

**LONG BEACH COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

**Minutes of Meeting of
June 17, 2003**

The meeting of the Board of Trustees of the Long Beach Community College District, County of Los Angeles, California, was held in Building I, Liberal Arts Campus, 4901 East Carson Street, Long Beach, on June 17, 2003.

CALL TO ORDER

The meeting was called to order at 3:45 p.m., the items to be discussed in closed session were announced and the meeting was adjourned to closed session.

The meeting was reconvened in open session at 5:07 p.m., in the Board Room, Building I, Liberal Arts Campus.

President McNinch: It is my pleasure to report that the Board of Trustees has met in Closed Session and has unanimously decided to extend the Superintendent-President's employment contract for an additional year until June 30, 2007. (applause)

PLEDGE OF ALLEGIANCE

Ms. Natalie Dominguez, the newly-elected Student Trustee, led the Pledge of Allegiance.

ROLL CALL

Present: President McNinch, Vice President Kellogg, Member Clark, Member Polsky, Member Uranga, Student Trustee Dominguez.

WELCOME AND INTRODUCTIONS

President McNinch welcomed everyone to the meeting.

APPROVAL OF MINUTES

President McNinch: Is there a motion for approval of the minutes of May 27, 2003?

It was moved by Member Uranga, seconded by Member Kellogg, that the minutes of the meeting of May 27, 2003, be approved as distributed. The motion carried, with Members Clark, Kellogg, McNinch, Polsky and Uranga voting aye; and Student Trustee Dominguez abstaining.

ORDERING OF THE AGENDA

There were no changes in the order of the agenda.

REPORT OF BOARD OF TRUSTEES

Welcome of Student Trustee

President McNinch: At this time, I would like to welcome our Ms. Natalie Dominguez, the Student Trustee for 2003-2004. Ms. Dominguez would you tell us something about yourself, please?

Natalie Dominguez: I will be starting my second year at Long Beach City College and I am very excited to be here. (applause)

President McNinch: What do you believe you're majoring in? It's hard to tell, I know.

Natalie Dominguez: Public Affairs.

President McNinch: What a great experience this will be for you. Thank you and I'm very glad you're with us.

Committee Reports

There were no Committee Reports.

STUDENT TRUSTEE

Natalie Dominguez: Good evening, Members of the Board of Trustees, Superintendent-President Kehoe, college administrators, and members of the audience.

I would like to thank the Long Beach City College students for granting me the opportunity to serve as their Student Representative on the Board of Trustees for the 2003-2004 school year. I am looking forward to working with a remarkable group of individuals and I am greatly honored to represent a promising group of students.

The Title V Program in collaboration with the Associated Student Body, has begun working diligently to organize a Student Leadership Conference. The project is being coordinated by Mr. Javier Villasenor. A committee comprised of students, staff, and faculty, meets every Wednesday at 2 p.m. The theme for the student conference is self-empowerment and will be funded through the Title V Grant and the ASB. Although a final date has not been set, the committee is looking to host the conference in the latter part of September or early October. I will keep the board informed of any advances made regarding the student conference.

PUBLIC COMMENTS ON AGENDA ITEMS

President McNinch: I have six requests and I'm going to read to you the rules we follow, and if you have small children, please respect those that are speaking and we would please ask that you keep your small children quiet so those that are speaking can be heard by everyone present. Thank you.

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At their request, members of the public may address the Board of Trustees on items listed on the agenda at the time the item is discussed and prior to Board action on the item. A five (5) minute time limit will be allotted to each speaker, with a maximum of twenty (20) minutes to each subject, unless extended by the Board President.

I have six requests to speak on the same item. What that tells me is that some of the information will be overlapping. What I would like to request is that each speaker present new items. I do know that we are thoughtful and careful and deliberate people, and hearing the same information over and over again will not serve us well. So, that being said, I'm choosing to keep it to 20 minutes, hoping that each of you can get your points across to us in about four minutes. If there is new information, I will be glad to extend the time for new information only. Is that o.k. with everyone? Is that clear and understandable?

Kevin Phillips: Good evening, Madam President, Members of the Board, Members of the Executive Committee. On Saturday afternoon, I received a call from my colleague Derek O'Malley. Knowing my love for literature, he presented me with what I can only characterize as a work of fiction. A work of fiction that would make Melville and Joyce proud. If you aspire to join the ranks of literary greats, then you've achieved it, and I applaud you. However, if you intend to present this work as undisputed truth, then you're sadly mistaken.

I read this document and I was shocked at the complete lack of objectivity and the voluminous amount of gross inaccuracies. More to the point, I was insulted and hurt by the unsolicited slap in the face that the allegations constitute. This says that the District has experienced difficulties recruiting and retaining qualified police officers. Are you saying that I'm unqualified? Or are you accepting the word of another unqualified source? Derek O'Malley is not only an officer for this District, but is also a reserve officer for the Long Beach Police Department. How can he be unqualified when he wears our uniform, yet when he changes to a Long Beach uniform, suddenly he is qualified? Our qualifications meet or exceed every single standard stipulated by California State law, POST requirements, and generally accepted practices.

As for recruiting. The District has not opened an announcement for police officers in three years. How would you know that you're having problems recruiting? Your own documents state that recruiting is down 52% District-wide. Yet the Police Department is singled out. This isn't about recruiting or retention. The retention – that's the District's fault. You've created such an unstable work environment constantly jeopardizing job securities for families, causing these officers to seek employment elsewhere.

These documents claim the necessary expertise in police services, knowledge, experience and abilities are not available from the District. That's absurd. If you took the time to honestly evaluate these officers, you would be amazed at the experience and expertise that wears your badge. You publicly admitted this several times right here in this room. What has changed?

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This document details a list of specialized services that the District feels are necessary. The expertise and experience and the highly-specialized knowledge and abilities already exist within this department. We have some of the most knowledgeable detectives available as experts in sex crimes, domestic violence, violent crimes and narcotics investigations. We have canine-certified officers. We have certified hostage negotiators. We have a trained crisis intervention team and we have SWAT-certified officers, if that's really what you need. We already have complete access to the Long Beach Police Department Lab and our community relations programs far exceed most community colleges. They run the gamut from rape prevention, crisis intervention and child safety, to terrorism and disaster preparedness. In fact, just last month, the Associated Women's Students presented Sergeant Cecelia Williamson with their prestigious Advocate's Award for her dedication in developing these very programs that you claim don't exist. It would take your genuine support to develop these programs to their fullest potential.

This says that the City will provide materials not available to the District. "Not available." We have acquired tens of thousands of dollars in equipment and materials for free. This says that you're concerned about criminal activities, but you claimed previously there's no violent crime here. This will not only eliminate 16 jobs, but it will cause 16 families to wonder where their next rent check is going to come from; where their next meal is going to come from. This is my five-year-old son, Connor. How do I pay for his asthma medication? Can anybody please tell me that? Thank you. (applause)

Derek O'Malley: Good evening Board Members, President Kehoe, supporters. I'm here tonight to appeal to the Board to vote against contracting police services with the City of Long Beach. I'm not here to publicly attack anyone, but rather to appeal to the Board to look into finding better solutions than what has been presented.

The manner in which the administration has carried out the contract for police services is unlawful. It is direct violation of Ed Code Section 88003.1, for the following reasons:

That section (a) (1), states that the contracting agency clearly demonstrates that the proposed contract will result in actual overall cost savings to the community college district.

The college Police Department's budget is \$1.7 million. The contract will pay the Long Beach Police Department \$1.9 million and allow Long Beach to bill the college for all expenses. This means that every time they call for assistance for a helicopter, another unit, canine, etc., it will be billed to the college.

As working as a reserve for the City of Long Beach, I have been assigned to work at special events and while assigned there I've talked to the vendors. They've expressed to me that they had paid for the services of six police officers. I was there with five other unpaid volunteers and they were still getting billed. That's wrong. And it will happen.

Ed Code Section (C) (3) states that the contract does not cause a displacement of district employees, meaning layoffs and can involuntary change a new classification so long as the wages are comparable to those paid by the school district.

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We've expressed that we don't want a change in classification. We've worked long and hard to obtain the positions we have today. There is no comparable wages and benefits in the security classification within the City of Long Beach. The only offer made by the District was to offer some opportunity to apply for police or security. The emphasis was placed on the opportunity to apply for security. It would be processed faster. No guarantees were ever made that we would be employed. If you fail our testing process, you are unemployed.

We were told that the District was not willing to negotiate the contracting of police services, nor would the District be willing to allow us to review the contract agreed upon by the District and the City.

Section (C) (6) states that the contract is awarded through a publicized competitive bidding process. The Los Angeles County Sheriff's Department submitted a bid to the District for more coverage at the cost of \$1.7 million a year. It would also allow the District to keep the parking revenues, unlike Long Beach's proposal. To my knowledge, I have not heard the District being involved in any publicized nor competitive bidding process. Does administration really believe that paying \$2.5 million instead of \$1.7 million is a good idea? Paying \$1 million more a year than the District is currently paying, at a time where people in the District are being laid off due to financial problems, is that sound financial planning?

In November of last year, I expressed my concerns to the Board about the administration threatening that officers would be laid off. I guess they weren't kidding. In that meeting, the Board assured the POA that you would not condone anyone threatening our employment and called those threats vicious lies. This is why we are confident that the Board will truly will consider our appeal. I am asking the Board, at the very least, to table this vote until all the facts have been reviewed and thoroughly weighed. By voting in favor of this item, you will be placing the District and the leaders in a position of liability. I am asking the District to enter into negotiations with the POA to find a better solution. There are other alternatives. The POA has and are prepared to share other alternatives. You're not just voting on some resolution. You're voting on our future, our livelihoods and ability for us to care for our families. We would like the District to actually enter into negotiations on this matter, and not just tell us, "we'll take it." (applause)

President McNinch: Thank you. A fine presentation. I applaud and commend the way you are all organized in presenting your materials. We will hold our comments until everyone is done.

Gina Footdale: Thank you and good evening. My name is Gina Footdale and my husband is Sergeant Joe Footdale with the Long Beach Community College police. I am also a resident of the community and our children are students in the Long Beach Unified School District.

I am here today to speak against the disbanding of the campus police, not just because my husband will be unemployed, because I know that he can get employment with his background of 20+ years experience in his field and his reputation as being an

outstanding leader and well-trained law enforcement officer. I often speak to him about leaving this organization to move on to a real police department. His response has always been, "This is a real police department serving a very unique community." It is a city within a city requiring officers with special skills and training, not only requiring protection, but also the ability to offer community-oriented policing.

As a manager with 25 years of experience, currently working for a police department in a city that also contains a city college and a university, I understand the needs and concerns of the community, as well as the police department. Each campus has their own police department. If we, the City police department, were ever put in a position where we had to police these campuses, we would not be able to give a tenth of the service that they are currently getting. This type of position would not attract the quality of officers these campuses are accustomed to having. The type of officers that would volunteer for this job, would be the officer that is either preparing for retirement, or having been in so much trouble that there are no other places or opportunities for him. If there are no volunteers, then the department would more than likely have to assign rookies, or, again, those officers who are not top quality and in need of a place to hide. Officers who work for the City police department want to work in the detective bureau, traffic division, and be involved in SWAT or gang activity prevention. Funny, but your officers here at Long Beach City College must be trained to do all of this.

The City police department would be required to make this a rotating position, where a new officer will come in every two years. This will prevent the officers from getting to know the students and faculty and the yearly, quarterly and daily routine of campus life. City police officers will think it's beneath them, that is if they are even available, to walk a faculty member or a student to their parked vehicle after dark. Their priority will be to the city community, not the college community. You will find that they will react to crimes that occur, but not pay much attention to the prevention of crime on campus. Their knowledge of the facilities will be less than sufficient as the general attitude will be, "I'm only here for my two-year sentence; so why bother." Unfortunately, your current police department has maintained an excellent relationship with the surrounding community and they will expect this continued service and I am sure they will let you, the college, know when this changes.

And while you may have Long Beach police officers on this campus, just wait until an "officer needs help" call goes out in the surrounding area. No sooner than this call goes out, will the campus be abandoned of police protection.

As a parent with two high school students faced with making one of their first mature decisions as to what college to attend, if the decision is made to disband the college police department, Long Beach City College will not be one of their choices. For a parent and student making a decision as to which college to attend, safety is at the top of the list. With crime on an increase throughout the State of California, safety is a concern to all of us. You say to yourself, "These are two students. We are not concerned." Well you obviously don't know me. Ask my husband, in a matter of days, the number two will be 2,000, and I won't stop there. I'll make it my quest to warn others of the safety concerns now at Long Beach City College; that it is not as safe an environment that it once was.

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And the first time you have a rape, assault or any other crime on campus, I will be the first to step forward and testify as an expert witness in the law enforcement field that you as Board members and college representatives failed to provide a safe community for your students and staff. You gave the criminals an easy target and left your campus unsecured and unprotected. (applause)

President McNinch: Mrs. Footdale, that was very well prepared and obviously from your heart. Thank you. Could I remind those with small children that we are going to respect every speaker here. Please keep your small children quiet. If that is not possible, please remove yourself from the room out of respect to the person speaking. Thank you.

Robert Castellanos: My name is Robert Castellanos and I'm a student here and I'm here to support the campus police. I don't believe we should throw out something that's working, although it does have its problems. I'm POST certified since 1992.....

President McNinch: Will you stop a moment, please. Could you please keep the child quiet or remove the child from the room so Mr. Castellanos can be respected. Thank you. Mr. Castellanos, I apologize and you get another 30 seconds. Thank you.

Robert Castellanos: As I was saying, I'm POST certified since 1992. I have managed security companies where they are all required to have POST. The problem I see that we have here at this campus is more than bad employees, it's bad communication. We need to improve the skills they have. They have excellent skills. We need to improve the skills.

Some of people might think I'm here out of retaliation. I have a major complaint against one officer. That issue can be worked over. It can be fixed. It can work. The police here can work. What we need to do for less than \$1 million, is we can take and we can fix the problem by sending the officers to sensitivity training, to other training that they need, to bring them up to the level that they would have with the local police agency and we can turn around and have our own agency here that's dedicated to the students and that understand each and every one of the students.

I'm a disabled student and the other day I had a discriminative action against one officer. That's going through the process right now and that needs to be handled. Other than that, I see no problem with the officers. One of the other officers involved in the issue was able to de-escalate a situation that was a very high situation and he was able to bring it down. That is a professional, and that's what we need to keep here at the school. Thank you. (applause)

Chief Mike Hole: President McNinch, Members of the Board, President Kehoe. Last week I informed Vice President Byrd that I had reallocated Police Department personnel and implemented a modified work schedule that would reduce Police Department overtime costs by 50%. Additionally, I have informed Vice President Byrd and Vice President Collins that I am preparing a reorganization, along with additional recommendations for the Police Department that will allow me to maintain the current

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level of service, but will reduce the Police Department's budget by approximately \$300,000. Today the Police Department's budget is \$1,612, 032.

My concern with 5.5 on the agenda is that it authorizes President Kehoe to sign a contract for police services with the City of Long Beach, a contract that I have been told is not completed. In Chief Batts's letter to the City Council, and I think you all have a copy of it, on page 2 under fiscal impact, he states "The anticipated costs for the first year....," – "anticipated" being the key word here – "will be approximately \$2.5 million. Future years will be subject to annual actual costs and will be fully reimbursable to the City of Long Beach by the District. The Long Beach Police Department will invoice the District on a monthly basis and the costs will be payable in arrears. In the future, if the City of Long Beach provides additional compensation for their employees, in the form of retirement benefits, uniform allowances, etc., the District will absorb those additional costs." Yesterday I had a meeting with Vice President Collins and he informed me and my supervisors that the costs to have Long Beach Police Officers on this campus would vary depending on the personnel that Long Beach assigns. For example, if a senior officer were assigned, our costs would be more than a new officer, because of the incentives he receives, such as educational incentives, POST incentives – all of those things. What would it cost to have investigators assigned? What will it cost to have traffic assigned? What will it cost to have specialized units assigned? These are all answers that we don't know.

Since the proposal calls for the District to be billed in actual costs, how can the Board of Trustees control these costs if the costs are unknown until after we get the bill?

In the *Press-Telegram* today there's an article by Jason Gerwitz and in this article, Mr. Gerwitz writes that runaway insurance premiums will add \$7 million this year to the City of Long Beach's three-year projected budget shortfall, bringing the total deficit to \$97 million. What percentage of the \$7 million will the District have to incur in this year and future years?

During these difficult economic times when everybody in the District is being asked to cut costs, it does not make any sense to me that the District would consider signing a contract for \$2.5 million with future unknown costs. It makes even less sense to me when you consider that I can reduce the Police Department's budget to approximately \$1.3 million without a reduction in service and without layoff of existing personnel.

I had really great difficulty with this proposal because it takes away the authority of the Board of Trustees to control the budget. Vice President Collins and Vice President Byrd have been working on this proposal for 14 months. Why is it necessary that this be ramrodded through in three days. I don't understand. There are just too many unknowns in this proposal and I would ask that you vote no on this proposal. Thank you. (applause)

Shannon Willson: I'm basically here to support the police officers. We would like to see them remain on campus. We think they are doing an excellent job. I hate to see layoffs of any kind and we've experienced a great number of layoffs this year alone and I just don't want to see any more.

I am concerned about the two classified employees in my bargaining unit that work in that trailer and I'm wondering what the provisions are for those employees. I don't see them in agenda item 5.6, so that's also a concern. Most of the information that I was going to say has been mentioned. The layoffs of classified people is a concern and increasing our cost for the new police, it just seems hard to rationalize that we're going to spend \$800,000 more for a new police force when we have a police force in place. Again, I would urge you the same as every speaker before me to vote no on this resolution. (applause)

President McNinch: I thank each of our speakers for being well prepared and giving us very good information and speaking from the heart. What I would like to do, before we comment on this, is go ahead and handle our Consent Agenda and then go to the Human Resources 5.5 and 5.6 that we have referred. That way we'll move the agenda along. This is not out of disrespect for you, it's just a procedural thing.

The following items were part of the Consent Agenda

HUMAN RESOURCES (Academic)

It was recommended by the Administrative Dean, Human Resources, and the Superintendent that the Board of Trustees approve the following actions:

Appointments

Hourly Instructors – Summer	179
Hourly Substitute Instructors – Spring 2003	4
Hourly Readers – Summer 2003	10
Hourly Librarians – Summer 2003	6
Hourly Counselors – Summer 2003	2
Stipends	19
Mileage	1

In-Service Changes

Department Head Elections	3
Change of Title	1

HUMAN RESOURCES (Classified)

It was recommended by the Administrative Dean, Human Resources, and the Superintendent that the Board of Trustees approve the following actions:

APPOINTMENTS

Probationary	4
Administrative Transfer	1
Placement in Lieu of Layoff	10
Temporary	21
Exempt From the Merit System	108

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INSERVICE CHANGES

Leave of Absence Without Pay	4
Changes and Modifications	1
Change to Previous Board	1

SEPARATION FROM THE DISTRICT

Retirement	16
Retirement in Lieu of Layoff	3
Resignation	1
Layoff Due to Lack of Work/Lack of Funds	3

Indefinite Salary Rates for District Employees

It was recommended that the salary rates for academic employees represented by CCA and CHI, as well as Management Team personnel, be declared indefinite for fiscal year 2002-2003. It is further recommended that the salary rates for classified employees represented by POA be declared indefinite for 2002-2003. This recommendation is based upon the negotiations with affected employee organizations and other factors.

FINANCE AND PURCHASING

It was recommended by the Vice President, Administrative Services, and the Superintendent that the Board of Trustees approve the following actions:

FINANCE

Appropriation Transfers

(a) Appropriation Transfers numbered 76980, 79090, 79102, 79105, 79118, 79124, 79231, 79235, 79282, 79587, 79608, 79674, and 79707 for the General Fund, in the amount of \$912,635 as listed.

From:	Books and Other Supplies	\$ 31,543	
	Other Operating Expenses	15,489	
	Capital Outlay	757,782	
	Other	<u>107,821</u>	<u>\$ 912,635</u>
To:	Academic Salaries	\$ 53,730	
	Classified Salaries	80,577	
	Staff Benefits	32,890	
	Books and Other Supplies	38,499	
	Other Operating Expenses	21,733	
	Capital Outlay	21,119	
	Other	<u>664,087</u>	<u>\$ 912,635</u>

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Included in the appropriation of \$912,635 are the following transfers greater than \$25,000:

<u>AT</u>	<u>From</u>	<u>To</u>	<u>Department</u>	<u>Amount</u>
79090	647000-01-684500-9890	122000-01-684500-9880	VTEA	\$ 18,555
		122000-01-684500-9910	VTEA	23,450
		122000-01-684500-9930	VTEA	11,725
		395000-01-684500-9880	VTEA	3,525
		395000-01-684500-9910	VTEA	4,456
		395000-01-684500-9930	VTEA	2,228

From Equipment NI to Academic Salary NI and Staff Benefits to distribute director's salary for the Vocational and Technical Education Act (VTEA) program.

Salary Warrants

Ratify issuance of salary warrants listed on Registers No. 4117 through 4122 for the period of May 5, 2003, through May 23, 2003, in the amount of \$1,959,260.44 as listed:

Register No. 4117 Issue Date 05/09/03	Warrant Nos. 0710211 - 0710582	\$ 880,901.66
Register No. 4119* Issue Date 05/09/03	Warrant Nos. 0710583 - 0711311	\$ 511,921.27
Register No. 4118* Issue Date 05/09/03	Warrant Nos. 0711312 - 0711395	\$ 165,603.18
Register No. 4120 Issue Date 05/16/03	Warrant Nos. 0711396 - 0711437	\$ 77,447.02
Register No. 4121 Issue Date 05/16/03	Warrant Nos. 0711438 - 0711439	\$ 74,334.31
Register No. 4122 Issue Date 05/16/03	Warrant Nos. 0711440 - 0711479	\$ 249,053.00
	Total Salary Warrants Issued	<u>\$ 1,959,260.44</u>

*Warrant numbers are in proper sequence; however, due to a system error Register Number 4119 precedes Register Number 4118.

Commercial Warrants

Ratify issuance of commercial warrants for the period May 5, 2003, through May 23, 2003, in the amount of \$1,491,189.87 as listed.

Period Ending May 9, 2003	
General Fund	\$ 314,914.65
Child Development Fund	\$ 7,111.64

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Payroll Clearing Fund	50,872.84	
Capital Project Fund	<u>15,370.40</u>	\$ 388,269.53
Period Ending May 16, 2003		
General Fund	\$ 216,856.80	
Student Financial Aid Fund	165,235.44	
Child Development Fund	2,547.76	
Payroll Clearing Fund	47,486.47	
Capital Project Fund	178,093.67	
Self Insurance Fund	<u>30.00</u>	\$ 610,250.14
Period Ending May 23, 2003		
General Fund	\$ 338,201.90	
Child Development Fund	633.58	
Capital Project Fund	<u>153,834.72</u>	\$ <u>492,670.20</u>
	Three Weeks Total	<u>\$ 1,491,189.87</u>

Included in the total expenditure of \$1,491,189.87 are the following payments greater than \$25,000, excluding employee benefits and utilities:

General Fund – Fund 01

1. \$ 134,079 to City National Bank, assignee for Municipal Finance Corporation, for Honeywell mechanical retrofit and energy management project.
2. \$ 112,238 to Honeywell, Inc., for installation and monitoring co-generation equipment.
3. \$ 51,824 to First Union, for First Union VISA purchasing card for April 2003.
4. \$ 39,573 to Capstone Turbine Corp, for partial payment for pool heating system equipment, Liberal Arts Campus.
5. \$ 39,187 to Lanblvd.com, for Cisco Catalyst computer equipment, for network switches and hubs for the Liberal Arts Campus and Pacific Coast Campus computer network system.
6. \$ 35,000 to Postage by Phone, for advance deposit for mail services.
7. \$ 30,974 to Community College League of California, for database subscriptions for the Library, Liberal Arts Campus, for the period of July 1, 2003, through June 30, 2004.
8. \$ 25,154 to Ideal Lighting Supply, for lighting equipment and increased charges due to changes in light fixtures from 120V to 277V, for the Library, Liberal Arts Campus.

New Accounting Funds

It is recommended that the Board establish a Retiree Health Fund and a COP Debt Service Fund, effective July 1, 2003.

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Contract Amendments

CN 99613.7 – With WLC Architects, Inc., Amendment #3, for architectural services to extend the termination date from June 30, 2003, to June 30, 2004, with no increase to the contract amount.

CN 99616.6 – With Bock Engineering, Amendment #3, for structural design and engineering services to extend the termination date from June 30, 2003, to June 30, 2004, with no increase to the contract amount.

CN 99616.7 – With WLC Architects, Inc., Amendment #2, for architectural services to extend the termination date from June 30, 2003, to June 30, 2004, with no increase to the contract amount.

CN 99619.1 – With Turbo Data Systems, Inc., Amendment #5, for processing parking citations for Long Beach Community College District to increase the contract amount an additional \$2,000 for a total annual amount not to exceed \$8,000.

CN 99625.1 – With Cannon Facilities and Management Consulting, Amendment #5, for facility planning services to extend the termination date from June 30, 2003, to June 30, 2004, with no increase to the contract amount.

CN 99627.2 – With LPA Architects, Inc., Amendment #1, for Architectural Services to extend the termination date from June 30, 2003, through June 30, 2004 with no increase to the contract amount.

Bid 21-0001/14 (Long Beach Unified School District Bid) – With Gateway Computers, for a pricing agreement for the purchase of Gateway computers to extend the termination date from June 30, 2003, to June 30, 2004. Prices are to be in accordance with tabulated prices or less.

Change Order

CN99605.8 – With Excel Paving Company, Change #1-15, for the paving of parking lots D & E, at the Liberal Arts Campus to increase the contract amount from \$233,284.00 to \$341,041.87 for:

Change 1. LB City permit	Add	\$ 743.36
Change 2. Return for 18" pipe	Add	\$ 581.52
Change 3. Base material: 1255.64 tons @\$24.36/ton	Add	\$30,587.39
Change 4 Demo & infill 2 abandoned manholes	Add	\$ 2,500.00
Change 5 Raise manhole @ S.E. corner of Lot E	Add	\$ 493.89
Change 6 Demo of underground concrete blocks	Add	\$ 1,433.19
Change 7 4 Additional drain inlets & 190 ln. ft. of 6" PVC	Add	\$ 9,000.00
Change 8 Remove & replace 4" concrete sidewalks 2365 sq.ft. @\$5.36 sq. ft.	Add	\$12,676.40
Change 9 Concrete curb, 6", 253 ft @11.70/ln. ft.	Add	\$ 2,960.10
Change 10 Demolition of 240 sq. ft. of 10" concrete, Lot E,	Add	\$ 975.00
Change 11 Dirt removal; 47 loads @\$207/load	Add	\$ 9,729.00

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Change 12 New wheel stops; 6 @ \$30.00	Add	\$	180.00
Change 13 L. A. County permit	Add	\$	464.00
Change 14 Additional survey due to revisions per project engineer	Add	\$	1,132.00
Change 15 Excavate & recompact subgrade	Add	\$	<u>34,302.02</u>
Total Additions:			<u>\$ 107,757.87</u>

Completion of Contract

CN 99605.8 – With Excel Paving Company for the paving of parking lots D & E, at the Liberal Arts Campus for a total fee of \$341,041.87. Project was completed September 15, 2003.

Purchase Order Approvals/Ratifications

Authorize the issuance of purchase orders for the period May 5, 2003, through May 23, 2003, in the amount of \$\$487,653.31 as listed.

46215	\$	1,772.05
46224		2,065.41
46343		1,970.00
46402		4,000.00
46501		9,973.07
46503		2,569.39
46507		43,122.47
46525 – 46535		30,020.32
46537 – 46600		231,126.21
46602 – 46629		81,772.82
46631 – 46632		10,256.91
46634 – 46657		68,504.66
P18299 - P18300		<u>500.00</u>
Total amount		\$487,653.31

Included in the total amount of purchase orders of \$487,653.31 are the following items greater than \$25,000:

General Fund - Fund 01

PO 46538	Database subscription renewal Library Account No. 589500-01-160100-0550	\$50,042.00
PO 46543	Database subscription renewal Library Account No. 589500-01-160100-1430	\$30,973.50

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PO 46554 Multimedia projector
 Computer Repair, Instructional
 Account No. 641000-01-070300-0550 \$31,163.01

Capital Project Fund – Fund 15

PO 46507 Servers for PeopleSoft
 Telecommunications
 Account No. 647000-15-710300-5315 \$43,122.47

ACADEMIC AFFAIRS, STUDENT SUPPORT AND ADMINISTRATIVE SERVICES

It was recommended by the Vice President, Academic Affairs; the Vice President, Administrative Services; the Vice President, Student Services; and the Superintendent, that the Board of Trustees approve the following actions:

ACADEMIC AFFAIRS

Materials Fees

That the Board of Trustees approve materials fees for the specific courses offered in the following departments to cover the cost of materials. The fees will be paid at the time of registration.

TRADES AND INDUSTRIAL TECHNOLOGIES, SCHOOL OF

TEC 60, Computer Aided Design and Drafting (CADD) (3.0) \$7.00

ADMINISTRATIVE SERVICES

FACILITIES

It was recommended by the Vice President, Administrative Services and the Superintendent that the Board of Trustees approve the following actions:

Transfers to Close Books

Authorize the Vice President, Administrative Services, to make such transfers of expenditure classifications as are necessary to close the books of the Long Beach Community College District at the end of fiscal year 2002-2003. No transfer shall be made unless an expenditure has already been authorized by the Governing Board.

Transfers to Close School Year

Authorize, in accordance with the provisions of Section 85201 of the Education Code, the Los Angeles County Superintendent of Schools to make appropriate transfers necessary at the close of the school year 2002-2003 to permit the payment of obligations the District incurred during the school year.

Certification of Signatures

To revise the certification of signatures from Duane Lowe as interim Director of Fiscal Operations, to Duane Lowe, Director of Fiscal Operations, effective May 20, 2003.

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Authorize the Vice President, Administrative Services, to enter into and execute the following agreements:

Agreements

CN92989.6 - With American Golf Corporation, to provide green use for the men's and women's golf team matches and practice session, to extend the termination date from May 31, 2003 to May 31, 2004, for the amount of \$6,000.

CN 93024.3 - Amend - With 3950 Paramount Investors, L.P., to provide an additional year leased space for the Wing Offices, to extend the termination date from September 15, 2003, to September 15, 2004, for the monthly base rent amount of \$6,743.10.

CN93030.1 - Amend - With John Matulich to provide additional retirement counseling services for District employees on May 13, 2003, to increase contract amount by \$300, for a total contract amount of \$3,600.

CN93044.4 - Ratify - Amend - With Southeast Los Angeles County, Workforce Investment Board, to provide funding for H1B Machinist training, to extend the termination date from November 14, 2002, to June 30, 2003. No additional funding.

CN 93086.6 - Ratify - Amend - With California State University, Office of the Chancellor, to provide networking services known as the California State University and California Community Colleges Network (4CNet), effective July 1, 2002, through June 30, 2003, to increase the contract amount by \$6,281.66 for a total contract amount of \$41,581.56.

CN 93093.2 - Ratify - Amend - With the Chancellor's Office, California Community Colleges, FII, Women In Trades and Technology Education, to extend project performance completion date from June 30, 2003, to December 31, 2003, with no additional funding.

CN 93095.7 - Ratify - Amend - With Holland & Knight, LLP, to provide legal services regarding the District's series A \$40,000,000 bond issuance, to increase the contract amount by \$25,000, for a total contract amount of \$35,000, effective February 1, 2003. This increase is paid with bond funds.

CN 93103.1 - Amend - With Marlene Imirzian & Associates Architects, Ltd., to provide architectural and engineering services, to include an additional address as part of the overall feasibility study, effective June 18, 2003, for an additional fee of \$20,000, plus expenses not to exceed \$1,500, total contract amount of \$44,080.

CN 93103.6B - With United of Omaha Life Insurance Company (United), to create a non-participating installment premium group annuity contract effective July 1, 2003, for the District's Supplemental Employee Retirement Plan, for a premium amount of \$747,315. Amount to be paid as a direct payment to United.

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CN 93103.8 - With Chef Du Jour, Inc., to provide lunches for children attending the Child Development Centers at the Pacific Coast and Liberal Arts Campuses, effective July 1, 2003, through June 30, 2004, for the amount of \$50,000.

CN 93103.9 - Ratify - With Women In Non-Traditional Employment Roles (WINTER), for services to include outreach to various Long Beach schools and at the Liberal Arts and Pacific Coast Campuses; facilitating industry collaboration with Building Trades Council; development and implementation of a student mentoring program, effective June 1, 2003, through December 31, 2003, for the amount of \$6,000, paid with Chancellor's Office FII funds.

CN 93104.1 - With UCLA Recreation Outdoor Adventures, to provide facilities for a rope course retreat on July 19, 2003, for 65 Upward Bound students and staff members. Amount required is \$2,925, paid with Upward Bound funds

CN 93104.2 - With Jon McLaren to facilitate a rope course retreat for Upward Bound students and staff on July 19, 2003, for the amount of \$4,000, paid with Upward Bound funds.

CN 93104.3 - Ratify - With Saint Mary Medical Center (SMMC), for the District to provide employability assessments to SMMC employees at their facility, effective April 18, 2003, through April 30, 2003, for a fee of \$915.

CN 93104.4 - Ratify - With Long Beach Memorial Medical Center (LBMMC), for the District to provide assessment tests to incumbent LBMMC employees at their facilities, effective March 17, 2003, through March 28, 2003, for a fee of \$6,650.

CN 93104.5 - With California Department of Education Nutritional Services to provide the District with funding for the Child Care Food Program, effective October 1, 2003, through September 30, 2004. Amount of funding is \$23,000.

CN 93104.6 - ratify - With Janis Keyser, to coordinate and facilitate the Foster and Kinship Care Education Trainers Retreat and a series of workshops for Foster Parent Educators and/or Foster and Kinship Parents, effective May 1, 2003, through June 30, 2003, for the amount of \$5,000, paid with Foster & Kinship Care Funds.

Use of Facilities

Ratify request to use District facilities for activity and on date as shown.

<u>Organization</u>	<u>Campus</u>	<u>Event</u>	<u>Facilities</u>	<u>Date</u>
Polish Tennis Association	LAC	Tournament	Tennis Courts	5/18/03
Opportunities for Learning Schools	LAC	Fitness Tests	Stadium	5/23/03

User to be charged fees in accordance with Board-approved fee schedule.

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Ratify requests to use District facilities for activities and on dates as shown.

<u>Organization</u>	<u>Campus</u>	<u>Event</u>	<u>Facilities</u>	<u>Date</u>
LBCC Volleyball	LAC	Games	Large Gym	5/10/03
LBCC Volleyball	LAC	Games	Large Gym	5/11/03
Women's Resource Center	PCC	Science Fair	BB & DD Bldgs.	5/17/03
City of Long Beach	LAC	Operation Yellow Ribbon	Parking Lot J	5/17/03
Long Beach Fire Department	LAC	World Trade Center Display	Parking Lot J	5/18,19/03
LBCC Star Learning	PCC	Semester End Celebration	FF 101	5/22/03
LBCC Mentor Program	LAC	Year End BBQ	Nordic Lounge	5/24/03
LBCC African Students Association	PCC	Meeting	DD 145	5/24/03
LBCC Scholarship Office	LAC	Scholarship Awards	Auditorium	5/28/03
Long Beach Area Compact	PCC	Banquet	Student Center	5/30/03
LBCC Baseball	LAC	Tournament	Baseball Field	6/1/03

Facility use rental waived. Equipment/staffing will be charged if necessary.

Grant requests to use District facilities for activities and on dates as shown.

<u>Organization</u>	<u>Campus</u>	<u>Event</u>	<u>Facilities</u>	<u>Date</u>
Scholastic Aptitude Tests	PCC	S. A. T. Exams	BB, DD, EE Bldgs.	10/11/03
Scholastic Aptitude Tests	PCC	S. A. T. Exams	BB, DD, EE Bldgs.	11/1/03
Scholastic Aptitude Tests	PCC	S. A. T. Exams	BB, DD, EE Bldgs.	12/6/03

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<u>Organization</u>	<u>Campus</u>	<u>Event</u>	<u>Facilities</u>	<u>Date</u>
Educational Testing System	PCC	Praxis Series	BB, DD, EE, FF Bldgs.	1/10/04
Scholastic Aptitude Tests	PCC	S. A. T. Exams	BB, DD, EE Bldgs.	1/24/04
Educational Testing System	PCC	Praxis Series	BB, DD, EE, FF Bldgs.	3/6/04
Scholastic Aptitude Tests	PCC	S. A. T. Exams	BB, DD, EE Bldgs.	3/27/04
Educational Testing System	PCC	Praxis Series	BB, DD, EE, FF Bldgs.	4/17/04
Scholastic Aptitude Tests	PCC	S. A. T. Exams	BB, DD, EE Bldgs.	5/1/04
Educational Testing System	PCC	Praxis Series	BB, DD, EE, FF Bldgs.	6/12/04

Users to be charged fees in accordance with Board-approved fee schedule.

Grant requests to use District facilities for activities and on dates as shown.

<u>Organization</u>	<u>Campus</u>	<u>Event</u>	<u>Facilities</u>	<u>Date</u>
LBCC Women's Volleyball	LAC	Practice	Small Gym	7/8-7/24/03
LBCC Leadership Program	LAC	Meeting	Nordic Lounge	7/19/03

Facility use rental waived. Equipment/staffing will be charged if necessary.

Reissuance of Warrants

Authorize the reissuance of B warrant No. 22060376, dated 8/31/00, in the amount of \$1,036.00, and B warrant No. 22135444, dated 9/22/00 in the amount of \$239.00 to Jason Feagin.

It was moved by Member Clark, seconded by Member Uranga, that the items on the Consent Agenda be approved and authorized.

The motion carried, all voting aye.

HUMAN RESOURCES

Resolution, Reduction of Classified Service 2003-2004

It was moved by Member Kellogg, seconded by Member Clark, that the Board of Trustees adopt Resolution No. 061703A, Reduction of Classified Service, 2003-2004.

Paragraph 88127 of the California Education Code prescribes that classified employees shall be subject to layoff for lack of work or lack of funds. Funding from the following grant sources have been eliminated or reduced in fiscal year 2003-2004.

- Careers in Childcare
- Americorps
- Good Beginnings Never End (GBNE) - Proposition 10 funds
- Access

Funds are not available for reallocation to avoid a layoff of classified staff from the District budget, other categorical funds, or grant/contract resources. The California Community College system-wide 2003-2004 budget outlook does not provide any assurance that additional funding for these positions will be available in the foreseeable future.

Until such time as additional funds are available, a reduction of staffing in the following classifications is necessary.

- Workforce Development Coordinator – 1.0 FTE (Careers in Childcare, Americorps)
- Student Support Services Project Coordinator – 1.0 FTE (Americorps)
- Intermediate Clerk – 1.0 FTE (GBNE, Careers in Child Care, Access)
- Project Manager - .30 FTE (GBNE)

The motion carried, all voting aye.

Resolution, Agreement Approval and Agreement Authority

It was moved by Member Uranga, seconded by Member Kellogg, that the Board of Trustees adopt Resolution No. 061703B, (1) approving a written agreement between the City of Long Beach and the District for the provision of police and security services to the District, effective August 1, 2003, and authorizing the Superintendent-President to execute the same on behalf of the District; and (2) authorizing the Superintendent-President to enter into any additional written agreement necessary with the City of Long Beach for the provision of police and security services to the District, if needed, between the date of approval of this Resolution and August 1, 2003.

Member Kellogg: I have two questions. Whichever staff members want to answer it and however you want to answer it. It has been brought up, and it's very valid, that we're obviously facing financial crises with the college. We've laid people off as evidenced in a prior motion; we've cut back programs. So the question simply comes up - how do we justify then to the community, after doing those types of action, how we're going to spend more money for public safety? It's question everyone wants to know and how do we as a college justify that action? That's the first question.

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Then another very good question that was brought up, legally, have we met all the requirements that need to be met to move forward on this, because we are contracting out, for lack of a better term. So, those are the two questions I have to really begin. How we justify the increased costs and the legalities of what we're doing tonight.

President McNinch: Do you want to start with the legalities and then the costs?

Member Kellogg: That's fine.

Vice President Collins: For the legalities I'll defer to our attorney.

President McNinch: For the purpose of those who are new to us, would you introduce yourself, your responsibilities and the person sitting next to you.

Vice President Collins: We have an attorney sitting at the table this evening for the express purpose of, again, making sure we deal with the legalities in the issue of contracting out. Ms. Barbara Ginsberg has been involved in the collective bargaining situation with the District police department personnel for almost two years now and she and I have jointly done the negotiations at the table and are familiar with the issues. Barbara is an attorney with Parker and Covert and Mr. Covert has many years with this District in giving legal counsel. So for the precise legal issues with contracting out, Barbara can address that.

President McNinch: Thank you and Mr. Collins, you are with our Human Resources Department.

Vice President Collins: Yes, I am.

Barbara Ginsberg: Thank you. I'll speak with respect to the authority to contract out. The authority is really two fold. There are two specific provisions: One is Government Code Section 54981, which authorizes a district to enter into an agreement with our city for the provision of police and security services to the district and that code section specifically allows a legislative body of any local agency, including this district, to contract for that with any other local agency for the performance of municipal functions by the latter within the territory of the former. So we have specific statutory authority to enter into this contractual arrangements. And, again, this is not a contract that's proposing any kind of privatization of this service. This is a public agency to public agency proposed agreement.

There was reference made, I believe, in Mr. O'Malley's presentation to the Board, that spoke to Education Code Section 88003.1. That is the codification of recent legislation, which was SB1419, concerning contracting out of services in community college districts. In our legal opinion, 88003.1 does not apply to this contract because it is a contract from public agency to public agency that's authorized under the government Code. Second of all, there are two provisions, even if 88003.1 did apply, there are two provisions within that statute. One is the section that Mr. O'Malley cited that talks about if you are entering into a contract for the purpose of cost savings, then there is a series of

enumerated hoops you have to jump through, so speak – expectations you have to meet – in order to be able to perform that contracting out.

This contract that we're contemplating is not for the purpose of cost savings and so, those provisions of 88003.1, do not apply to this contract. If 88003.1 were to apply the second section of that statute would apply, which is the (b) section and in that section there are approximately eight specific reasons that you're authorized to enter into a contract for personal services and, under our examination, we believe that this proposed contract would fall within at least two of those enumerated exceptions and there's no further requirements on the district that they would have to meet as they would if it was for the purpose of cost savings. So, there is just direct authorization under that statute to allow for the contracting out for those reasons. And, specifically, those reasons, and I'll let Mr. Collins expand on that, would be for the highly specialized nature of the services and for services that were unable to be satisfactorily performed in the district; for one reason, our inability to retain and recruit the level of officer that would be necessary to be able to perform those services within the district. In addition, it's our contention that this is not a personal services contract such that 88003.1 would apply in this situation.

Also, additional authority is provided to the Board to contract out for services within the collective bargaining agreement between this District and our community college Police Officers Association. Article 2.1 of that collective bargaining agreement reserves to the District the exclusive management right to contract out work; that meaning to contract out police and security services, because that is the bargaining unit work and that's been previously negotiated and reduced to writing with the Police Officers Association and so that authority remains with this Board to be able to contract out work.

Member Clark: This is one of the most difficult issues that we would ever have to deal with. It's certainly not easy to do that. One thing that I would be concerned about if we were to go ahead and act on this, is the opportunity that our officers would have to be rehired here. Maybe Vic you could tell us what we would do to try to work with the officers who would be interested in working for the City. What would we be able to do or what support could we offer?

Vice President Collins: Mr. O'Malley mentioned the fact that the District has been saying for a year that, yes, it is an application process, but we have expressed our willingness to assist our personnel in that application process with the City. And we continue to stand ready to do that so that there would be the opportunity for them, in some cases, to be able to retain employment with the District which would be in the capacity of either police officers or security officers and we are well aware that the City has to go through a hiring process to staff under this contract and we would strongly urge our employees to go through the application process and the City has expressed a willingness to have a block application and testing process for our personnel. With the cooperation of our people that would be interested in doing that, we would like to encourage that and work on that even through the last day of employment through the layoff action.

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Member Clark: Let me ask another question. In regards to the cost, we're looking at basically the cost of the officers who would be here. Are there any additional costs for any ancillary type of services?

Vice President Collins: If we have any additional officers brought in, and again, it would be similar to any special event that we currently do, and we do currently contract for City police officers to be here for special events that we have within the District, whether it be on this campus or the other, it is on an overtime basis; and that would be an overtime cost. And the same situation that we have with our current officers, if they leave the campus and engage in training, whether that be POST training or other types of training, and we bring someone else on the campus to replace them, that is an overtime cost currently and that same situation would apply with the City.

Member Clark: I'm thinking more of ancillary services like the detectives, the lab, anything of that nature.

Vice President Collins: We are told that this is part of the same level of service that the City police department provides and there has been no cost.

Member Clark: So there's no extra cost for any other services.

Vice President Collins: No.

Member Polsky: I'd like to say something, rather than ask a question. When this idea of contracting out first came up, it seemed like a win-win for everybody. The District would have an agency or the umbrella of another agency taking care of all of our security needs, and we would not have to deal with all the things that go on with the union, and our officers would have jobs with an agency where they could move up the ladder, where they'd have better opportunities. So, it seemed like a win-win situation. It appears it has not quite turned out that way. However, Mr. Collins has assured us that the City really is interested in hiring our people because they need to hire people to staff these positions and our employees would be the perfect applicants.

I still don't have it clear in my mind as to what the actual salaries are going to be - if there is going to be a downgrade. That's some answer I really don't have and I don't know and I'm not sure if staff here does know. I don't know if it's going to be a lateral move or if it's going to be a down move, but I think that any of our employees who are interested in staying, really need to look into the Long Beach Police Department. As I say, I've been assured by Mr. Collins that the District will do everything it can to help you to get in with an agency that will offer some up the ladder opportunities and you'll, perhaps, earn more money and move up. That's been my understanding and my heart really goes out to everyone and my heart is broken because I feel very responsible because, many years ago, I was the one who was responsible for our police and for our safety officers. We were sort of in bad shape before that and I really pushed the school to get us a decent police agency. We hired a consultant and you've all been wonderful people. Times have changed, considerations have changed and so, again, it isn't that we don't feel for you - my heart just goes out to everyone of you - and some of you have brought your children here and I'm not happy with this as I know the administration is not, but I do want to

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encourage everybody here to at least show some good faith and do the application process with the City. I don't know what's going to happen and perhaps Roberto who is with the City might know more about that than I do.

President McNinch: May I make a comment first. Mr. Collins, while Trustee Polsky was speaking about applying with the City, I saw many people here in the audience shaking their heads, "no." There was a very negative reaction. Would you tell me, please, how many of our people have applied – they've known about this for a year – how many have applied with the City and how many have been turned down. Because what I see out here is like everybody has applied – and if it's a personnel question that you can't answer – no names, please, but I think it would be interesting to know, because the reaction I see looks like they've all applied and have been turned down and I'd like to know the facts.

Vice President Collins: No, actually in the negotiation process, it's been indicated from the organization that represents our employees that they are not interested in making application under the terms we have outlined.

President McNinch: Well that's interesting.

Vice President Collins: But, I also want to say this on behalf of some of the people that are here. There have been different indications from individuals that quite frankly they would prefer to work otherwise at other agencies and not submit applications to Long Beach and that is part of our situation. What we are saying is that we have the opportunity to work with the City in known positions here, but if they choose, for their own reasons, not to apply for employment with the City, that is a personal decision.

While we can't address specifically some of the salary issues that Member Polsky has addressed, there is one significant benefit that our people would have in making a transition to work for the City. At the table we have been negotiating the situation of what is known as a Peace Officer Retirement Benefit. Currently what we have in the school systems is a formula that's called "Two Percent at 55." A Police Officer Retirement Benefit is 3% of base salary at age 50. The City has that benefit in place. That is a significant retirement benefit that is available to our police officers that might be accepted in the lateral application process. In addition to that, the City also has enhanced its regular PERS program and I believe the amount is 2.7% at age 55, as opposed to 2% at age 55, and that again, is another significant retirement benefit that would be available to the people that make the transition. That is not to say that the City of Long Beach is the only agency that provides that type of retirement benefit, but that is something that is significant and it is an enhancement over what we do here in the school system.

Member Uranga: Throughout the time that I've been here it's always been one of those issues where we don't like to confront and we don't want to deal with and that's when we have to displace people from their jobs. It's the hardest thing that I've always had to do here. Being a former Human Resources individual myself, it's a very difficult task to look at individuals, knowing the effect that it's going to have on families, knowing the effect that it's going to have on them personally to go out and dust off that resume, dust off that diploma from the wall, and make copies of it and resubmit it to another job. I

know the difficulty of that; I've done it myself; and I've worked with people in dealing with that. Personnel actions are the most difficult aspects of this job that we have here behind this rail. I would also echo the point that I would strongly encourage individuals to pursue those benefits that are greater out there that are available to them. But my concern here would be is that what have we done, and, perhaps, Vic could answer this question, with our current employees to strengthen their resumes, to strengthen their opportunities to gain employment, if not here, somewhere else, to ensure that there is that transition that needs to be made, if at all, from one job to another.

And the second question I have, which hasn't really been addressed at this point is, how are we going to address that \$200,000 difference in terms of what the City is proposing and what we are going to be asked to pay out and where are we going to get those monies from and how are we going to pay for that? I think that's a question that really comes to the core of where we are at this point. I understand there are some service delivery issues and is that in the costs that we're looking at here – the \$1.7 million that the Chief has mentioned that they've been able to present for this current budget year, and the \$1.9 million or the \$2.5 million – I'm still not very clear on where these financial proposals come into play here. Perhaps you could clarify that for us. Or perhaps Mr. Oakley could provide some information.

Vice President Collins: Let me respond to your first question first. In terms of any assistance from District administration to the current members of the College Police Department, we have not been actively involved in working with them in terms of any guidance or assistance in the application process. Again, this is something we've offered in terms of helping them through the application process with the City; we continue to stand ready to do that to the point where the Civil Service Commission has indicated they will come here with a group application process and testing and we stand ready to assist with that for any of our staff that are interested in doing that.

In looking at the situation of what you're addressing, if I may, we have worked with the budget as it's been projected by the City and to help clarify some of the numbers issues, as Chief Hole has indicated, the current operational budget for the College Police Department in the year 2003-2004 is close to \$1.7 million. What we have indications from the City under the current structure that they've provided to us in terms of their budget projection, is \$1.9 million. So there is a difference of about \$200,000. They have done some things in personnel estimations, but, again, what they indicate to us is that they will bill on the basis of individuals that are assigned here. It will not be a block amount of money for a standard officer based on this, this, and this rank. It will be by individual. So what the City expends for their personnel costs, that's what they will bill us. When we look at that situation, we are talking about the additional expenditure and what we have to look at would be any of the indirect costs that don't directly show up in the operational budget currently and that would be a part of what our dealings with the Administrative Services department would be. Yes, there will be that additional expenditure and we will have to take a look at some other things and there will be such opportunities as diverting some of the parking revenues, etc., for the enforcement of parking.

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Member Polsky: I have a question. Chief Hole brought up an issue that if we are given more senior officers our costs are going to obviously be more, because they earn more. Is that something that has been included in this budget for the City of Long Beach?

Vice President Collins: What we asked the City to do in preparing a budget estimate for us, is predicate it on the highest salary that they pay to their staff members in either police officer positions and their security officer positions and in addition to the actual salary costs, we've asked to make sure it includes the other benefits, such as the costs for the retirement system, such as the costs for their insurance programs, etc. So, the estimate that they have given us in developing the budget is based upon higher-paid individuals. Again, if people come in at the lower pay, they have steps like we do, where you have a person that progresses to the top of the schedule, again, they are only going to bill on the actual costs of the individuals that are employed here.

Member Kellogg: I'm just going to go back. Trustee Uranga started to talk about this. The big issue I have is on the financial side. The fact again was mentioned that we are cutting programs, laying off people, increase for public safety, when our mission is to educate students. If I'm wrong correct me, but included in this cost, which I'm going to assume is savings, worker compensation cases, that will not be the responsibility of the college, it will be the responsibility of the City of Long Beach and they will not pass those through to us. Correct?

Vice President Collins: That is correct.

Member Kellogg: O.K. That was a question and it was a large one. Another question because it came up and it's a very good one. In the contract, do we have guarantees that the people we hire will stay on the Long Beach City College premises and will not leave, and, granted, there are always exceptions to every rule, but the fact is, what I don't want to see is to hire dedicated officers to take care of the college and not suddenly be taking care of the community adjacent to it. So, in this proposal, is it clearly laid out that the officers will be dedicated to and for the college only?

Vice President Collins: They are to be assigned here and dedicated here. There may be community-related activities similar to what our current staff does and, again, there is the actual case that we even respond, at the present time, if there is a call for officer assistance, we respond within the City as well for assistance, and those kinds of things may come up, but, again, their primary dedication and assignment is here to our District, to our facilities, to our students, to our employees.

Member Kellogg: And then the question as far as the process of hiring, evaluation, of potential candidates for this, that is another cost that will be the City of Long Beach and not the college?

Vice President Collins: Yes.

Member Kellogg: Whether that's good or bad, that's where it's going to fall.

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Vice President Collins: That's part of their testing and selection process. We get billed when the individuals are hired.

Member Kellogg: And then any legal fees that are part of this contract is the City of Long Beach's?

Vice President Collins: There's indemnification that will protect both parties. An indemnification would be if the City of Long Beach is engaged in a law enforcement activity, then that becomes their responsibility to handle in terms of a law suit. Where they have asked us for clarification is when a police officer gets involved in a student discipline-type issue and there is a lawsuit filed from the standpoint of our operational administrative procedures, would that particular individual employee of the City be indemnified under our coverage and a lawsuit, and the answer to that is yes.

Member Kellogg: The City of Long Beach has to take action and I believe they're taking it tonight.

Vice President Collins: That is correct. It's on the agenda for the City Council tonight.

Member Kellogg: So the steps in this process are that the motion on the floor tonight for us authorizes the President to move forward in negotiations, the City is also doing almost the same type of action tonight as well? Are they authorizing an individual or are they doing something else?

Vice President Collins: They are authorizing the City Manager to enter into a contract with the District to provide police and security services and, also, to engage in any other contract that might be needed in the meantime. Specifically, if there is a need for additional police services between the time of tonight's action and August 1, if we need to bring the City staff in to be involved in any of our systems during that time, the resolution that the City is considering is similar to ours in that it allows the Superintendent-President in our case and the City Manager to engage in and sign a contract for those services.

Member Uranga: And in that discussion, the contract that was presented to us this evening is a draft at this point? So, are we to assume that there will be some further negotiations, if you will regarding that contract?

Vice President Collins: There are ongoing discussions, but the contract that you received and the reason we are bringing this to the Board at this time, is that basically we're 99% there with the City in our discussions.

Member Uranga: Are there any other additions that could be made to that contract that would not jeopardize its being negotiated into. What would be the process, in other words, if we were to give authorization to our Superintendent-President, the City gives authorization to their City Manager to negotiate and bring new things to the table. Is that possible?

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Vice President Collins: Yes, it is. And let me walk through the process of what we're asking you to do. Again, we're asking you for the authorization to be made to the Superintendent-President to enter into the contract. In the meantime, our legal representatives have been working with the City Attorney's office on the language of the contract that we would use in entering into for this contract for these services. Those discussions are ongoing and if we have additional questions that we have either from you as Board members or from the administration, we would provide those to our legal staff who would engage in a conversation with the City's legal staff. Once we get to a point that we do have an agreement on a document, the authorization we're asking you to give would be to allow Dr. Kehoe to sign and enter into that agreement effective August 1, or, if need be, for services prior to that.

Barbara Ginsberg: And, again, at this point, we feel that the contract is 99% there, so we would not anticipate any substantive changes to the contract that was presented to you. If anything, it would be minor technical changes.

Member Polsky: I have a hard question. On this cost analysis, which is from the City, I presume, the annual recurring costs show \$2,141, 857. And this is your handwriting – the actual would be about \$1.9 million.

Vice President Collins: The actual printed form is the City's estimated budget information, the handwritten notations that you have on your copies are mine.

Member Polsky: Given the fact that we're going to be billed after the fact. Whatever happens that month we're going to get a bill and I know the City is very slow in billing, so it could be over three or four or five months. But, at some point it will bill us. What assurances can you give us as Board members that there is going to be a ceiling to this. That's my one fear. Where does this stop? How high can the City go? Are we going to have some assurances that there's a cap; because, as you know, when the Police Department is ours, we have some control; we negotiate with the union and there is some control as to what the costs are going to be. What assurances can you give us that we're not just going into this thing blind, and say, "Well, whatever they bill us....," and then next year it's a lot more.

Vice President Collins: Well there are a certain amount of expenses in any situation of employment that I would say are unpredictable. Let me give you, again, an example of that. For the last five years, school districts have not contributed to the employer's contribution to PERS. The retirement system has done a good job. This year, after we're getting ready to adopt the budget, we have been told that this year we will have paid in a little bit less than 3%. Next year we are told that it's going to be increase again and it will probably be closer to 10% and then we're being told already that there will be ongoing increases that will be there and given to us as the implementation occurs. So, that's one of the situations that our budgeting is controlled by an outside agency. Another situation comes in every year when we have to look at the costs for health and welfare benefits. Those kinds of situations affect any public agency.

Now what we will have in terms of the discussions with the City that I consider to be a very important aspect is that the City is going to assign a Lieutenant that will be 100% assigned to this District. Through liaison work with the Lieutenant, we will have contact and communication on how things are going with some of these costs that you're talking about. We will know what the salary schedules look like in terms of progression on the salary schedule – somebody might have retired at less than the top step. We will have more awareness and knowledge of those kinds of discussions that will be taking place in their negotiations agreement that will impact us. Then, again, as I said, we will going to be working and we will have direct control over the overtime budget on an ongoing basis between us and that Lieutenant in terms of expenditures of money. So, it's going to be a trade-off situation. We are going to lose some control, because we will be at the situation where the City will be in negotiations with their employees and that's outside of our control; and they'll be doing the negotiations and that will impact us; but it's not going to be significantly different than if we were negotiating with our employees and have to go through some of the same issues.

Member Polsky: So, do you feel you have a sufficient amount of control during the time – maybe before all these costs are racked up – to know that there is going to be a limit? That is my big concern.

Vice President Collins: I can speak to myself, because, again, these discussions with the City in terms of contracting out were previously done with Dr. Byrd, Barbara Ginsberg and the City representatives and then I came aboard nearly a year ago now. But I believe it what the City is indicating to us in the number of people that they had at the table with us working through this process, I am comfortable with the relationship they've conveyed and I'm comfortable with what we've done to protect ourselves in some of the changes that we've made and that have been readily accepted by the City, in the contract language itself I'm comfortable with and, again, not full control, but the level of control that we do have in this budget.

Barbara Ginsberg: And, in addition, we did put some language in the contract that stated that the scheduled utilization of personnel by the City would stay within the restrictions of the budget.

Member Uranga: One of the issues that was brought up by one of the speakers was the public safety issue. The concern for our students on the campus and the level of service that they would receive with the Long Beach Police Department being here. What are we looking at in terms of the level of service that we would be gaining from this contract and what guarantees are built into this contract that that level of service will not go down? As you know, California is in a deep budgetary crisis and that is affecting counties as well as college districts such our ourselves and it affects cities and cities are also looking at their own personnel demands and personnel issues. Is there something in that contract that guarantees that in the event that the city faces any kind of layoff situations or reassignments, that we will be able to maintain the level of services here at our campuses that we go into negotiations with and if there is a need for the city to cut back its personnel, for whatever reason, that we will be able to either get a pro-rated renegotiation of the contract to compensate for that decline in service, or is there a penalty built in that

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would have the City guarantee that we are not going to lose our level of services that we're contracting out to get.

Vice President Collins: Again, this contract calls for 20 officers that would be involved in campus security, a person that would be a dispatcher and also clerical support by the City. In the contracting, no matter what they do with the City, that's their obligation to provide that level of staff to us for our police and security service. That's there. That's a given. And, again, if there are situations that we face with training or other things that might dip below that, but it's not going to be any permanent removal of that unless the District would agree to a lesser number, but we're not.

Member Kellogg: To follow with what Trustee Polsky said and so it would make it very clear to everyone, the action we're taking tonight, my understanding is, that if we move forward, there will be no other formal action by this Board on this item. In other words, another contract will not come back to us, a final approval will not come back to us. This will be the last formal action we as a Board will taken on this item?

Vice President Collins: Entering the contract and conjunctly with this on 5.5 would be the authorization on the 5.6 to issue the layoff resolutions. And, yes, because what you're doing is you're giving authorization to Dr. Kehoe to enter into the contract.

Member Kellogg: And so no other action will come back to us as a Board. It was also brought up and I have a question about length of time of this contract. Even though I know it's a tremendous step and sometimes you can't go back, but there is that possibility, what length of time are we talking about in this contract?

Vice President Collins: The contract would be for a period of five years and would be fixed for three. In other words, neither party could withdraw from this agreement for three years, and then after a three year period, there would be a six-month notification process for cancellation by either side.

Member Kellogg: The reason I ask that is because I am concerned. The City's financial dilemma makes our financial crisis look promising. The reason I state that is because, I don't want to become, and it's interesting for me to say that, I don't want to become the answer to their budgetary problems. (applause) And it's interesting considering what Tom Clark and I have dealt with, Tom obviously much longer and for people who don't know, Tom and I did deal with an issue similar to this with the Police and the LA County Sheriffs and that question did come up, and without going through that eight-month explanation of what took place, and Tom and I disagreed on many of those issues, but when the end of that debate took place, to hire the LA County Sheriffs may have been less expensive, but there were tremendous other issues that may not have been directly financial that played into that to where we moved forward with the Long Beach Police Department at that time, if anyone remembers that issue. So, not to rub old wounds and go back through that, but Tom and I had a very interesting debate on that when it was before the City, because that did come up, "Why not go with the LA County Sheriffs." As we sit here today, they are both very good departments, but I think it's actually

prudent that we did move forward with the Long Beach Police Department on this scenario.

I don't have any other questions Madam Chair. As all of us sit here tonight we had questions as the public will have on this. It's not an easy decision. I would tell you that I believe there will be benefits to both the college and the individuals. What those benefits will be I can't tell you exactly. I can't guarantee that people will be employed by the City, but I hope that every opportunity..... As far as the question about doing the resume process, my opinion in that is they've had jobs and so when you have a job you don't go applying for other ones. That's why this action essentially starts that process and I feel strongly like other trustees that we should make every effort to help our employees on the transition over. By the comments tonight that I've heard I think there are good possibilities and, therefore, options for a lot of people. As far as hiring, and that question did come up and, again, from my perspective of why it's been difficult over the course of a year, and I've only been here for one year, it's very difficult when you are and this has been, at least from my standpoint, one year in negotiations, and whenever you have negotiations public like this, it's very difficult to go and try to recruit individuals with the anticipation that they "may not have a job" within 12 months. So, as far as over a three-year period, I don't know, but I just felt that was counterproductive to the college and the individuals and it is hard to recruit people when they don't know if they're going to have a job. I truly hope that all steps have been taken to give people that opportunity and as I think Tom Clark mentioned, I know we did on the City Council, it's never an easy decision when you move forward on something like this. There are some unknowns, you do have loss of control in certain aspects, but it's with the hope that you can move forward and it is a better situation for all people involved, and for that reason tonight I'll support the motion on the floor. Thank you, Madam Chair.

Member Polsky: There's just one other thing I wanted to say. We were given this draft on Friday and I felt like it was a very rushed thing. Even though there is not going to be a formal action, our Superintendent-President is going to renegotiate some of the points in there at least I'm not satisfied with.

President McNinch: As an attorney would you like to work with her?

Member Polsky: Well we're going to talk about it. And, of course, these will have to be cleared with the City, but there are just some points in there that I wasn't really happy with. So, I'm sure that nothing will happen unless at least those Board members who are interested in seeing the final agreement, will see it. I know the Superintendent-President isn't just going to sign something until we all feel comfortable. And I really don't feel comfortable because of others things that have happened in the past. We need to be sure that we know what we're getting into. I'd really like to see some cap on our costs. That is still bothering me. I think as Trustees we have a duty to the District to be sure that there is a cap and that we're not just going off into the wild blue yonder. And I'm sure we can work that out. So I just wanted to make that clear that, even though there is no further action needed, that we will work this out.

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President McNinch: And I'd like to remind people and say that as a Board of Trustees we set policy, we have one employee. We hired this employee a number of years ago because she was the best we could find. She is a Superintendent-President, CEO. We would not have hired her if we did not feel she had good judgment, excellent management ability, and ability to assemble an administrative team that is without parallel in the entire United States. So, it's not like we're tossing a dart on a dart board. They are all thoughtful people here.

Any other Trustee discussion?

Member Kellogg: The City of Long Beach is dealing with it tonight?

Vice President Collins: That is correct.

Member Kellogg: What if they don't pass it?

President McNinch: Then this is all an exercise in calories.

Member Kellogg: I'm just curious because if I was sitting at my old chair, the argument would be diluting of public safety and services, taking on another responsibility when the City has dire needs for their existing force. I can probably argue a lot of points sitting as a member of the City Council not to do this, except for the idea of contracting out and, therefore, financially help the City. That's why my point was over on this side. I was just curious. So, we'll know, I'm assuming fairly soon, whether they take action on it or not. So, if there is voting on it tonight, then we're going to assume that they're going to pass and we'll move forward. And, if they don't.....

Vice President Collins: There have been several discussions that I know that have taken place at the City management level, and the City Manager's directives to the people participating in discussions with us is that it will be cost neutral for the City. In other words, they hire somebody, they assign them here, and, again, it comes back to we actually get billed for what that person costs. It's not a flat rate where they make money, but they're not going to lose any money on that individual because it will be billed to us. Those discussions, again, are taking place tonight. And the specific answer to your question, if the Board gives the authorization for Dr. Kehoe to enter into this agreement, and the City doesn't at this point, I'm sure the City's administrative staff and Police Department will be working with them to see what it would take and if that's possible to obtain that at a different session and to bring it back to the City Council if they don't approve it tonight, or if they find that the City Council is adamantly opposed to it, then I'm sure tomorrow morning we'll get a phone call that says, "As much time and effort that we've put into this, we're not going to be able to do it."

Member Kellogg: All I can say is that the staff recommendations from my days on the City Council weren't always the recommendations that the elected body would take. So, their argument is not necessarily financial; their argument is it's a diluting of their public safety resources and in neighborhoods that they don't have any officers, that's the argument that they have is that we're suddenly going to have officers patrolling the

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college when we don't have any officers in our community. So, as a former Councilmember it wasn't so much the financial, it was the police coverage. So that's a whole other argument. Anyway, we'll look forward to their decision.

Member Polsky: I have something else that came up, thanks to Jeff. We're going to be charged for the officers actually on duty and clerk-typists and whatever. Do we have some assurance they're not going to charge us a bunch of administrative expenses, because they've got to send these people out? What assurances do we have of that?

Vice President Collins: Actually it specifically spells out that we're going to be billed in terms of their salaries.

Member Polsky: Well, but is that exclusive, that's my question? Is it exclusive and that's it, or can they say, "Well, that's for the officers, but now we have all these administrative expenses at City Hall, so we're going to charge you." I think that's something we need to be made very clear.

Barbara Ginsberg: That's not contemplated in the contract at all. The contract specifically spells out that it's going to be for the costs of salary and the loaded costs of having those individuals staffed at the District. There are no other costs that are not set forth in the budget, that is proposed to be attached as an exhibit to the agreement. So there are no additional costs that would not be already enumerated in that.

Member Polsky: There is an admin or something and I don't know what that is. It's just a small amount, but my concern is that even though it says this is how they're going to charge us, can they come up with something else. And you're saying they can't do that.

Barbara Ginsberg: No.

Member Polsky: I just wanted to be sure that we get everything kind of squared away and that there aren't hidden charges that we can be hit with.

Barbara Ginsberg: No.

Student Trustee Dominguez: Being that I represent the students at the college and I don't know if this can really be addressed, but many other programs on campus are being cut, and as Member Polsky mentioned and it was said before, there's really no cap to how much we could be charged. I would hate to see money from the programs be used to cover costs later, so maybe, if this resolution does pass today, we could give Dr. Kehoe the authorization and she could make that one of her top priorities to set a cap so that the District, a year from now, is not having to reallocate money for pay for the services provided by the Police Department.

President McNinch: Thank you for your comment and we'll certainly take that into consideration and I know Member Polsky, Attorney Ginsberg and Dr. Kehoe will be looking at exactly those issues.

Vice President Collins: Madam Chairperson, before you vote, I had a general information statement that I was prepared to read tonight, but rather than bore everyone, if you would indulge me and allow me, I can submit this written information so it goes into the record.

President McNinch: That would be fine. Thank you.

The following is the written statement prepared by Mr. Victor Collins, Executive Vice President, Human Resources:

Background

Prior to August, 2002, preliminary proposals were requested and received from the Los Angeles County Sheriff's Department and the Long Beach City Police Department for the provision of police and security services to the District. On August 5, 2002 the District received a "letter of intent" from the City of Long Beach Police Department, providing an implementation analysis and cost estimates for providing police and security services to the District. Thereafter, the Board of Trustees authorized District administration to continue discussions with the City of Long Beach Police Department regarding contracting out District police and safety services. The City of Long Beach was selected because of its comprehensive proposal, its ability to provide variety of services in a timely manner to both campuses, and because both College campuses are located entirely within the jurisdiction of the City of Long Beach, and to select the Sheriff's department would have the effect of creating a pinhole within the jurisdiction of the City.

Pursuant to such authority, District Administration met on successive occasions with representatives of the City of Long Beach, including the Police Chief, members of the LBPD command staff and fiscal operations, members of the City Attorney's office, and a representative from the City's Civil Service Commission. As a result of those meetings, the District and the City have mutually drafted a proposed Agreement for the provision of police and security services to the District, effective August 1, 2003. I recommend that the Board grant authorization, tonight, for the Superintendent/President to execute such Agreement. It is also my recommendation that the Board grant the Superintendent/President to enter into any additional written agreement necessary with the City for the provision of police and security services, if needed, between the date of June 18, 2003 and August 1, 2003.

Reasons for Contracting Out Police/Security Services

For the past six years, the District has experienced great difficulty in recruiting and retaining qualified police officers and safety officers for the College Police Department. This difficulty has been increased since the District Police Department became POST-certified by the California Police Officer Standards and Training agency. Because of this difficulty, the District does not have the ability to provide the overall quality police and security services that are available from the Long Beach Police Department.

The Long Beach Police Department has the expert police and security services, knowledge, experience, and ability that is not available through our own District personnel. They have the ability to render highly specialized and technical services to the

District that are not otherwise directly available through the District, such as crime lab services, detective investigations, SWAT services, K-9 services, helicopter support services, intelligence services, community relations services, and peer support teams. In addition, they have state-of-the-art equipment and materials, new vehicles, multiple facility locations, and support services that are not available through the District.

The result of contracting out with the Long Beach Police Department is that the District will no longer maintain the Long Beach Community College Police Department, and there will be lack of police officer and safety officer work within the District.

Authority for Contracting Out Police/Security Services

The authorization for the District to enter into agreement(s) with the City of Long Beach for the performance of police and security services by the City is granted by Government Code § 54981. In addition, Article 2.1 of the Collective Bargaining Agreement between the Long Beach Community College Police Officers Association and the District reserves to the District the power and authority to contract out bargaining unit work.

Term

The term of the proposed Agreement would commence on August 1, 2003, and would be for a period of five (5) years, with the option of renewing the contract for additional two (2) year terms. The parties will not be permitted to terminate the Agreement for the initial 36-month period.

Basics of the Agreement

The Agreement will have the Long Beach Police Department provide law enforcement/police/security protection for both of the District campuses and facilities, and for employees, students, visitors, equipment, and activities. The services would encompass the duties and functions of the type customarily rendered by the Long Beach Police Department, as well as other types of services unique to the District, which the District has grown accustomed to its own Police Department performing.

Staffing would include one (1) Police Lieutenant, four (4) Police Officers with POST II certification, sixteen (16) Security Officers, one (1) Communications Dispatcher, and one (1) Clerk Typist III. In determining the appropriate amount of personnel to effectuate the purposes of the proposed Agreement for services, the Long Beach Police Department examined existing District staffing schedules, and made representations to the District based on its knowledge and experience on providing such services. The District, in turn, reviewed proposed staffing models from the Long Beach Police Department. The Parties have determined that the personnel proposed by the Long Beach Police Department shall be sufficient to provide the security necessary to serve District population.

Staffing shall be such that police and security services will be provided by the Long Beach Police Department to the District on a seven (7) day per week, twenty-four (24) hour per day basis.

It is the intent of the Parties that Security Officers assigned to the District will not be armed. However, for the first several months of the Agreement period, while the Long

Beach Police Department is hiring and training Security Officers who will be permanently assigned to the District, the Security Officer positions may necessarily be staffed, on an overtime basis, with armed Security Officers. This may be necessary, because the City of Long Beach has a very small pool of unarmed Security Officers in its employ. In order to implement the Agreement, effective August 1, 2003, the City may need to temporarily staff the Security Officer positions assigned to the District from its larger pool of armed Security Officers. The City anticipates that it should complete its hiring and training of unarmed Security Officers who will be assigned to the District within three (3) to six (6) months.

All employees providing police and security services under the proposed Agreement shall be employees of the City of Long Beach.

Key Budget Provisions

The Agreement contains an estimated budget for both "start up" costs during 2003-2004 and continuing/recurring cost projections. The City will invoice the District on a monthly basis and such invoices will only reflect the actual costs incurred by the City in providing police/security services - including personnel/compensation costs. The estimated budget projects the highest pay level of the salary range for Police Officer and Security Officer position. However, only the actual compensation provided to the selected personnel will be invoiced, even if lower. The budget also reflects an overtime contingency, which is expected to be high in the first several months of contract implementation, while new officers are being trained for assignment to the District, and the District is temporarily staffed, on an overtime basis, with existing LBPB personnel. However, such unspent funds will roll over into subsequent budget years.

Layoff of District Personnel

The result of contracting out the performance of all police and security services to the Long Beach Police Department is that the District will no longer maintain the Long Beach Community College Police Department, and there will be a lack of work within the District. Education Code § 88127 authorizes the District to layoff classified employees for lack of work or lack of funds. Similarly, Article 14 of the Collective Bargaining Agreement between the District and the Long Beach Community College Police Officers Association (POA) authorizes layoffs for lack of work or lack of funds. Moreover, Article 14 contains the full and complete agreement between the District and the POA concerning layoff and the effects of layoff.

Potential Need for Further Agreement

There is potential that the District may need to enter into an additional contract with the City of Long Beach to provide for police and security services at any time between the dates of June 18, 2003 and July 31, 2003. In anticipation of the possibility of needing to maintain a level of police and security services in the District prior to August 1, 2003, it is recommended that the Superintendent/President be provide with authority by the Board of Trustees to execute any reasonable agreement necessary with the City of Long Beach in order to continue to provide police and security services within the District for the period of June 18, 2003 through July 31, 2003.

Recommendation

For all these reasons, I recommend that the Superintendent/President be authorized to execute the proposed Agreement with the City of Long Beach for the provision of police and security services to the District.

President McNinch: It seems like we have covered the concerns that have been brought to us by the people who are affected by this and we have addressed them as thoughtfully and appropriately as we are able to.

The motion carried, with Members Clark, Kellogg, McNinch, Polsky and Uranga, voting aye; and Student Trustee Dominguez abstaining.

Resolution, Reduction of Classified Service, Effective July 31, 2003

It was moved by Member Kellogg, seconded by Member Clark that the Board of Trustees adopt Resolution No. 061703C, regarding reduction of certain classified services, effective July 31, 2003.

The Board previously resolved, in Resolution No. 082702F, to authorize District Administration to conduct discussions with the City of Long Beach Police Department regarding contracting out District police and safety services. The Board approved, pursuant to Resolution No. 061703B, the written contract between the City of Long Beach and the District for the provision of police and security services by the Long Beach Police Department to the District.

Since the District will contract out all police/security/safety services within the District to the Long Beach Police Department, the District will no longer maintain the Long Beach Community College Police Department. The sole effect of contracting out all District police/safety/security services is that a lack of work exists within the classified service for provision of such services.

Both the Collective Bargaining Agreement ("CBA") between the District and POA, at Article 14, and Education Code § 88127 authorize the District to layoff classified/unit employees for lack of work or lack of funds. Article 19.3 of the CBA relieves the District of any obligation to meet and negotiate with respect to any subject or matter whether or not referred to or covered in the CBA, and the POA expressly waived and relinquished, in that same Article, its right to meet and negotiate with respect to any subject or matter whether or not referred to or covered in the CBA. All provisions concerning layoff and the effects thereof as a result of lack of work or lack of funds have been fully negotiated and reduced to writing in Article 14 of the CBA.

This resolution will authorize the layoff of all police and safety services within the District.

The motion carried, all voting aye.

ACADEMIC SENATE (Title 5, Section 53203)

New Course Recommendations

It was moved by Member Kellogg, seconded by Member Uranga, that the Board approves the two selected topics courses for Fall 2003.

BUSINESS AND SOCIAL SCIENCE, SCHOOL OF

ADJUS 298, ST Introduction to Forensics (3.0)

**LEARNING RESOURCES, TEACHING & TECHNOLOGIES, SCHOOL OF
LEARN 898, ST INTRODUCTION TO TUTORING (0.5)**

The motion carried, all voting aye.

Certificates of Completion

It was moved by Member Kellogg, seconded by Member Clark, that the Board approve the following Certificates of Completion:

Activity/Recreation Leadership
Chemical Dependency
Introduction to Chocolate
Traffic Signal Systems

The motion carried, all voting aye.

Revised Policy on Curriculum and Instruction (No. 4005)

It was moved by Member Clark, seconded by Member Kellogg, that the Board approve the revised Policy on Curriculum and Instruction, Policy 4005.

The motion carried, all voting aye.

Revisions to Administrative Regulations on Curriculum and Instruction (No. 4005)

The policy revisions reflects current practice and legal requirements. This policy was developed by the Curriculum Committee and the Office of the Vice President of Academic Affairs. These administrative regulations have been reviewed by the President's Advisory Council and are presented to the Board for information only.

Janice Tomson: I just wanted to call your attention to the regulations that they have been worked on for quite a bit of time and what it deals with is all the issues that the Senate President is always bringing to you: courses, policies and regulations. We've added the new Student Learning Outcomes Committee to the regulations. I just wanted to explain that these are really very important regulations. Thank you so much for your confidence.

SUPERINTENDENT-PRESIDENT

Superintendent-President Kehoe: I would like to just transition by saying that the work on these admin regs is probably the best of cooperative efforts. It did take a long time, but I think everybody got to have input on it, including me, and I think that what you have is a great product with the admin regs.

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I'd like to take just an opportunity, and I should have done this at the beginning of the meeting, to introduce, although he needs no introduction, Adrian Novotny who is now the new CCA President, Local Chapter, and he will be replacing Cathy Crane-McCoy, who, as you know, was elected President of the State CCA. We're very happy to have Adrian with us.

I just wanted to mention a few things – and Farley is here. We had a wonderful meeting with Sears. We have a pilot cooperative effort with them. It's an apprenticeship program. There are mentors assigned from Sears to work individually with our students to prepare them to be Sears employees in a variety of different areas and Farley, if you'd like to say a couple of words about it. It's a very important agreement.

Farley Herzek: We have entered into a partnership with Sears in which their employees are mentoring our students in a summer paid internship. We've sent over ten students. We've selected ten students and they've gone through a great deal of scrutiny to get into this program because they will become in-home service technicians and will ultimately be serving your washers, your dryers, plasma screen tvs, garage door openers. It's just a wonderful opportunity for our students. We started with ten this summer. We're looking at next summer to more than likely double that opportunity and we're possibly looking at creating a program here in the servicing of what they call white goods which are washers, dryers, stove, refrigerators, things of that nature. So it's just another wonderful partnership that Long Beach City College has entered into and a great opportunity.

Superintendent-President Kehoe: Could you mention the security clearance they have to go through.

Farley Herzek: Yes. The security clearance, all of us should know and those of you with children in your home when servicemen come knocking on your door, should really understand that when you work with a reputable company, the people entering into your homes, go through the highest level of scrutiny and that's an issue that we're beginning to work on, especially with the Unified School District where students do come to us after a gap in time and they are outstanding students, but they have difficulty getting past that scrutiny; something as simple as too many points on your driver's license can keep you from a position like that; or doing something as a youngster many years ago, seventeen-eighteen-years-old, and now you're in your thirties or forties and that precludes you from entering that profession. That was the most difficult part for our students. Thank you.

Superintendent-President Kehoe: Just to continue. The latest on the budget is that it will go to the Big Five now for resolution. The Senate made some recommendations, so we're still unclear as to what our budget for next year will be.

I'd just like to remind the Board that we have the groundbreaking on Thursday – 10 o'clock, PCC; 12 o'clock, LAC. This is a ceremonial groundbreaking for the 75th anniversary celebration. Also, don't forget the 75th dinner that will be the next week and Trudy Polsky as a long-term Board member will be speaking.

Member Polsky: I will. Well I haven't been here for 75 years, but.....

Superintendent-President Kehoe: No, you haven't, but you're on the program.

ACADEMIC AFFAIRS

Materials Fees

It was moved by Member Kellogg, seconded by Member Polsky, that the Board of Trustees approve materials fees for the specific courses offered in the following departments to cover the cost of materials. The fees will be paid at the time of registration.

TRADES AND INDUSTRIAL TECHNOLOGIES, SCHOOL OF

TEC 60, Computer Aided Design and Drafting (CADD) (3.0) \$7.00.

The motion carried, all voting aye.

Sabbatical Reports

Dr. Adrian Novotny, Professor of Anthropology, gave a report on his sabbatical project which was to develop a Cultural Anthropology course that was entirely taught through the internet, which was the first course where virtually no meetings on campus were required. There were two semesters with thirty-plus students each semester. He provided the Board with a walk-through of his course on the internet.

Dr. Rich Weber, Professor of Mathematics, reported on his sabbatical project which consisted of the following items:

1. All of his classes are now web-enhanced. All handouts are on the internet.
2. He developed an Excel spreadsheet program that allows him to input grades, update grades and computed projected scores and the students are able to look at it on the internet.
3. He developed 12 labs for the TI-83 programmable calculator for Calculus 2.
4. Department is developing a course for Liberal Arts students to transfer to a university and possibly convert it into a Study Abroad class.

Update on Speech and Debate Team

Dr. Mary Callahan provided the Board with the following report on the Speech and Debate Team item that was presented at the last meeting and which the Board asked that she and Janice Tomson look into:

SPEECH AND DEBATE TEAM

The Speech and Debate Activities are divided into two areas. The instructional area consists of two classes - Speech 19, Speech Activity: Individual Events; and, Speech 69, Speech Activity: Team Events and Debate. The other is a club sponsored by the Associated Student Body. Students enroll in the instructional classes as well as become members of the Forensics Club. The ASB has supported the Speech and Debate/Forensics Club for many years either as a local activity (LBCC Speaks) or as a full blown Forensics activity with state and national competitions.

CURRENT SITUATION

- QUALIFICATIONS OF COACH IS THE SAME AS FOR A FACULTY MEMBER
- FINANCIAL SUPPORT IS FROM THE DISTRICT AND THE ASSOCIATED STUDENT BODY TEAM IS FROM THE ASSOCIATED STUDENT BODY
- SPEECH HAS ONE OF THE HIGHEST ENROLLMENTS AND WAIT LISTS OF THE DEPARTMENTS.
- CURRENT FULL TIME FACULTY UNABLE TO EXTEND ASSIGNMENTS FOR THE NECESSARY HOURS REQUIRED FOR THE TEAM.
- CURRENT ADJUNCT FACULTY MEMBER / COACH UNABLE TO CONTINUE ASSIGNMENT.
- APPROXIMATELY 12 - 15 STUDENTS ACTIVE ON THE TEAM

DEPARTMENTAL POSITION

- UNABLE TO STAFF THE COACHING POSITION WITH FULL OR ADJUNCT FACULTY AT PRESENT
- PROGRAM IS ON HIATUS FOR ONE YEAR
- FACULTY EXPLORING ALTERNATIVE DESIGNS FOR TEAM INCLUDING THE REESTABLISHMENT OF LBCC SPEAKS TO PROVIDE FOR LOCAL ACTIVITIES TO PRACTICE SPEAKING AND DEBATING SKILLS.
- FACULTY WILL FOCUS ON THE INSTRUCTIONAL AREAS OF SPEECH/ DEBATE SKILLS
- ASSOCIATE STUDENT BODY IS HOLDING THE FUNDING FOR THE YEAR IN ANTICIPATION OF CHANGE.

Janice Tomson: The Department Head had talked with the students and they seemed to be up to speed on the information.

President McNinch: What was the feeling of the students when you told them that this would not be available in the Fall of 2003?

Janice Tomson: My information is from the Department and the Department Head said that the students seemed to understand and were satisfied and that was from the Department Head.

Member Kellogg: So it's my understanding that the decision to use the available funding that was there, there was a decision from the Department Head to use that money for other classes at the expense of utilizing the money for the Debate team?

Vice President Callahan: No, there's two different sources of funding. ASB funding is strictly for the team and that's being held by ASB because we're not having any team activities this year.

Member Kellogg: But they are restricted because if they don't have the faculty advisor, for lack of a term, they can't have a team. So they set the money aside. Who makes the decision where the funding goes or does not go. It obviously doesn't fall to me.

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Vice President Callahan: The Department Head and faculty decided to take the time, the instructor time that it would take, to, instead of having them work with the team, they added more classes for the general population for this year, because the wait lists are so long, they decided that that was the best use of faculty time for this year.

Member Kellogg: The faculty support person – is that a volunteer or are they paid?

Vice President Callahan: The classes themselves are on their load so that they receive credit for teaching the classes that go along with the team and ASB assists with some stipend funds. They had been doing it with a full-time faculty member and then an adjunct faculty member took it over for a couple of years, but is now unable to do it.

President McNinch: How does this affect our students who are members of the National Forensic League or Association that have been in competition or were expecting to continue? I know we have an outstanding Speech program. It's one that many students come to us with the anticipation of participating in the team. How does that affect that core group of students?

Vice President Callahan: That core group of students for the next year will be on hiatus. We will not be able to offer them that opportunity.

President McNinch: So they don't have a team.

Vice President Callahan: For the next year.

President McNinch: They didn't have one for this Spring?

Vice President Callahan: No, I believe they did.

President McNinch: So, it's just the fall. We expect it to continue in the Spring Semester.

Vice President Callahan: Yes.

Member Kellogg: Do we have any prospects from the faculty standpoint who is willing to step up?

Vice President Callahan: Yes, we have a long-time full-time faculty member who is working with the Department Chair to reconfigure this. They want to do it, but they know that they need to do it with a little bit different support.

(Member Uranga left the meeting at 6:45 p.m., but returned for the Second Closed Session at 8:00 p.m.)

STUDENT SUPPORT, PLANNING AND RESEARCH

No Report.

ADMINISTRATIVE SERVICES

Resolution, Liability and Workers' Compensation Coverage for Long Beach Community College District Volunteers

It was moved by Member Kellogg, seconded by Member Polsky, that the Board of Trustees approve Resolution No. 061703D providing for liability and workers' compensation coverage for Long Beach Community College District volunteers during the period July 1, 2003, through June 30, 2004.

The motion carried, all voting aye.

Resolution, Authorizing Membership in the Statewide Association of Community Colleges (SWACC), a JPA for Property and Liability Coverage

It was moved by Member Polsky, seconded by Member Clark, that the Board of Trustees approve Resolution No. 061703E authorizing application to the Statewide Association of Community Colleges (SWACC) a JPA for property and liability coverage and authorize the Vice President, Administrative Services as the District's official representative and the Director, Support Services, as the alternate representative.

The motion carried, all voting aye.

Resolution, Authorizing Membership in Protected Insurance Program for Schools (PIPS), a JPA for Workers' Compensation Coverage

It was moved by Member Kellogg, seconded by Member Polsky, that the Board approve Resolution No. 061703F authorizing application to the Protected Insurance Program for Schools (PIPS) a Joint Powers Authority for Workers' Compensation coverage and authorize the Vice President, Administrative Services as the District's official representative and the Director, Support Services, as the alternate representative.

The motion carried, all voting aye.

Cashier's Office Trust Accounts

It was moved by Member Kellogg, seconded by Member Polsky, that the Board authorize the establishment of Cashier Office Trust Accounts to be administered by the Cashier's Office.

The motion carried, all voting aye.

Institutional Memberships – 2003-2004

It was moved by Member Polsky, seconded by Member Clark, that the Board authorize District membership in the following organizations for 2003-2004 as follows:

Academic Senate for California Community Colleges
Accrediting Commission for Community and Junior Colleges
Advocacy Coalition for Long Beach

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Affirmative Action, Diversity & Equity Consortium, Southern Region
(Paid by Staff Diversity/Affirmative Action)
American Association of Community Colleges
American Culinary Federation
American Dietetic Association
American Electronics Association for Los Angeles & Santa Barbara Counties (AEA)
(Paid by Economic Development)
American Federation of Arts
American Society for Training and Development (ASTD)
(Paid by Economic Development)
American Society of Travel Agents
Associate Degree Nursing Program Directors
(Paid by the Nursing Department)
Association of Chief Human Resources Officers/Affirmative Action Officers
Association of Community College Trustees (ACCT)
Aviation Technician Education Council
Board of Registered Nursing
Board of Vocational Nurses and Psychiatric Examiners
California Chamber of Commerce
California College and University Police Chief's Association
California Colleges for International Education
(Paid by International Student Program)
California Honors Transfer Council
California School Personnel Commissioners Association
Catalina Island Chamber of Commerce
Color Association of the United States
(Paid by School of Creative Arts & Applied Sciences)
Community College Leadership Development Initiative Foundation
Community College League of California
Community College League of California-Commission on Athletics
Cooperative Organizations for the Development of Employee Selection Procedures
(Paid by Personnel Commission)
Council for Higher Education Accreditation
Council for Opportunity in Education
(Paid by Trio, Project Launch, and Upward Bound)
Council for Resource Development (CRD)
(Paid by Economic Development)
Council of Chief Librarians (CCL)
Dietary Service Supervisors of America
Downtown Long Beach Lions Club
Educational Mandated Cost Network
(Reimbursed by Mandated Cost)
English Council of California Two-Year Colleges
Executive Women International
(Paid by LBCC Foundation)
Gateway Cities Partnership
(Paid by Economic Development)

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Health Services Association for California Community Colleges
(Paid with Health Services Funds)
Hispanic Association of Colleges and Universities (HACU)
Honors Transfer Council of California
Industry Education Council of Long Beach
Interior Design Educators Council
International Economic Development Council (IEDC)
(Paid by Economic Development)
International Society of Travel and Tourism Educators
Joint Review Committee in Radiologic Technology
Lakewood Chamber of Commerce
(Paid by Economic Development)
Lakewood Rotary
(Paid by Student Services)
Latin Business Association (LBA)
(Paid by Economic Development-CITD Grant)
Long Beach Area Chamber of Commerce
(Paid by Economic Development)
Long Beach Black Chamber of Commerce
(Paid by Economic Development)
Long Beach Rotary Club – Corporate
(Paid by Economic Development)
Los Angeles County School Trustees Association
Los Angeles Economic Development Corporation (LAEDC)
(Paid by Economic Development)
National Alliance of Business
(Paid by VTEA-Economic Development)
National Association for Foreign Student Affairs (NAFSA)
(Paid by International Students Program)
National Association of Latino Elected and Appointed Officials (NALEO)
National Association of Student Financial Aid Administrators
National Coalition of Advanced Technology Centers (NCATC)
(Paid by Economic Development)
National Collegiate Honors Council
National Community College Hispanic Council
National Council for Marketing and Public Relations
National Council for Occupational Education
National Institute for Staff and Organizational Development (NISOD)
National League for Nursing
Orange County/Long Beach Consortium for Nursing
Personnel Commissioners Association of Southern California
(Paid by Personnel Commission)
Phi Beta Kappa
Recording for the Blind and Dyslexic
(Paid by Disabled Student Services)
Research and Planning Group
Signal Hill Chamber of Commerce

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South Bay Police Training Committee
South Coast Consortium of Schools & Colleges
(Paid by EOPS)
South Coast Higher Education Council
Southern 30 Information Exchange Consortium
(Paid by Human Resources)
Southern California Directors of Vocational Nursing Programs
(Paid by the Nursing Department)
Southern California Intersegmental Articulation Council (SCIAC)
Southland Motor Car Dealers Association
Transfer Center Directors Association

Travel and Tourism Marketing Association
(Paid by Business Department)
United States Distance Learning Association
Western Regional Honors Council

The motion carried, all voting aye.

BUDGET WORKSHOP – 2003-2004 Tentative Budget

Eloy Oakley, Facilitator

Eloy Oakley, Vice President, Administrative Services gave the following presentation on the 2003-2004 Tentative Budget:

President McNinch: You have given us a very thorough tentative budget that we have had a chance to review since Thursday. Your tentative budget workshop slides are very thorough and I think you have given us an incredible amount of information that barely requires any additional explaining.

Vice President Oakley: Can I highlight one issue for the benefit of Trustee Clark who asked me a specific question almost a year ago. If I could direct your attention to page 17. The question came up at Adopted as to whether we could continue to support a deficit in operations ongoing. I want to make sure that people understand what this District has done in the last year, even given the mid-year reductions. We have reduced expenditures over \$7 million and, at this point, the tentative budget has about a \$50,000 operating deficit, which is a huge improvement from this time last year which we budgeted at \$8.4 million for our operating budget. So, with that, I'm done.

President McNinch: I think we should crown you. That's absolutely incredible. We are one of the few districts that has not had to issue any pink slips, we had not had to threaten people with layoffs. You and Dr. Kehoe and the entire administration have really done yeoman's job ahead of time to keep us where we are and to keep us in an admirable light with the people that we serve. Thank you.

2003-2004 Tentative Budget

It was moved by Member Kellogg, seconded by Member Clark, that the Board of Trustees approve the Tentative Budget for 2003-2004.

Member Clark: If we don't have a budget by June 15 and this goes on for a number of months, do we still have access to funds, or do we have to borrow?

Vice President Oakley: There are a couple of answers to that question. One is the issue of whether or not the State Controller will be allowed to continue issuing state funds to agencies, such as ourselves and that's a question that was raised several months back, and the answer I've heard is that the State Controller will continue issue checks until there's a challenge in court.

Now, if, for whatever reason, the state cannot continue until a budget is passed, we do have access to tax revenue anticipation notes which is financing that we have that you previously authorized to issue up to \$5 million in TRANs, so we do have access to some liquidity if we need to. But, obviously, that doesn't last forever, so we would hope that they would pass a budget some time no later than September.

Member Polsky: I just wanted to say that I did notice you had a new format and it's very easy to understand and wonderful. Thank you.

Vice President Oakley: And you can thank Dr. Duane Lowe who had a lot to do with it.

Member Kellogg: Yes, it is and if you want to put it in Executive Summary, "the budget stinks," and the most amazing thing to me in the process of coming over here to serve on this Board is the fact of how little control we have over our finances compared to the University of California. And, I'll say it again, for people who don't realize it is that they raise the student fees at the UC system, they get that money. When the State of California raises the fees of the community colleges, it is for the benefit of the State of California, only. We get none of that money and so it's just so frustrating and so discouraging on how the state has operated. I know the Big Five are meeting and there's Larry, Moe and Curley, and I'm not sure who the other two of the group are, but they are absolutely dysfunctional and it's aggravating, especially now. I remember how hard it was when I was a member of the City Council, but at least we had some way to generate revenue, which is a political way of saying that we raised taxes, but we don't have any of those options. We are truly at the mercy of the State of California and they can say in the political flyers all they want about being pro education, etc., etc., but they have done nothing to help community colleges who do so much and all the lobbying effort we're going to have to keep doing is just frustrating, because no matter what we say, they are not listening in Sacramento and they do not have a clue about budget and whatever budget they have I don't anticipate anything good coming out of it. That's my commentary for the day.

The motion carried, all voting aye.

PACIFIC COAST CAMPUS

Update on Pacific Coast Campus

Vice President Merry: I always enjoy summer. It's nice and quiet, but one of the things that I just want to mention briefly is we're looking forward to 50 Upward Bound students in the next couple of weeks. They'll be on campus for two weeks and then they will be going to Whittier for another four weeks. Upward Bound, as you know, takes students who are typically first generation students to go to college and a lot of them don't want to go away to school, but I'm told that two-thirds of the students do go on doing post-secondary work, either in the military or coming to Long Beach City College and I asked whether some of the students went to other colleges of note, including Long Beach City College, and they do have students going to Berkeley, to USC and UCLA. So, I'm looking forward to having those Upward Bound students in the next couple of weeks.

ECONOMIC AND RESOURCE DEVELOPMENT

No Report.

ACADEMIC SENATE

Janice Tomson: When I received my Board packet, I noticed the large amount of classified retirements and so I wanted to just comment on that for a moment. I wanted to wish the classified staff the best of luck, and also acknowledge how important the classified staff is to our college and our students. In Geology we talk about what kind of rocks hold up the mountain. At LBCC, it's the classified staff which hold up the college. By doing their best work, they allow the faculty to do our best work in educating our students. Because of all their work as secretaries and programmers, technicians, custodians, administrative assistants, to name just a few classified positions, the education and educational environment at Long Beach City College is one of the best in California. So I want to wish them the best of luck. Thank you.

TRUSTEES COMMUNICATIONS

President McNinch: I would like to briefly report that one of our Fas-Trax students who came from Texas a couple of years ago to attend our Fas-Trax program, Michael Karick, has been accepted as an intern for the PUAAI summer program in Phnom Phen, Cambodia, where he will be teaching Introduction to Basic Computers. So, we do great work in the summer time.

NEW BUSINESS

There as no New Business.

FUTURE REPORTS

July 15, 2003:	Study Session: Board Self-Evaluation and Goals/ Institutional Effectiveness
August 26, 2003:	Sister City Opportunities
September 23, 2003:	Expanded Report on Nursing
October 28, 2003:	Two-College District Committee Report

PUBLIC COMMENTS (NON-AGENDA ITEMS)

At their request, members of the public will be given the opportunity to address the Board of Trustees on matters of general District business. This is the time for members of the public to speak and be heard and share their comments with the Board and for the Board to listen. Therefore, the public should not expect the Board to comment or respond to public comments. A particular position should not be inferred if there are no Board member comments during this time.

A total of five (5) minutes will be allotted to each subject, unless extended by the Board President. After receiving testimony, the Board may recommend placing such item or item(s) on the agenda of a future meeting or referring the item(s) to staff for a report. (There were no comments.)

ADJOURNMENT

President McNinch adjourned the open session meeting at 7:35 p.m. President McNinch announced that the Board would adjourn to a Second Closed Session.

The Board members adjourned to a Second Closed Session at 7:45 p.m. At 8:23 p.m. President McNinch announced that no action was taken in the Second Closed Session and adjourned the meeting.

The next regular meeting of the Board of Trustees will be held on July 15, 2003. The first order of business will be adjournment to a closed session, as needed. The Board will reconvene in open session at 5:00 p.m. in Building I, Liberal Arts Campus.

Assistant Secretary