

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

**Minutes of Meeting of
July 8, 2008**

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 July 8, 2008.

CALL TO ORDER

The meeting was called to order at 4:00 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 Kellogg reported that, in closed session, the Board took action to approve a 5-day suspension, and to authorize Ann-Marie Gabel to negotiate on behalf of the District the property located at 4900 and 4910 E. Conant Street, Long Beach.

PLEDGE OF ALLEGIANCE

Roberto Uranga led the Pledge of Allegiance.

ROLL CALL

Present: President Kellogg, Vice President Bowen, Member Clark, Member Otto, Member Uranga, and Student Trustee Brown

WELCOME AND INTRODUCTIONS

President Kellogg welcomed everyone to the meeting.

APPROVAL OF MINUTES

It was moved by Member Bowen, seconded by Member Clark, that the minutes of the meeting of June 24, 2008, be approved as distributed. The motion carried, all voting aye.

ORDERING OF THE AGENDA

President Kellogg reported that item 12.4 would be pulled during consent for further discussion, and that Item 3, Public Comments On Agenda Items, would be moved to immediately follow Item 19.

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REPORT OF BOARD OF TRUSTEES

New Policy on Board of Trustees' Code of Ethics/Standards of Practice

It was moved by Member Uranga, seconded by Member Clark, that the Board of Trustees approve the new policy of the Board's Code of Ethics/Standards of Practice developed by the Board of Trustees.

The motion carried, all voting aye.

Revised Administrative Regulations on Board of Trustees' Code of Ethics/Standards of Practice

At the June 24, 2008, meeting the Board of Trustees presented, for information only, the new administrative regulations describing how the Code of Ethics/Standards of Practice policy will be implemented and the process to deal with a violation of this code by any Board member. The Board recommended a few changes and these changes were presented once again for information only.

Committee Reports

There were no committee reports.

STUDENT TRUSTEE

Student Trustee Brown reported on upcoming events, both for the summer and the beginning of the fall semester. She reported she had given a report regarding the budget for the *Viking*, which would be published on July 10. Ms. Brown said she was excited to be going to a student trustee conference on August 8-9 for some training and thanked the Board for the opportunity.

The following items were part of the Consent Agenda

HUMAN RESOURCES (Academic)

Approve/ratify the following actions:

APPOINTMENTS

Academic Appointments	3
Academic Administrative Appointments	6
Hourly Instructor – Summer	17
Hourly Counselor – Summer	12
Stipends	3

SEPARATION FROM EMPLOYMENT

Resignation	1
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HUMAN RESOURCES (Classified)

Approve/ratify the following actions:

APPOINTMENTS

Probationary	2
Transfer	1

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Working Out of Class	3
Provisional	2
Temporary	6
Exempt from the Merit System	73

IN-SERVICE CHANGES

Changes and Modifications	1
Mileage	1

SEPARATION FROM THE DISTRICT

Layoff Due to Lack of Funds/Work	2
Medical Layoff	2

FINANCE AND PURCHASING

Approve the following actions:

FINANCE

Budget Transfers

(a) Budget Transfer numbers 126238, 126360, 126365, 126388, 126395, 126433 and 126435 for the Unrestricted General Fund 01 in the amount of \$12,800 as listed:

From: Supplies	\$	1,766	
Services and Operating Expenses		10,578	
Equipment		<u>456</u>	\$ <u>12,800</u>
To: Academic Salaries	\$	4,000	
Employee Benefits		480	
Supplies		5,529	
Services and Operating Expenses		1,766	
Equipment		<u>1,025</u>	\$ <u>12,800</u>

There are no budget transfers greater than \$25,000 for the Unrestricted General Fund 01.

(b) Budget Transfer numbers 126359, 126386, 126390 and 126432 for the Restricted General Fund 12 in the amount of \$16,384 as listed:

From: Classified Salaries	\$	7,009	
Employee Benefits		701	
Supplies		7,904	
Services and Operating Expenses		<u>770</u>	\$ <u>16,384</u>
To: Classified Salaries	\$	6,000	
Employee Benefits		600	
Supplies		770	
Services and Operating Expenses		6,254	
Equipment		<u>2,760</u>	\$ <u>16,384</u>

There are no budget transfers greater than \$25,000 for the Restricted General Fund 12.

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(c) Budget Transfer number 126362 for the Capital Projects Fund 41 in the amount of \$137,896 as listed:

From: Services and Operating Expenses	\$	50,000	
Inspection Fees/Architect Fees		<u>87,896</u>	\$ <u>137,896</u>
To: Services and Operating Expenses	\$	87,896	
Engineering		<u>50,000</u>	\$ <u>137,896</u>

Included in the budget transfer of \$137,896 for Capital Projects Fund 41 are the following transfers greater than \$25,000:

<u>AT</u>	<u>From:</u>		<u>Amount</u>
126362	568000-41-710100-0552	Repair/Maintenance – Block Grant	\$ 50,000
	621000-41-710100-5300	Building Improvements – Tech 2	111,498
	<u>To:</u>		
	622000-41-710100-0552	Architect Fees – Block Grant	50,000
	622000-41-710100-5300	Architect Fees – Tech 2	23,602
	589000-41-710100-5300	Other Services – Tech 2	87,896

To cover architect fees and other services for the Technology Phase 2 Project and for the Architectural Barrier Removal Project at the Pacific Coast Campus.

(d) Budget Transfer number 126361 for the Stadium Operations Fund 58 in the amount of \$5,176 as listed:

From: Supplies	\$	1,000	
Equipment		176	
Reserves		<u>4,000</u>	\$ <u>5,176</u>
To: Services and Operating Expenses			\$ <u>5,176</u>

There are no budget transfers greater than \$25,000 for the Stadium Operations Fund 58.

(e) Budget Transfer numbers 126363, 126366, 126385, 126394 and 126431 for the General Obligation Bond Fund 45 in the amount of \$679,635 as listed:

From: Services and Operating Expenses	\$	401,324	
Construction and Additions		7,864	
Reserve		<u>270,447</u>	\$ <u>679,635</u>
To: Supplies	\$	2,925	
Services and Operating Expenses		24,418	
Additions/Engineering/Equipment		<u>652,292</u>	\$ <u>679,635</u>

Included in the budget transfers of \$679,635 for the General Obligation Fund 45 are the following transfers greater than \$25,000:

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<u>AT</u>	<u>From:</u>		<u>Amount</u>
126394	790100-45-710400-5327	Reserves – Learning Resource Center (LAC)	\$94,452
	544000-45-710400-5327	Insurance – Learning Resource Center (LAC)	400,000
	790100-45-710400-5400	Reserves – Contingency	130,361
	<u>To:</u>		
	621000-45-710400-5327	Building Improvement Learning Resource Center – (LAC)	494,452
	514000-45-710400-5444	Professional Services Math Tech and Culinary Arts	22,918
	646000-45-710600-5606	Equipment – Multi-Disciplinary Academic Building (PCC)	16
	622000-45-710600-5606	Architect Fees – Multi-Disciplinary Academic Building (PCC)	97,927
	514000-45-710400-5327	Professional Services Learning Resource Center (LAC)	1,500
	622000-45-710400-5327	Architect Fees-Learning Resource Cent.(LAC)	8,000

To cover costs for construction, professional services, equipment and architect fees.

Salary Warrants

Ratify issuance of salary warrants listed on Register No. 4476 to 4478 for the period of June 2, 2008, through June 13, 2008, in the amount of \$1,856,221.97 as listed:

Register No. 4476	Warrant Nos. 0766257 – 0766478	\$ 1,174,782.30
Issue Date 06/10/08		
Register No. 4477	Warrant Nos. 0766479 – 0766526	\$ 251,864.64
Issue Date 06/10/08		
Register No. 4478	Warrant Nos. 0766527 – 0766930	\$ <u>429,575.03</u>
Issue Date 06/10/08		
	Total Salary Warrants Issued:	\$ <u>1,856,221.97</u>

Commercial Warrants

Ratify issuance of commercial warrants for the period of June 2, 2008, through June 13, 2008, in the amount of \$5,909,932.98 as listed:

Period Ending June 6, 2008		
Unrestricted General Fund 01	\$ 943,341.80	
Restricted General Fund 12	115,532.99	
Capital Outlay Projects Fund 41	692,628.81	
General Obligation Bond Funds 43, 45	2,417,452.34	
Stadium Operations Fund 58	720.80	
Contract/Community Education Fund 59	4,460.95	
Student Financial Aid Fund 74	171.89	
Payroll Clearing Fund 76	313,758.99	
Retiree Benefits Fund 79	<u>2,892.72</u>	
	Total Period 1 Warrants:	\$ <u>4,490,961.29</u>

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Period Ending June 13, 2008	
Unrestricted General Fund 01	\$ 699,851.68
Restricted General Fund 12	230,010.92
Child Development Fund 33	357.51
Capital Outlay Projects Fund 41	210,195.56
General Obligation Bond Funds 43, 45	154,553.24
Stadium Operations Fund 58	20,646.75
Contract/Community Education Fund 59	1,386.25
Student Financial Aid Fund 74	206.95
Payroll Clearing Fund 76	<u>101,762.83</u>

Total Period 2 Warrants: \$ 1,418,971.69

Commercial Warrants Total: \$ 5,909,932.98

Included in the total warrant expenditure of \$5,909,932.98 are the following payments greater than \$25,000, excluding employee benefits and utilities:

Unrestricted General Fund 01

1. \$ 268,621 to *City of Long Beach (Police Department)* for security services for March 2008 and April 2008.
2. \$ 118,260 to *Oracle Corporation* for PeopleSoft license update and support for January 2008 through June 2008.
3. \$ 50,000 to *USPS (United States Postal Service)* for postage.

Restricted General Fund 12

1. \$ 59,911 to *Long Beach Unified School District* reimbursement for CAHSEE Intervention Grant for Partnership High School and Long Beach School for Adults.

Capital Outlay Projects Fund 41

1. \$ 621,058 to *Solpac Construction, Inc.*, for construction on the Pacific Coast Campus Industrial Technology Complex (Tech 1).
2. \$ 134,079 to *City National Bank* for quarterly lease-purchase payment for the Honeywell mechanical retrofit and energy project.
3. \$ 69,006 to *First Regional Bank* for escrow retention for construction on the Pacific Coast Campus Industrial Technology Complex (Tech 1). (This is jointly funded with the General Obligation Bond Fund).
4. \$ 57,350 to *McMurray Stern, Inc.*, for shelving, storage and installation work done on the Pacific Coast Campus Learning Resource Center.

General Obligation Bond Funds 43/45

1. \$1,519,360 to *Taisei Construction Corp.*, for construction of the South Quad Complex Building.

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2. \$ 732,827 to *Solpac Construction Inc.*, for construction on the Pacific Coast Campus Learning Resource Center.
3. \$ 67,475 to *First Regional Bank* for escrow retention for the construction of the Learning Resource Center Building on the Pacific Coast Campus.
4. \$ 88,862 to *Sandy Pringle Associates* for inspection services for the South Quad at the Liberal Arts Campus for March 2008 and April 2008.
5. \$ 28,363 to *TSG Enterprises, Inc.*, (The Solis Group) for consulting services for the Labor Compliance Program in April 2008.

Budget Increase/(Decrease)

Restricted General Fund 12

Revised 2007-2008 Budget for Title V Programs \$ 39,932

PURCHASING

Purchase Order Approvals/Ratifications

Authorize the issuance of purchase orders for the period June 2, 2008, through June 13, 2008, in the amount of \$595,323.99 as listed:

PO #60291 – PO #60326 \$ 595,323.99

Total Amount \$ 595,323.99

Included in the total amount of purchase orders of \$595,323.99 are the following items greater than \$25,000:

General Fund 01

PO #60312 *Protected Insurance Programs for Schools (PIPS)* \$ 269,091.00
Workers Compensation contributions

General Obligation Bond Fund 45 - Series D

PO #60261 *Division of State Architects* \$ 30,788.51
Additional fees for Industrial Technology
Complex (Tech 1) Project at the Pacific Coast Campus.

ACADEMIC AFFAIRS, STUDENT SUPPORT AND ADMINISTRATIVE SERVICES

Approve the following actions:

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

Grant/Revenue Agreements

CN 93136.8 – Amend – With the *Chancellor's Office, California Community Colleges*, Center for International Trade Development Grant #06-308-019, to extend the termination date from August 31, 2008, to December 31, 2008, and increase grant amount by \$50,000 for a total grant amount of \$357,500.

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CN 93139.7 – Amend – With the *Chancellor's Office, California Community Colleges, Enrollment Growth and Retention for Associate Degree Nursing (RN) Programs Grant*, to extend the termination date from December 31, 2008, to June 30, 2009. Funding is increased by \$307,344 for a total grant amount of \$712,346.

Bond Contract Awards

CN 22029.3 – With *Americec, Inc.*, effective July 1, 2008, through June 30, 2010, for an amount not to exceed \$100,000, paid from General Obligation Bond Fund.

CN 22029.4 – With *Theodora, Oringer, Miller & Richman PC*, effective July 1, 2008, through June 30, 2010, for an amount not to exceed \$50,000, paid from General Obligation Bond Funds.

Bond Contract Amendments

CN 22016.2 – With *Ron Deux Relocation Services, Inc., DBA Penn Corporate Relocation Services*, Amendment #3, to change the termination date from June 30, 2008, to June 30, 2009, at no additional cost.

CN 22006.3 – With *Moss-Adams LLP*, Amendment #5, to increase the contract amount by \$87,650 for the fourth and final option term, for a total contract amount not to exceed \$414,935, paid from General Obligation Bond Fund.

CN 22024.4YA – With *Siemens Building Technologies, Inc.*, Amendment #2, for additional services to provide energy system upgrades and to increase the contract by an amount of \$4,504,534 for a total contract amount not to exceed \$22,243,431.24, paid from General Obligation Bond Fund.

Contract Awards

CN 99653.1 – With *Atkinson, Andelson, Loya, Ruud and Romo*, general counsel, effective July 1, 2008, through June 30, 2011, for an amount not exceed \$50,000, paid from the General Fund.

CN 99653.2 – With *Waste Management, Inc.*, effective July 1, 2008, through June 30, 2009, for an amount not to exceed \$115,000, paid from Unrestricted General Fund.

CN 99653.4 – With *City of Long Beach*, effective August 1, 2008, through July 31, 2009, for an amount not to exceed \$3,000,000, paid from Unrestricted General Fund.

Background – This board action authorizes the Vice President, Administrative Services, to negotiate with the City for security services for both campuses.

Contract Amendments

CN 93130.5 – With *Oakwood Corporate Housing*, Amendment #4, to extend the termination date from June 30, 2008, to June 30, 2009, and increase contract amount by \$42,492 for 2008-09 fiscal year, paid from Unrestricted General Fund.

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CN 99627.6 – With *Rachlin Architects, Inc.*, Amendment #12, for additional services in the amount of \$65,000 for a total contract amount not to exceed \$814,665.10, paid from Capital Projects and General Obligation Bond Funds.

Change Order Ratifications

CN 22021.3 – With *Taisei Construction Corporation*, Change Orders #19 and #20 for the new South Quad Complex project at the Liberal Arts Campus in the amounts of \$12,637 and \$965,857 respectively for a total contract amount not to exceed \$39,324,055.56, paid from General Obligation Bond Fund. Total approved change orders represent 7.40%.

CN 22024.4 – With *Siemens Building Technologies, Inc.*, Change Order #7 and #8, for the Central Plant at the Liberal Arts Campus in the amounts of \$23,818 and \$58,406 respectively for a total contract amount not to exceed \$17,762,715.24, paid from General Obligation Bond Fund.

CN 99642.8 – With *Solpac Construction, Inc., dba Soltek Pacific Construction Company, Inc.*, Change Orders #12, #13, and #14, for the Learning Resource Center Building L Modernization Project at the Liberal Arts Campus, in the amounts of \$142,083, \$136,000 and \$25,000, respectively, for a total contract amount not to exceed \$14,609,233, paid from General Obligation Bond Fund. Total approved change orders represent 7.23% of the contract amount.

Authority to Approve the Selection of Contractor

Authorize the Vice President, Administrative Services, to approve the selection of the responsible contractor from the responsive bidders for Bid C0994 Building Z Retrofit.

Amendment to Board Action

CN 22027.9 – With *Leighton Consulting, Inc.*, to change the contract number from CN 22027.8 to CN 22027.9.

CN 22028.2 – With *RMA Construction Services, Inc.*, to change the contract not to exceed amount from \$294,780.62 to \$637,726.59.

Donations

Accept the donation from Office Depot, Jeremy Redman, Accounts Manager, 3366 East Willow Street, Signal Hill, CA 90755, of thirty (30) PBH-8W Bluetooth Wireless Phone Earloop, Headsets for presentation to CalWORKs students and request that a letter of appreciation be sent.

Accept the donation from Aramark, Inc., David Corral, Manager, c/o 4901 E. Carson Street, Long Beach, CA 90808, of twenty-seven (27) Best Buy Gift Certificates for presentation to the CalWORKs students and request that a letter of appreciation be sent.

It was moved by Member Clark, seconded by Member Bowen, that the items on the Consent Agenda, with the exception of Item 12.4, be approved and authorized.

The motion carried, all voting aye.

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Item 12.4 Contract Awards

The Board discussed concerns about higher costs in the negotiations with the City of Long Beach for security services(CN 99653.4). It is hoped that the costs can be negotiated lower before the contract is brought back for ratification.

It was moved by Member Uranga, seconded by Member Clark, that Item 12.4 Contract Awards be approved and authorized.

The motion carried, all voting aye.

ACADEMIC SENATE (Title 5, Section 53203)

No Items, No Report

SUPERINTENDENT-PRESIDENT

Presentation on Rebranding of LBCC

Superintendent-President Oakley explained that the college had formed a rebranding committee which interviewed and selected the public relations firm, Nostrum, to develop a new logo, tag line and branding strategy for Long Beach City College. President Oakley introduced Mr. Chi-Chung Keung, Executive Director, Public Affairs & Marketing, who, along with representatives of Nostrum, presented information and recommendations on the rebranding of LBCC and responded to questions.

Certification of Accreditation Self-Study Report

Superintendent-President Oakley called upon Dr. Eva Bagg and co-chair, Mr. Julian DelGaudio, who presented to the Board the completed Accreditation Self-Study Report, along with a PowerPoint presentation and responded to questions.

It was moved by Member Clark, seconded by Member Uranga, that the Board of Trustees certify the Self-Study Report to the Accrediting Commission for Community and Junior Colleges.

The motion carried, all voting aye.

Superintendent-President's Report

Superintendent-President Oakley recognized and congratulated Toni DuBois for earning her doctorate and for accepting the offer to serve as Vice President of Student Services at Fullerton College. He thanked her for her years of service to the students at Long Beach City College and wished her well in her new position.

ACADEMIC AFFAIRS

No Items, No Report

STUDENT SUPPORT SERVICES

President Kellogg announced that the informative update on the cost of textbooks, would be laid over to the next meeting to allow more time for this important matter.

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ADMINISTRATIVE SERVICES

Approval of Purchase Agreements for 1521-1527, 1585, and 1501 Pacific Coast Highway, Long Beach, CA

It was moved by Member Clark, seconded by Member Bowen, that the Board of Trustees approve the purchase agreements for properties located in Long Beach, California at the following addresses and for the following amounts plus any other relocation and/or incidental expenses:

- 1521-1527 Pacific Coast Highway for \$1,850,000;
- 1585 Pacific Coast Highway for \$710,000; and
- 1501 Pacific Coast Highway for an amount not to exceed \$750,000.

The motion carried, all voting aye.

PACIFIC COAST CAMPUS

No Items, No Report

ECONOMIC AND RESOURCE DEVELOPMENT

Los Angeles Regional SBDC Network Update

Lou Anne Bynum, Vice President of Economic and Resource Development, introduced Sheneui Sloan, Executive Director of Economic Development and Director of the Los Angeles Regional Small Business Development Center Network. Ms. Sloan provided an update to the Board of Trustees of the 2007 highlights and key activities for the Network and responded to questions.

ACADEMIC SENATE

There was no report.

TRUSTEES COMMUNICATIONS

Member Uranga congratulated Superintendent-President on the renewal of contracts with the management staff, and added his congratulations to Toni DuBois on her doctorate and her new position, saying she would be missed.

NEW BUSINESS

There was no new business.

FUTURE REPORTS

August 26, 2008

Institutional Effectiveness

September 9, 2008

Diversity Update Report

October 2008

Title V – HSI Update

BOARD OF TRUSTEES GOALS 2007-2009 will be reported on as follows:

September 23, 2008

3. IMPROVE ORGANIZATIONAL FUNCTION AND CREATE A GREATER SENSE OF COMMUNITY

- D. Support the development of a streamlined decision-making and governance structure by Fall 2008.

March 2009

3. IMPROVE ORGANIZATIONAL FUNCTION AND CREATE A GREATER SENSE OF COMMUNITY

- F. Ensure opportunities for all stakeholders to participate in accreditation self-study and approve a plan for addressing recommendations of the visiting team no later than three months after the accrediting commission issues its final report and recommendations.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Members of the public were given the opportunity to address the Board of Trustees on matters of general District business. There were no comments.

PUBLIC COMMENTS ON AGENDA ITEMS

Members of the public were given opportunity to address the Board of Trustees on any item prior to or during the Board's consideration of that item.

President Kellogg announced that a classified employee, Mr. Covarrubia, had requested that the Board of Trustees consider his proposed termination in Open Session. He stated for the record that, should the Board of Trustees impose discipline in this matter, that the Board of Trustees' decision is subject to appeal to the District's Personnel Commission.

President Kellogg stated that the order of presentation will be for Vice President of Human Resources, Rose DelGaudio, to present the District's case. Then the Board of Trustees will hear from Mr. Covarrubia and his representative. The Board of Trustees will then adjourn to Closed Session to deliberate. The Board of Trustees may reach a decision following its deliberations, in which case the Board of Trustees will return to Open Session to announce its decision.

President Kellogg called on Vice President DelGaudio who presented the District's information.

President Kellogg called on Mr. Covarrubia and/or his representatives.

Mr. Covarrubia presented his information.

SECOND CLOSED SESSION

President Kellogg thanked Mr. Covarrubia and concluded the Open Session presentations. The Board of Trustees adjourned to a second closed session to deliberate at 7:38 p.m.

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ADJOURNMENT

The meeting was reconvened in open session in the Board Room, Building I, Liberal Arts Campus. President Kellogg reported that, in closed session, the Board of Trustees, after consideration of the matter, accepts the recommendation to terminate Robert Covarrubia effective July 8, 2008, for the reasons set forth in the letter to Mr. Covarrubia dated July 2, 2008.

President Kellogg adjourned the meeting at 8:10 p.m., in memory of Long Beach City College and Jordan High School graduate, and sports writer for the *Press Telegram*, James Melroy, who passed away earlier in the week. The next regular meeting of the Board of Trustees will be held on August 26, 2008. 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