. Prior to that selection (September 2006), Request for Proposals (RFP) were sent to interested legal firms. A screening committee, which included trustee representation, made a recommendation of the firms to be selected and was presented to the Board of Trustees for decision. Administration is proposing that it is appropriate to again go out with RFPs and is asking the Board for input, to give direction on the categories the Board would want to include, and to identify Board representation on the screening committee. Administration hopes to have the process completed and to bring the selection of legal firms to the Board at their January 12, 2010, meeting.

General Counsel Greg Taylor gave some recommendations and comments on the categories and the process. He recommended the same four categories, which are general business, collective bargaining, employment law, but changing land acquisition category to real estate. He said the category of land acquisition does not adequately describe the types and complexity of real estate transactions and litigation for which the district has gone to and relied upon from outside counsel. Administration is recommending the change from land acquisition to real estate, and has no other changes in the four recommended categories.

Ms. Barreras asked for clarification on when the firms were approved and stated she did not see why there should be RFPs at this time when the time could be invested in other issues and that the district should continue to use the current list.

Dr. Crow responded that the initial list was approved in September 2006, but since that time there have been a couple occasions when firms were added through Board action.

Consideration to
Review Contracted
Legal Services
[09-52] (continued)
Action

Mr. Smith thought that the Board should look into it stating that other people should be given a chance and to also look at how the work was distributed and how well it has worked for the district.

Board members discussed with Mr. Taylor how and why the additions of legal firms transpired after the initial September 2006 approval of outside legal firms. Mr. Taylor said that at the time Best Best & Krieger was selected in 2006, they had a one-man Fresno office and that lawyer has since joined another firm, and the district continues to use the firm on a limited basis. He also discussed the use of Mr. Kevin Dale of Best Best & Krieger as an interim general counsel after Ms. Eileen O'Hare resigned as the general counsel for SCCCD. Mr. Taylor continued that the reason the district would go to another firm that might not have been on the list is for something in which a firm that regularly provides services to us would be conflicted out. An example would be for an investigation and our ability to maintain impartiality. We would want an investigator that didn't have a continued expectation of business for the firm.

Ms. Smith thought the matter probably should be delayed until Board members can have a more detailed picture of our legal services.

Mr. Smith asked if there was some desire to table for a month and then come back.

During the discussion above Mr. Patterson said he had made the motion to go out for RFPs in the four categories recommended by staff (collective bargaining, employment law, general business, and real estate, which was changed from land acquisition). It was not clear who may have seconded the motion.

Mr. Caglia asked for clarification on what was before the Board for consideration.

Dr. Crow responded that staff is asking the Board to designate the four recommended categories, authorize administration to advertise for the RFP, and identify trustee(s) who wish to serve for the interview process.

Mr. Smith requested that the first and second of Mr. Patterson's motion be withdrawn and then he would entertain a motion to table this item for one month.

Mr. Thonesen asked what the advantage of delaying for a month would be. Dr. Crow said that staff would be able to provide the Board with the details requested.

Consideration to
Review Contracted
Legal Services
[09-52] (continued)
Action

Ms. Barreras said because some members had thought that she seconded Mr. Patterson's motion, she is withdrawing the second. Mr. Patterson asked if there was a second to his motion so that at least the Board could vote on whether or not to go out for an RFP. Mr. Smith asked for a second to the original motion by Mr. Patterson. The motion failed for a lack of a second. Mr. Smith said he would entertain a motion to table this item until the next meeting. Ms. Smith added according to Robert's Rules that if something is tabled to the next meeting it has to be acted upon at that meeting, or it dies. Mr. Smith asked Mr. Taylor for his opinion to which Mr. Taylor replied that it could be tabled indefinitely, or tabled to return at a definite time.

Mr. Thonesen moved to delay the decision to review outside legal services for one year; Ms. Barreras seconded the motion.

Mr. Patterson discussed the feasibility of doing RFPs now because of the changes in business relationships with some of the legal firms and the probability of better prices because of the economic climate.

Ms. Smith called for the question to the motion by Mr. Thonesen/Ms. Barreras to delay the decision on RFPs for legal firms for one year. Mr. Smith asked for a roll call vote. The motion failed by the following roll call vote (5-No, 2-Yes).

Ms. Barreras	Yes
Mr. Caglia	No
Mr. Feaver	No
Mr. Patterson	No
Ms. Smith	No
Mr. Thonesen	Yes
Mr. Smith	No

Consistent with what Mr. Patterson was discussing, Mr. Smith identified some changes that have occurred with the legal firms over the last three years, such as lawyers who have left the firms and had been doing the outside counsel work for the district. In Mr. Smith's opinion there is sufficient change to warrant the Board to take a good look at the legal contracting issue.

Mr. Smith asked if there was a motion to table the item until the next meeting.

A motion was made by Mr. Caglia and seconded by Mr. Feaver that the Board of Trustees table for one month the consideration to review contracted legal services.

Consideration to
Review Contracted
Legal Services
[09-52] (continued)
Action

The motion carried (5-Yes; 2-No) by the following roll call vote:

Ms. Barreras	No
Mr. Caglia	Yes
Mr. Feaver	Yes
Mr. Patterson	Yes
Ms. Smith	Yes
Mr. Thonesen	No
Mr. Smith	Yes

Dr. Crow said the Board will be provided with the work history of each of the legal firms over the past three years.

Consideration to Enter
into Agreement with
African American
Historical and Cultural
Museum of the San
Joaquin Valley
[09-53]
Action

In introducing this item, Mr. Smith announced that Mr. Jason Meyers has submitted a request to address the Board about this item. Mr. Smith, however, said that he will address this with some information he has that may obviate the matter. He said Mr. Ray Johnson, Executive Director of the African American Museum, who addressed the Board last month, has since been asked to provide certain information and perhaps through a misunderstanding between the parties, the information is not available for this meeting. Ms. Smith, the originator of the item, was asked to speak to the matter.

Ms. Smith said that at the last meeting during the consideration to have SCCCD partner with the African American Museum, there was a request to get more information, and administration was directed to get what the Board needed from Mr. Johnson. But, from her understanding it was delayed; however, she wanted to make it clear, that once he received administration's request, he did start working on it. Ms. Smith said based on what she has heard from the Academic Senate, they are, indeed, in favor of partnering but not at this time because of the financial constraints. She appreciates the support of the Academic Senate, plus other staff support that the African American Museum has had regarding this. She thinks there may still be creative, positive ways to work on this as a district, and as a staff, and with those who are in agreement.

Mr. Smith asked if there was a motion to table the item again.

Ms. Smith said that she called ACCT and talked with a registered parliamentarian regarding this matter. She was advised that since the item was tabled to this month and if the Board does not act upon it and make a decision, it actually dies. The item can be brought back next month as a new agenda item, but it cannot be tabled again.

Mr. Patterson said a motion and second was needed to have discussion and action. He said Mr. Caglia and Ms. Smith had

Consideration to Enter
into Agreement with
African American
Historical and Cultural
Museum of the San
Joaquin Valley
[09-53]
Action

requested to have an agreement on this agenda. Since there is no partnership agreement, there is nothing to act upon.

Ms. Smith made the motion to continue to consider the partnership with the African American Museum and asked counsel if the motion was appropriate.

Mr. Taylor discussed Ms. Smith's advisement from ACCT and concluded that he was not aware of the rule, without the citation, that the Board cannot table an item two meetings in a row. His opinion is that a motion to table either indefinitely or to a specific time would be allowable.

Ms. Smith restated her motion to continue to consider the partnership agreement with the African American Historical and Cultural Museum and to table the item indefinitely. Ms. Barreras seconded the motion. The motion passed unanimously.

Mr. Meyers withdrew his request to address the Board regarding this item.

Reports of Board
Members

Ms. Alexandria Morales, Reedley College Student Trustee, reported the following for the Associated Student Body:

- The Reedley College classes are filled and students are trying to add classes even into the second week of school. The teachers are handling it wonderfully, trying to add everyone they could, bringing in extra chairs and students sharing desks.
- ASB started off the first week of school with activities every day at noon in the quad. Provided were hoop shoots, free pizza, free soda, and a drawing in which school supplies were given away to a lucky student with a Tiger One card.
- There is great participation from the students in the activities.
- Currently, ASB is planning Homecoming. This year will be a western theme. The next big activity on campus is Mexican Independence Day on September 16.
- The construction on campus is ongoing, and it is expected that construction for the student center, as well as the residence halls, will be done in October. Ms. Morales said the dorms look wonderful, and everyone is excited for the student center to open.

Ms. Erika Gutierrez, Fresno City College Student Trustee, reported the following for the Associated Student Government:

- About 24,000 students are enrolled at FCC and instructors have been really flexible in trying to get as many students into their classes as they can.

Reports of Board
Members (continued)

- The ASB has sold 2600 ID cards and have a very strong committee working on having more students purchase their ID cards.
- Welcome week was a six-day event and about 38 volunteers put in 408 hours to help students. According to the counts, 12,254 students were assisted.
- Two events coming up are the club rush on October 7, and transfer day and college night on September 9.
- September 17 is Constitution Day, and ASG is planning a trivia question event.
- The fall job fair will be held on September 30.

Ms. Smith commented regarding the memorial for Dr. Art Elish at Fresno City College stating that Dr. Elish loved Fresno City College and it is an honor and privilege for us to have his family hold the memorial services at Fresno City College.

Mr. Smith spoke on behalf of the Board in recognizing Dr. Elish for his devoted and committed effort to Fresno City College.

Mr. Smith reported the Board has been requested to have a delegate and alternate for the ACCT meeting, October 7-10. Ms. Smith will serve as the delegate; Ms. Barreras, as alternate.

Old Business

None.

Future Agenda Items

None.

Delegations, Petitions,
and Communications

None.

Closed Session

President Smith stated that in closed session the Board would not be discussing PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE, Pursuant to Government Code Section 54957

Mr. Smith announced that the Board would be discussing the following in closed session:

CONFERENCE WITH LABOR NEGOTIATOR [SCFT Full-Time Bargaining Unit; SCFT Part-Time Bargaining Unit and California School Employees Association Bargaining Unit]; Randy Rowe, Pursuant to Government Code Section 54957.6

PUBLIC EMPLOYEE PERFORMANCE EVALUATION,
Pursuant to Government Code Section 54957: Chancellor

Mr. Smith called a recess at 7:02 p.m.

- Open Session The Board moved into open session at 7:56 p.m.
- Report of Closed Session Mr. Smith reported that the Board, in closed session, accepted the resignation for the purpose of retirement from Dr. Thomas A. Crow, Chancellor, State Center Community College District, effective June 30, 2010, and gave direction to the Associate Vice Chancellor of Human Resources to begin the search for the successor.
- Adjournment The meeting was adjourned at 7:58 p.m. by the unanimous consent of the Board.

Dorothy Smith /s/

Dorothy Smith
Secretary, Board of Trustees
State Center Community College District

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