

MINUTES OF REGULAR MEETING OF  
STATE CENTER COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES  
February 3, 2015

- Call to Order                    A regular meeting of the State Center Community College District Board of Trustees was called to order by Board President Ron Nishinaka at 4:32 p.m. on February 3, 2015, in the District Office Board Room, 1525 E. Weldon Avenue, Fresno, California.
- Trustees Present                Ron Nishinaka, President  
Richard Caglia, Vice President (arrived 6:35 p.m.)  
John Leal, Secretary  
Miguel Arias  
Robert "Bobby" Kahn Jr.  
Pat Patterson  
Eric Payne (arrived 4:35 p.m.)  
Garret Hale, Student Trustee, FCC  
Matthew Rodriguez, Student Trustee, RC
- Also present were:  
Bill F. Stewart, Interim Chancellor, SCCCCD  
Ed Eng, Vice Chancellor of Finance and Administration, SCCCCD  
George Railey, Vice Chancellor of Educational Services and Institutional Effectiveness, SCCCCD  
Tony Cantu, President, Fresno City College  
Sandra Caldwell, President, Reedley College  
Deborah Ikeda, Campus President, Clovis Community College Center  
Diane Clerou, Vice Chancellor of Human Resources, SCCCCD  
Christine Miktarian, Interim Associate Vice Chancellor of Business and Operations, SCCCCD  
Greg Taylor, General Counsel, SCCCCD  
Lucy Ruiz, Interim Executive Director, Public and Legislative Relations, SCCCCD  
Pedro Avila, Assistant to the Chancellor, Enrollment Management, Admissions, Records, and Information Services  
Nina Acosta, Executive Secretary to the Chancellor, SCCCCD
- Approval of Minutes            The minutes of the regular meeting of January 13, 2015, were presented for approval.
- A motion was made by Trustee Kahn and seconded by Trustee Arias to approve the minutes of January 13, 2015, as presented. The motion passed as follows:

Approval of Minutes  
(continued)

Ayes - 5  
Noes - 0  
Absent - 1(Caglia, Payne)

Public Comment

Diane Clerou stated the speakers will address the Board later in the meeting as there is another opportunity for public comment.

PG&E Rebate for  
Proposition 39  
Lighting Retrofit

Christine Miktarian introduced Cam Malloy, Marlene Murphy-Roach and Aaron Keough of PG&E who presented an incentive check to the Board in the amount of \$100,000.73 for the District's participation in the Proposition 39 Lighting Retrofit Program.

Joint District and  
Campus Presidents'  
Reports

Clovis Community College Center President Deborah Ikeda reported on topics of interest from the District, Fresno City College, Reedley College, the Oakhurst and Madera Centers, and the Clovis Community College Center.

Academic Senate  
Report

Fresno City College Academic Senate President Mary Ann Valentino reported on several activities taking place at the Fresno City College.

Classified Senate  
Report

Fresno City College Classified Senate President Susi Nitzel reported on several classified employee activities at Fresno City College.

2014 Student Success  
Scorecard Reports

George Railey, Tony Cantu, and Sandra Caldwell reviewed FCC and Reedley College's scorecard data. The scorecard metrics include persistence rate, 30 unit rate, student progress and attainment rate, basic skills progress rate, and career technical education.

C6 Consortium,  
Outcomes for CTE  
Students at SCCC

George Railey introduced Donna Cooper, David Clark, and Nancy Hoff who reported on the results and outcomes for the C6 Consortium grant.

Governor's 2015-  
2016 January Budget  
Proposal

Ed Eng presented the Governor's January budget proposal for 2015-2016.

Reports of Board  
Members

FCC Student Trustee Garrett Hale reported on student activities taking place during the month of February at Fresno City College.

RC Student Trustee Matthew Rodriguez reported on student activities taking place during the month of February at Reedley College.

Reports of Board  
Members (continued)

Trustees Kahn, Payne, Leal, and Nishinaka reported on several events they attended throughout the months of January and February.

Future Agenda Items

Trustee Payne requested a copy of the District's application for the baccalaureate program, information on how it was scored, and the rubric for the selection process.

Trustee Payne requested an update on the status of the West Fresno Center and Facilities Master Plan, and where the District is with those conversations with the stakeholders.

Trustee Leal requested an update/report on the evaluation tool/process for a new chancellor.

Consideration of  
Consent Agenda  
Action

Trustee Payne requested item 15-06HR and Trustee Arias requested item 15-15G be pulled for discussion. It was moved by Trustee Payne and seconded by Trustee Arias that the Board of Trustees approve consent agenda items 15-03HR through 15-05HR, 15-07HR through 15-09HR, 15-11G through 15-14G and 15-16G, as presented. The motion passed as follows:

Ayes	-	6
Noes	-	0
Absent	-	1( Caglia)

With regards to item 15-06HR, Trustee Payne stated he had concerns about the proposed duties and essential functions for the position. He requested to delay the item to a future board meeting. Diane Clerou stated delaying this item could potentially impact the recommended hiring date of the new Director.

A motion was made by Trustee Leal and seconded by Trustee Arias that the Board of Trustees approve consent item 15-06HR. The motion passed as follows:

Ayes	-	5
Noes	-	1 (Payne)
Absent	-	1( Caglia)

Trustee Arias requested additional information and background regarding consent item, 15-15G.

A motion was made by Trustee Arias and seconded by Trustee Leal

Consideration of  
Consent Agenda

Action

(continued)

that the Board of Trustees approve consent item 15-15G. The motion passed as follows:

Ayes - 6  
Noes - 0  
Absent - 1( Caglia)

Resignation,  
Retirement,  
Academic Personnel  
[15-03HR]

Action

Approve the academic personnel recommendations, items A through B, as presented

Employment,  
Promotion, Change of  
Status, Transfer,  
Leave of Absence,  
Resignation,  
Retirement, Classified  
Personnel

[15-04HR]

Action

Approve the classified personnel recommendations, items A through J, as presented

Consideration to  
Approve Revised  
Duties with a  
Proposed Title of  
District Director of  
Information Systems  
[15-05HR]

Action

Approve the revised duties with a proposed title of District Director of Information Systems

Consideration to  
Approve Revised  
Duties with a  
Proposed Title of  
Executive Director of  
Foundation

[15-06HR]

Action

Approve the revised duties with a proposed title of Executive Director of Foundation

Consideration to  
Appoint Interim Dean  
of Instruction – Math,  
Science and  
Engineering, Fresno  
City College  
[15-07HR]  
Action

Appoint Shirley McManus as Interim Dean of Instruction – Math, Science and Engineering, Fresno City College, with placement on the Management Salary Schedule at Range 62, Step 8 (\$11,460.58 monthly), effective February 4, 2015

Consideration to  
Approve New  
Positions, Reedley  
College  
[15-08HR]  
Action

Approve the new positions of Full-Time Job Developer, 10-Month College Center Assistant, and Full-Time Student Services Specialist, Reedley College

Consideration to  
Approve Increase for  
Position No. 2028,  
Department  
Secretary, Fresno City  
College, from 11  
Months to 12 Months  
[15-09HR]  
Action

Approve the increase for Position No. 2028, Department Secretary, Fresno City College, from 11 months to 12 months

Review of District  
Warrants and Checks  
[15-11G]  
Action

Review and approve the warrants register for the following accounts:

<u>Account:</u>	<u>Amount:</u>	<u>For the Period:</u>
District	\$12,216,174.38	12/17/14 to 01/12/15
Fresno City College Bookstore	769,249.23	12/23/14 to 01/14/15
Reedley College Bookstore	339,832.27	12/23/14 to 01/14/15
Fresno City College Co- Curricular	19,184.38	12/22/14 to 01/13/15
Reedley College Co-Curricular	44,030.08	12/18/14 to 01/12/15
Total:	<u>\$ 13,388,470.34</u>	

Consideration to  
Approve Quarterly  
Budget Transfers and  
Adjustments Report  
[15-12G]  
Action

Approve the December 31, 2014, Budget Transfers and Adjustments Report

Acknowledgement of  
Quarterly Financial  
Status Report,  
General Fund  
[15-13G]  
Action

Acknowledge the Quarterly Financial Status Report (CCFS-311Q), as presented

Financial Analysis of  
Enterprise and  
Special Revenue  
Operations  
[15-14G]  
No Action

Statements provided for Board information. No action is required.

Consideration to  
Approve Removal of  
Ten Acre Parcel from  
Wawona/Moonlight  
Farm Lease  
Agreement, Reedley  
College  
[15-15G]  
Action

Approve removal of ten acres of Diamond Bright Nectarines (Parcel 7) of the Reedley College Farm from the lease with the Wawona/Moonlight partnership, with the continuance of existing terms and conditions under the remaining 132 acre farm lease; and authorize the Interim Chancellor or Vice Chancellor of Finance and Administration to sign a lease amendment on behalf of the District

Consideration to  
Adopt Resolution  
Authorizing  
Emergency Repair of  
Hot Water Loop at  
Portable Classrooms,  
Reedley College  
[15-16G]  
Action

- a) By unanimous vote, adopt Emergency Resolution No. 2015.02 authorizing emergency repair of hot water loop at portable classrooms, Reedley College, in accordance with Public Contract Code Section 20654(a); and
- b) Accept approval from the County Superintendent of Schools for the emergency repair of hot water loop at portable classrooms, Reedley College; and
- c) Authorize the Interim Chancellor or Vice Chancellor of Finance and Administration to sign an agreement on behalf of the District

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

Discussion and Action  
on Recommendation  
of Ad Hoc Committee  
Regarding Possible  
Censure of Trustee  
Eric Payne  
[15-06]  
Action

This item was moved to the end of the agenda.

Consideration to  
Nominate Trustee to  
California Community  
College Trustees  
Board  
[15-07]  
Action

Board President Ron Nishinaka asked the Board if they wished to nominate a Board member for California Community College Trustee Board.

A motion was made by Trustee Arias and seconded by Trustee Kahn that the Board of Trustees nominate Pat Patterson for the California Community College Trustees Board. The motion passed as follows:

Ayes	-	6
Noes	-	0
Absent	-	1( Caglia)

Consideration to  
Approve the Number  
of 2015-2016  
Sabbatical Leaves and  
the Chancellor’s  
Recommendations  
[15-08]  
Action

George Railey presented the recommended sabbatical leaves for 2015-2016.

A motion was made by Trustee Arias and seconded by Trustee Leal that the Board of Trustees approve sabbatical leaves for the ten employees, as submitted, for the 2015-2016 school year. The motion passed as follows:

Ayes	-	6
Noes	-	0
Absent	-	1(Caglia)

Consideration to  
Approve Agreements  
for Charter Bus  
Transportation and  
Vehicle Rentals,  
Districtwide  
[15-09]  
Action

Christine Miktarian presented information regarding charter bus and rental vehicles districtwide.

A motion was made by Trustee Arias and seconded by Trustee Kahn that the Board of Trustees:  
a) Approve award of Request for Proposal #1415-15 for Charter Bus Services, Districtwide, on an exclusive basis to Best Tours and Travel; and

Consideration to  
Approve Agreements  
for Charter Bus  
Transportation and  
Vehicle Rentals,  
Districtwide  
[15-09]  
Action (continued)

- b) Approve participation in the State of California Contract for commercial vehicle rental car services, Districtwide; and
- c) Authorize purchase orders to be issued against these agreements for the purchase of charter bus services and vehicle rentals as may be needed Districtwide; and
- d) Authorize disposal of District surplus vehicles by auction or special sale

The motion passed as follows:

Ayes	-	6
Noes	-	0
Absent	-	1 (Caglia)

Consideration to  
Appoint Dean of  
Instruction – Allied  
Health, Physical  
Education and  
Athletics, Fresno City  
College  
[15-10]  
Action

A motion was made by Trustee Payne and seconded by Trustee Arias that the Board of Trustees appoint Lorraine Smith as Dean of Instruction – Allied Health, Physical Education and Athletics, Fresno City College, with placement on the Management Salary Schedule at Range 62, Step 7 (\$11,224.83 monthly), effective February 4, 2015.

The motion passed as follows:

Ayes	-	6
Noes	-	0
Absent	-	1(Caglia)

Consideration to  
Approve Chancellor  
Search, Recruitment  
Timeline, and Process  
[15-11]  
Action

Juan Arambula, Venancio Gaona, and Michael Guerra, representing a Latino Ad Hoc committee presented information to the Board regarding recommendations for the Chancellor search. The recommendations include qualifications for a new chancellor, Latino community representatives, and outside consultants.

Diane Clerou presented the revised Chancellor Search recruitment timeline to the Board.

A motion was made by Trustee Leal and seconded by Trustee Payne that the Board of Trustees approve the revised Chancellor Search, Recruitment Timeline, and Process and the selection of an external search firm. The motion carried without dissent.

Recess

President Nishinaka called a brief recess at 6:50 p.m.  
The meeting was called back to order at 7:00 p.m.

Public Comment

On behalf of the African American Faculty and Staff Association, Dr. Geri Santos reported on the opening celebration of African American History month and other upcoming events.

Tate Hill, President of the Fresno Metro Black Chamber, addressed the Board regarding his concerns regarding the allegations against and his support of Trustee Payne.

Discussion and Action on Recommendation of Ad Hoc Committee Regarding Possible Censure of Trustee Eric Payne [15-06] Action

A motion was made by Trustee Patterson and seconded by Trustee Kahn that the Board of Trustees adopt Resolution 2015.03, “Disapproval of certain actions of Trustee Eric Payne.”

Trustee Patterson moved to amend the pending motion to exclude from the resolution the language of “And let it be resolved, that for a one-year period, Trustee Payne will not be asked to represent the Board of Trustees or the District on any committee or other body, or at any District or public event.” The motion was seconded by Trustee Arias.

The motion to amend the motion to exclude the clause from the resolution passed by the following roll call vote:

	YES	NO	Abstain
Miguel Arias	X		
Richard Caglia	X		
Bobby Kahn	X		
John Leal	X		
Pat Patterson	X		
Eric Payne			X
Ron Nishinaka	X		

A motion was made by Trustee Patterson and seconded by Trustee Kahn to approve amended Resolution 2015.03. [Attached to minutes as Addendum A]

The motion passed by the following roll call vote:

	YES	NO	Abstain
Miguel Arias		X	
Richard Caglia	X		
Bobby Kahn	X		
John Leal	X		
Pat Patterson	X		
Eric Payne		X	
Ron Nishinaka	X		



**STATE CENTER COMMUNITY COLLEGE DISTRICT  
RESOLUTION NO. 2015.03**

**DISAPPROVAL OF CERTAIN ACTONS OF TRUSTEE ERIC PAYNE**

**WHEREAS,** in a memorandum dated September 26, 2014, Interim Chancellor Bill Stewart presented the Board of Trustees with certain allegations against Trustee Eric Payne;

**WHEREAS,** pursuant to Board Policy 2715, the Board established an ad hoc Committee, consisting of Trustees Nishinaka, Caglia, and Patterson, to consider possible censure of Trustee Eric Payne;

**WHEREAS,** the Committee, through outside legal counsel, arranged for an independent external investigator who thoroughly investigated the allegations;

**WHEREAS,** while the Committee did not recommend that Trustee Payne be censured, the Committee did recommend that the Board express its disapproval about certain actions of Trustee Payne;

**WHEREAS,** the Board of Trustees expects all of its members to understand and appreciate the appropriate role of a trustee and to comply with law and with the District's Code of Ethics;

**WHEREAS,** under Board Policy 2715, "Board Members are expected to maintain the highest standards of conduct and ethical behavior"; and

**WHEREAS,** Trustee Eric Payne has fallen short on some of these expectations.

**NOW, BE IT RESOLVED,** that the Board of Trustees of the State Center Community College District hereby expresses its disapproval of the following actions of Trustee Payne:

- (1) Contacting District employees regarding pending personnel actions, as such action could be construed to be outside the proper role of a Board member and could be perceived as inappropriate pressuring of staff;
- (2) Providing the Accrediting Commission for Community and Junior College with misleading and baseless information about the District;
- (3) Publishing a column as a trustee in a local newspaper without properly citing his sources; and
- (4) Improperly using someone else's disability parking placard on District property.

**AND BE IT FURTHER RESOLVED**, that because the Board of Trustees recognizes that Trustee Payne has many fine qualities, and because his fellow trustees would like to have Trustee Payne improve his boardsmanship and the effectiveness of his representation of constituents, the Board hereby suggests that Trustee Payne participate in appropriate online training seminars and workshops, and seek the mentorship of more experienced trustees.

The foregoing Resolution was adopted upon motion of Trustee PATTERSON, seconded by Trustee KAHN, at a regular meeting of the Board of Trustees of the State Center Community College District on this 3rd day of February 2015, by the following vote:

AYES: 5  
NOES: 2 (ARIAS, PAYNE)  
ABSENT: 0



Ronald H. Nishinaka, President  
Board of Trustees  
State Center Community College District  
Fresno, California