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 E. Carson Street, Long Beach, on March 9, 2010.

**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 5:00 p.m., in the Board Room, Building I, Liberal Arts Campus. President Bowen reported that, in closed session, no action was taken.

**PLEDGE OF ALLEGIANCE**
Roberto Uranga led the Pledge of Allegiance.

**ROLL CALL**
Present: President Bowen, Vice President Clark, Member Kellogg, Member Uranga, Student Trustee Green
Absent: Member Otto

**WELCOME AND INTRODUCTIONS**
There were no special introductions.

**APPROVAL OF MINUTES**
It was moved by Member Clark, seconded by Member Uranga, that the minutes of the meeting of, February 23, 2010, be approved as distributed. The motion carried, all voting aye.

**ORDERING OF THE AGENDA**
President Bowen announced that a probationary faculty member, Dr. Donald Batstone, requested that he be able to address the Board of Trustees in open session regarding his
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proposed denial of tenure. The order of business was the Superintendent-President to speak to his decision. Then the Board of Trustees would hear from Dr. Batstone and/or his representatives. Lastly, the Vice President of Human Resources, Rose DelGaudio would introduce the District’s case. Following the presentations, the Board of Trustees will adjourn to closed session to deliberate.

Board President Bowen then called on Superintendent-President Oakley to speak to his decision. President Oakley made a recommendation to the Board of Trustees that they issue a March 15 notice of non-renewal of employment to Counselor, Dr. Donald Batstone; his recommendation is to deny Dr. Batstone his tenure.

Attorney, Robert Dohrmann introduced the public speakers to address the Board of Trustees on behalf of Dr. Batstone as follows: DeWayne Sheaffer, Mike MacCallum, and Gene Carbonaro. Lastly, Mr. Dohrmann addressed the Board of Trustees after the other speakers.

Ms. Rose DelGaudio, Vice President of Human Resources asked Dr. Cindy Vyskocil, Associate Vice President of Human Resources to present the District’s case to the Board. Dr. Vyskocil presented the District’s case.

To conclude, Mr. Dohrmann addressed the Board of Trustees with his final comments.

President Bowen announced at 5:41 p.m. that the Board would adjourn to a second closed session to deliberate.

The meeting was reconvened in open session at 6:13 p.m., in the Board room, Building I, Liberal Arts Campus. President Bowen reported that, in the second closed session that no legally reportable action was taken.

President Bowen announced that items 5.1 and 5.2 would be moved to the non-consent agenda for discussion.

REPORT OF BOARD OF TRUSTEES

Resolution, Employee Free Choice Act
It was moved by Member Uranga, seconded by Member Bowen, that the Board adopt Resolution No. 031010A. The motion did not carry with Members Clark and Kellogg voting nay, and Member Otto being absent.

It was moved by Member Uranga, seconded by Member Bowen, that the item be brought back when all members are present at the March 23, 2010 meeting. The motion carried, all voting aye.

Committee Reports
There were no committee reports.

STUDENT TRUSTEE
Student Trustee Green announced that on Tuesday, March 23, from 12-2pm, ASB and the Political Science Student Association will hold a question and answer forum for the candidates for the Board of Trustees and invitations have been sent out. Spring Sing was an overwhelming success earning over $4,000. Mini-Grand Prix will be March 27 and the ASB approved a motion to request that LBCC enforce the current smoking policies as stated in the administrative regulations on Smoking in District Facilities.

PUBLIC COMMENTS ON AGENDA ITEMS
At their request, members of the public may address the Board of Trustees on any item prior to or during the Board's consideration of that item. A five (5) minute time limit will be allotted to each speaker, with a maximum of twenty minutes for each subject, unless extended by the Board President. There were no further comments.

The following items were part of the Consent Agenda

FISCAL SERVICES
Approve the following actions:

FINANCE
Budget Transfers
Budget Transfer numbers 132727, 132753, 132784, and 132789 for the Unrestricted General Fund 01 in the amount of $54,770 as listed:

| From: Supplies                  | $  21,063 |
| From: Services and Operating Expenses | $ 16,707 |
| From: Equipment                | $  17,000 |
| To: Academic Salaries          | $   5,683 |
| To: Classified Salaries        | $   8,192 |
| To: Employee Benefits          | $   1,779 |
| To: Supplies                   | $  14,846 |
| To: Services and Operating Expenses | $ 21,380 |
| To: Equipment                  | $   2,890 |
| Total                         | $ 54,770  |

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

Budget Transfer numbers 132678, 132732, 132781, and 132783 for the Restricted General Fund 12 in the amount of $52,533 as listed:

| From: Academic Salaries        | $    7,286 |
| From: Classified Salaries      | $    8,451 |
| From: Employee Benefits        | $    2,020 |
| From: Supplies                 | $    5,648 |
| From: Services and Operating Expenses | $ 23,410 |
| From: Equipment                | $    4,218 |
| From: Reserves/Student Payments | $   1,500 |
| Total                         | $ 52,533  |
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To:  
Academic Salaries  $ 4,320  
Classified Salaries  13,310  
Employee Benefits  1,770  
Supplies  11,818  
Services and Operating Expenses  21,315  $ 52,533

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

Budget Transfer numbers 132728 and 132729 for the General Obligation Bond Funds 43, 44, 45, 46 in the amount of $252,745 as listed:

From:  
Services and Operating Expenses  $ 1,370  
Constructions/Additions  31,375  
Reserves  220,000  $ 252,745

To:  
Supplies  $ 1,370  
Services and Operating Expenses  31,375  
Constructions/Additions  220,000  $ 252,745

Included in the budget transfers of $252,745 for the General Obligation Bond Funds 43, 44, 45, 46 are the following transfers greater than $25,000:

AT  
From:  
132728  790100-46-710600-5606 Reserves  $ 200,000
To:  
622000-46-710600-5606 Architect Fess  $ 200,000

To cover expenses for architect fees for the Pacific Coast Campus Multi-Disciplinary Complex.

Salary Warrants
Ratify issuance of salary warrants listed on Register Nos. 4592 through 4594 for the period of February 1, 2010 through February 12, 2010 in the amount of $1,304,617.12, as listed:

Register No. 4592  Issue Date 02/10/10  
Warrant No’s. 92807– 92958  $ 850,468.94

Register No. 4593  Issue Date 02/10/10  
Warrant No’s. 92959– 92981  $ 195,019.61

Register No. 4594  Issue Date 02/10/10  
Warrant No’s. 92982-93320  $ 259,128.57

Total Salary Warrants Issued:  $ 1,304,617.12

Commercial Warrants
Ratify issuance of commercial warrants for the period of February 1, 2010 through February 12, 2010 in the amount of $5,943,989.58 are as listed:
February 1, 2010 through February 12, 2010

Unrestricted General Fund 01  $ 1,693,649.76
Restricted General Fund 12  104,727.41
Child and Adult Development Fund 33  262.40
Capital Outlay Projects Fund 41  29,646.08
General Obligation Bond Funds 43, 45, 46  3,743,053.60
Veterans’ Stadium Operations Fund 58  1,637.28
Self Insurance Fund 61  6,782.06
Payroll Clearing Fund 76  359,548.81
Retiree Benefits Fund 79  4,682.18

Commercial Total Warrants:  $ 5,943,989.58

Included in the total warrant expenditure of $5,943,989.58 are the following payments greater than $25,000, excluding employee benefits and utilities:

**Unrestricted General Fund 01**
1. $ 111,550 to Protected Insurance Program for Schools for workers’ compensation coverage for employees and volunteers from July 1, 2009 through June 30, 2010 (ninth installment).
2. $ 63,079 to Oracle Corporation for PeopleSoft license update and support for October 1, 2009 through December 31, 2009.
3. $ 25,487 to Simplex Grinnell LLP for district-wide testing and inspection of fire alarms from January 1, 2010 through June 30, 2010.

**Restricted General Fund 12**
1. $ 25,125 to Long Beach Unified School District for reimbursement of facilitator services, construction supplies and materials for the Neighborhood Improvement and Construction Project through the SB70/Career Technical Education Grant.

**Capital Outlay Projects Fund 41**
1. $ 11,890 to Bear Data Systems for Cisco telephones and network equipment to be installed throughout the district. (This warrant is jointly funded with the General Obligation Bond Funds.)

**General Obligation Bond Funds 43/45/46**
1. $ 2,362,953 to Siemens Industry, Inc. for installation of the Long Beach Phase IIB Energy Improvement Project at the Liberal Arts Campus.
2. $ 330,903 to Hammel, Green & Abrahamson, Inc. architectural services for renovations of Building O at the Liberal Arts Campus.
3. $ 321,311 to Cavecche Engineering & Construction Co., Inc. for the Liberal Arts Campus Infrastructure North Loop Project.
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4. $152,811 to Taisei Construction Corporation for construction of the South Quad Complex.

5. $77,271 to Siemens Industry, Inc. for building automation service agreement from January 1, 2010 through March 31, 2010.

6. $64,710 to Solpac Construction, Inc. for construction on the Pacific Coast Campus Industrial Technology Complex (Tech 1).

7. $47,037 to Rachlin Architect, Inc. for architectural and engineering services at the Pacific Coast Campus Industrial Technology Complex (Tech 1).

8. $34,927 to Bear Data Systems for Cisco telephones and network equipment to be installed throughout the district. (This warrant is jointly funded with the Capital Outlay Projects Fund.)

Budget Increase (Decrease)
Restricted General Fund 12
2009-2010 New Budget:
Nursing Expansion Grant, Program 8088 $169,178
Youth Entrepreneurs Project – Center for International Trade Development Program $33,654
Youth Entrepreneurs Project – Small Business Development Center Program $33,654
College Promise Tours Program $25,000

2009-2010 Budget Revisions:
Nursing Expansion Grant Program 8086 $10,908
Tech Prep Program $11,918

Capital Outlay Projects Fund 41
2009-2010 Budget Revisions:
Industrial Technology Center Project $(47,616)

ACADEMIC AFFAIRS, STUDENT SUPPORT AND ADMINISTRATIVE SERVICES
Authorize the Vice President, Administrative Services, or designee to enter into and execute the following agreements:

Grant/Revenue Agreements
CN 93148.6 – Ratify – With Board of Governors, California Community Colleges, Chancellor’s Office effective December 1, 2009 through June 30, 2010. Total amount of funding is $35,000.

Bond Contract Awards
CN 22040.2 – With Marina Landscape, Inc., for Tech 1 Exterior Lighting & Landscape at the Pacific Coast Campus for a total contract amount not to exceed $153,918, paid from General Obligation Bond Fund. Per Public Contract Code §20651, the District is awarding to the lowest responsible bidder and rejecting all others.
**Bond Contract Amendments**

CN 22008.4 – With Leighton Consulting, Inc., Amendment #4, to change the termination date from December 31, 2009 to June 30, 2010, at no additional cost.

CN 22030.3 – With Hill Partnership, Inc., Amendment #4, to increase the contract amount by $2,175 for a total contract amount not to exceed $530,428.49, paid from General Obligation Bond Fund.

**Contract Awards**

CN 99664.4 – With Boston Reed College effective February 10, 2010 through July 15, 2010 for a total contract amount not to exceed $83,070, paid from Restricted General Fund.

CN 99664.5 – With Links Sign Language Interpreting Services effective March 10, 2010 through May 30, 2010 for a total contract amount not to exceed $34,000, paid from Restricted General Fund.

**Change Order Ratifications**

CN 22032.7 – With Miller Environmental, Inc., Change Order #4 for Demolition Projects at the Liberal Arts Campus in the amount of $4,571.05 for a total contract amount not to exceed $243,106.05, paid from General Obligation Bond Fund. Total approved change order represents 6.16% of the contract amount.

CN 22037.3 – With TBC Contractors Corporation, Change Order #1 for Building Z Warehouse Alterations at the Liberal Arts Campus in the amount of $34,609 for a total contract amount not to exceed $707,309, paid from General Obligation Bond Fund. Total approved change order represents 5.14% of the contract amount.

CN 22037.7 – With Newman Midland Corporation, Change Order #2 and #3 for Welding Booths for Tech 1 at the Pacific Coast Campus in the amount of $4,593.17 and a credit of $13,608.34 respectively, for a total contract amount not to exceed $505,016.98, paid from General Obligation Bond Fund. Total approved change orders represent 6.05% of the contract amount.

**Use of Other Agencies’ Bids**

County of Los Angeles Master Agreement #42663 – Ratify with Xerox Corporation, for the purchase, lease and maintenance of photocopy, facsimile, and micrographics equipment and supplies, effective January 1, 2006 through December 31, 2010.

CMAS Contract #4-10-71-0105A – With Maispace Inc., and New Tangram LLC as an authorized dealer/distributor, for the purchase of furniture systems and workstation clusters, filing and storage cabinets, bookshelves, tables, reconfiguration and relocation services for systems furniture, design/layout and installation services effective January 21, 2010 through July 31, 2010.
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Rejection of Bids
Bid C1094F – MDAB Swing Space Tenant Improvements at the Pacific Coast Campus, to reject all bids.

Completion of Contract
CN 22037.7 – With Newman Midland Corporation, for Welding Booths for Tech 1 at the Pacific Coast Campus for a total fee of $505,016.98. Project was completed on January 15, 2010.

Ratification of Contracts Under $25,000
Ratify contracts under $25,000 for the period of February 1, 2010 through February 12, 2010 as listed:

CN #99664.6 $ 19,161

Settlement
Ratify – Agreement No. DSPS #10.19.2009 - Payment to be made in accordance with the terms of the settlement agreement in the amount of $1,608.04.

PURCHASING
Purchase Order Approvals/Ratifications
Authorize the issuance of purchase orders for the period of February 1, 2010 through February 12, 2010 in the amount of $306,860.21 as listed:

PO #64387 – PO #64460 $ 306,860.21

Total Amount $ 306,860.21

Included in the total amount of purchase orders of $306,860.21, the following items are greater than $25,000:

Unrestricted General Fund - 01
PO #64442 KLOS FM Radio
Radio advertising for May and June, 2010 $ 26,625.00

PO #64449 Schools Excess Liability Fund
District assessment outstanding adjustment for Workers’ Compensation contributions $ 44,371.00

PO #64450 Protected Insurance Program for Schools
Additional Workers’ Compensation contribution for program years 2008 – 2009 based on actual payroll $ 42,823.00

PO #64451 Enterprise Fleet Services
Lease of eight 12 passenger vans $ 29,869.54
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**

President Bowen announced that 5.1 and 5.2 be reordered to non-consent for discussion. Member Uranga congratulated and acknowledged the retirees listed on these items for their service.

**HUMAN RESOURCES (Academic)**

It was moved by Member Uranga, seconded by Member Clark, that the Board of Trustees approve/ratify the following actions:

**APPOINTMENTS**

Probationary Faculty – Second Year Contract 2
Probationary Faculty – Third Year Contract 7
Probationary Faculty – Permanent Employees 12
Stipends 9

**IN-SERVICE CHANGES**

Change of Assignment 1
Change of Title – Contract 2

**SEPARATION FROM THE DISTRICT**

Retirement 1

The motion carried, all voting aye.

**HUMAN RESOURCES (Classified)**

It was moved by Member Uranga, seconded by Member Clark, that the Board of Trustees approve/ratify the following actions:

**APPOINTMENTS**

Probationary 4
Temporary 5
Exempt from the Merit System 64

**SEPARATION FROM THE DISTRICT**

Layoff Due to Lack of Work/Funds 1
Resignation 1
Retirement 2

The motion carried, all voting aye.
Resolution, Board Member Compensation
It was moved by Member Uranga, seconded by Member Clark, that the Board of Trustees adopt Resolution 030910B authorizing compensation to Board Member Doug Otto for the meeting of March 9, 2010 from which he is absent due to the rescheduled ACCT National Legislative Summit.

The motion carried, all voting aye.

ACADEMIC SENATE (Title 5, Section 53203)
No Items, No Report

SUPERINTENDENT-PRESIDENT
Superintendent-President Oakley reported to the Board that the college has formed a task force made up of representatives throughout the college, including students to look at fixed-cost reduction strategies and he wanted to publicly thank the members who are participating in this exercise because it is a difficult topic to tackle. We continue to work with the class schedule and continue to work with our students and everyone involved on how we can fall within the budget constraints over the next couple of years and at the same time remain a comprehensive college to provide every opportunity possible for students to complete the courses they need in basic skills, completion of certificate degree or to become a transfer ready. He thanked the Academic Senate President Ryan and the Senate’s executive team for their efforts to resolve these issues despite the impact that the State budget is having on our ability to serve our students.

ACADEMIC AFFAIRS
Sabbatical Report
This item was pulled and will be reported at the March 23 meeting.

STUDENT SERVICES
Revised Administrative Regulation: 5017
Regulation 5017 (Matriculation for Student Services) was presented for informational purposes only and does not require Board action.

ADMINISTRATIVE SERVICES
No Items, No Report.

PACIFIC COAST CAMPUS
No Items, No Report

ECONOMIC AND RESOURCE DEVELOPMENT
No Items, No Report

ACADEMIC SENATE
No Report
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TRUSTEES COMMUNICATIONS
Member Uranga reminded everyone that the 2010 Census would be coming out and encouraged everyone to fill it out as it can result in much needed funding in our cities and schools.

NEW BUSINESS
There was no new business.

FUTURE REPORTS
Future Reports or Discussion Items Requested by Board Members:

California Leadership Alliance for Student Success (CLASS) Initiative

- Monthly Reports/Discussions on the Initiative Projects
  Next report for Board of Trustees will be on March 23, 2010. Subsequent dates will be determined based on calendar of Board Meetings adopted for 2010.

- BOARD OF TRUSTEES GOALS 2009-2011 will be reported on as follows:

  **March 23, 2010**
  1. **MEASURE AND IMPROVE STUDENT SUCCESS**
     B. By March 2010, review and assess the LBCC transfer success programs including timelines and goals for improving transfer readiness. Reviews shall occur annually thereafter.

  **April 27, 2010**
  3. **IMPROVE ORGANIZATIONAL FUNCTION, CREATE A GREATER SENSE OF COMMUNITY AND CONTINUE COMMUNITY OUTREACH EFFORTS**
     A. By April 2010, review and assess the college planning process focusing on accomplishments and progress toward the Educational Master Plan goals and objectives.

  **May 25, 2010**
  3. **IMPROVE ORGANIZATIONAL FUNCTION CREATE A GREATER SENSE OF COMMUNITY AND CONTINUE COMMUNITY OUTREACH EFFORTS**
     E. By May 2010, review and access the outreach of the LBCCD to the greater Long Beach community to educate the public of the importance of education to the wellbeing of the community. Review the outreach annually.

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.
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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.

Hurtie Chukwudire, President of AFT, and DeWayne Sheaffer, President of CCA, shared with the Board and the audience about their recent participation on March 4 in Bakersfield– Marching for California’s Future and rallies took place here at LBCC and other districts, and even across the nation, to protest the ongoing funding reductions for educational institutions proposed by Sacramento.

**ADJOURNMENT**
President Bowen adjourned the meeting at 6:38 p.m. The next regular meeting of the Board of Trustees will be held on March 23, 2010. 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