

BOARD OF TRUSTEES
KERN COMMUNITY COLLEGE DISTRICT

OFFICIAL MINUTES

SEPTEMBER 9, 2010

REGULAR MEETING

OPEN SESSION

Call to Order

The regular meeting of the Board of Trustees of the Kern Community College District was called to order by Mr. Stuart O. Witt, President, at 12:35 p.m., in the Pacific Conference Room, Weill Institute, 2100 Chester Avenue, Bakersfield.

Roll Call

Members present: Trustees Stuart O. Witt, President; Rose Marie Bans, Vice President; John A. Rodgers, Clerk; Dennis L. Beebe; John S. Corkins; Pauline F. Larwood; Kay S. Meek

Members absent: None

District Administration: Ms. Sandra Serrano, Chancellor
Mr. Thomas Burke, Chief Financial Officer
Mr. Abe Ali, Vice Chancellor, Human Resources
Mr. Frank Ronich, General Counsel

Adoption of Agenda

It was moved by Mrs. Meek, seconded by Mrs. Larwood, and carried that the Board adopt the agenda, as submitted. A copy of the agenda is on file in the Supplementary Minutes File.

PUBLIC COMMENTS—CLOSED SESSION

Public Comments

There were no requests for Public Comments.

ADJOURNMENT TO CLOSED SESSIONAdjournment to Closed Session

The meeting was adjourned to Closed Session at 12:40 p.m.

- A. Public Employee Discipline/Dismissal/Release/Reassignment—[Government Code Section 54957(b)(1)]
- B. Employee Matters—Anticipated Litigation [Government Code Section 54956.9(b)]
- C. Employee Matters—Discussion of Negotiations with CCA, Exclusive Representative for Academic Employees [Government Code Section 54957.6)]
- D. Employee Matters—Discussion of Negotiations with CSEA, Exclusive Representative for Classified Employees [Government Code Section 54957.6)]
- E. Student Discipline [Education Code Section 72122]
- F. Management Association – Meet and Confer Issues [Government Code Section 54957.6)]
- G. Business Matters—Anticipated Litigation [Government Code Section 54956.9(b)]
- H. Business Matters—Conference with Real Property Negotiators: Kern Community College District; Property: Portions of APN 005-421-02; Agency Negotiators: Mr. Tom Burke; Negotiating Parties: District and Unknown; Under Negotiation: Site Disposition [Government Code Section 54956.8]
- I. Business Matters—Conference with Real Property Negotiators: Kern Community College District; Property: Portions of APN 382-360-02; Agency Negotiators: Mr. Tom Burke; Under Negotiation: Site Disposition [Government Code Section 54956.8]
- J. Board of Trustees – Evaluation [Government Code Section 54957]

ADJOURNMENTAdjournment

The President adjourned Closed Session at 1:50 p.m., to reconvene in the Regular Session, in the Forums, Weill Institute, 2100 Chester Avenue, Bakersfield.

RETURN TO OPEN SESSION— PRELIMINARY ITEMS
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The regular meeting was called to order by Mr. Stuart O. Witt, President, at 2:05 p.m., on September 9, 2010, in the Forums, Weill Institute, 2100 Chester Avenue, Bakersfield. Mr. Witt announced that the proceedings of the meeting were being recorded on tape.

Roll Call

Members present: Trustees Stuart O. Witt, President; Rose Marie Bans, Vice President; John A. Rodgers, Clerk; Dennis L. Beebe; John S. Corkins; Pauline F. Larwood; Kay S. Meek, Phillip W. Duncan, Student Member

Members absent: None

District Administration and staff: Ms. Sandra Serrano, Chancellor
Mr. Thomas Burke, Chief Financial Officer
Mr. Abe Ali, Vice Chancellor, Human Resources
Dr. Doris Givens, Vice Chancellor, Educational Services
Mr. Frank Ronich, General Counsel
Mr. David Palinsky, Director, Information Technology
Ms. Kellie Van Westen, Executive Assistant,
Chancellor's Office

Bakersfield College:
Mrs. Nan Gomez-Heitzeberg, Executive Vice President,
Academic Affairs/Students Services
Mr. Cornelio Rodriguez, President, Academic Senate
Ms. Primavera Arvizu, Representative, Management
Association

Cerro Coso Community College:
Mrs. Jill Board, President
Mr. Matthew Crow, President, Academic Senate

Porterville College:
Dr. Rosa Carlson, President
Dr. David Bezayiff, President, Academic Senate President

Guests: Miss Katrina Oldershaw, Student Government Association
Legislative Liaison
Various staff members

Pledge to Flag

Mr. Corkins led members of the Board of Trustees and audience in the Pledge of Allegiance to the Flag.

Reports of Actions Taken in Closed Session

Mr. Witt reported that the Trustees met in Closed Session and that no actions were taken.

Approval of Consent Items

The President asked if any member of the Board of Trustees or the audience wished to remove an agenda item from the consent agenda for discussion. There were no requests. It was moved by Mrs. Meek, seconded by Mr. Rodgers, and carried that the Board approve the Consent Items for Business Services, Educational Services, and Human Resources, as submitted.

Approval of Minutes

It was moved by Mrs. Larwood, seconded by Mrs. Bans, and carried that the Board approve the minutes of the Regular Board Meeting of August 12, 2010, as submitted.

Correspondence and/or Communications to the Board of Trustees

The Chancellor advised that no correspondence addressed to the Board of Trustees had been received.

WORK STUDY SESSION

Update on the Performing Arts Modernization Project, (SAM Building), Bakersfield College

Mr. Burke advised that the District was pleasantly surprised last spring when the District was informed that due to a significant amount of left over capital outlay funding that was returned to the State, that there was adequate funding to move forward with funding the construction, fixtures, and furniture portions of the SAM Building Project. He indicated that representatives of BFGC would be presenting the design concepts.

Mr. Brad Henderson, Principle, BFGC, and Mr. Bob Trost, Project Manager, BFGC, proceeded to describe the design of the modernization of the facility and bringing the building to the 21st Century. Mr. Henderson shared documents and a power point presentation. He highlighted the planning and development process to modernize the building among the other buildings located nearby. Also considered were accessibility and the variety of uses of the building for programs offered to the community by the performing arts areas of the College. There was much consideration as to the seating arrangement and stage area.

Mr. Henderson advised that related to the Outdoor Theater the biggest challenge was the sun angles, stating that most activities in the Theater take place in the late afternoon or early evening. He indicated that the stage area will be covered to help throw the shadow out over the audience and at each side some sails were introduced to reduce the northwestern sun. He announced that over 80% of the seating is in shade; however, there is still a small area of sunny areas. It was noted that there will be a loss of about 50 out of 470 seats in the Indoor Theatre due to the enlargement of the aisles for accessibility.

A copy of said Report No. A-15-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Organizational Review of the Kern Community College District Facilities Planning and Construction Department by AF Consultants

Mr. Burke reported that the District had recommended having an organizational review of the District Facilities Planning and Construction Department. Mr. Burke introduced Mr. Tony Fulton to present the results of that study. Mr. Fulton advised that AF Consultants was retained by the District to review the performance of the Capital Construction Program, specifically the Safety, Repair, and Improvement Bond Program.

Mr. Fulton indicated that as part of the review, interviews were conducted with District personnel; assessed and analyzed the District construction methodology; reviewed the current organization, contracts with architects, and other relevant documents. He described the focus areas of the report and they included Program Overview, Strategy, Organization and Administration, Design Team, and other Consultant Fees, Operational Procedures and Controls, and a selected project analysis of the Bakersfield College Levan Center.

Mr. Fulton shared recommendations that should be given priority during the first six months. They included the District's immediate consideration of the addition of a Planning Director and an Energy/Sustainability Coordinator; development of a comprehensive Policy and Procedures manual; development of a Design Standards manual; continue conducting value engineering and constructability reviews on all projects; implement a more detailed cost tracking and reporting mechanism with monthly reports; and the District should consider codifying all change orders by reason code. He commented that Mr. Burke had advised that the Trustees were concerned about change orders. He advised that they have determined that for new projects, 5% is the standard and for modernizations/renovations, the standard is 10%.

Mr. Fulton advised that for the next twelve months he recommended the District consider revising its policy and broadening the monetary delegation of authority given to the administration; consider adding "standard of care" language to its architectural contracts and review all proposals to ensure the contract language is consistent with services provided; consider developing a risk management policy and procedure process; seek assistance from a consultant who specializes in this area; and when customer requests are made by the College, the District should develop a policy which requires a written request documenting the need for the change and a review and appropriate approval.

Mr. Fulton reported that on future projects the District should consider developing contract language which defines the allowable contractor's "mark-up" cost and ensure the mathematical accuracy of change orders by cross checking the change orders. Also, as a good practice, it would be best to consider conducting a post-performance review at the completion of each project. He commented the program is functioning reasonably well based on the current constraints at multiple school sites but is in need of improvement. He recommended that priority should be given to adding the two recommended positions; developing the policy and procedures manual; developing some design standards to increase the efficiency and transparency of the program.

Mr. Fulton recommended that the District develop a matrix including the report recommendations in priority order for resolution and for each of the recommendations to find the scope, assign the responsibility, and establish a timeline for the completion of those items for addressing all of the recommendations.

Mr. Rodgers talked about the importance of the report and the responsibility of the Board to ensure that the bond funds are spent appropriately and maximized. He expressed appreciation to receive such a detailed report. Mr. Fulton responded that in following the recommendations and the plan to improve will set the tone for any future bond measure efforts. It demonstrates the confidence that the District can do what they say they are going to do.

Mr. Corkins asked if there are instances of Districts outsourcing the full-time funding director; is it common; and would Mr. Fulton recommend that for the District. Mr. Fulton responded yes, stating that the lack of a policy and procedures manual, lack of a Director, and the lack of design standards would be beneficial to move quicker with an outsourced director. Mr. Fulton recommended that the District begin putting the recommendations in now while there is limited State funding of projects.

Mr. Rodgers asked Mr. Burke if due to the fact that it is a difficult fiscal time, would the District be allowed to use our funds for this service, because hiring a recommended position right now would be difficult to justify. Mr. Burke advised yes because six years ago, the Attorney General published a ruling indicating that Districts could use the bond funds essentially for the management and administration for the bond program.

Mr. Witt asked if the Chancellor and Mr. Burke had had an opportunity to review the report before it came to the Board and the Chancellor advised yes. Mr. Witt asked if they met and discussed the report. Mr. Burke advised that he concurred with the next steps, the first one being the decision regarding where the District goes with the facilities organization; whether to outsource or in source. He stated that he talked with the Chancellor and had indicated that he would share his recommendation for the direction to move toward. The Trustees were asked to read the report and provide any comments.

Mr. Witt asked about the Change Order process and Mr. Fulton advised that the process would be incorporated in the policy and procedure manual. Mr. Witt asked if a sample change order process could be included in the report. Mr. Witt stated that there were many recommendations in the report and he would recommend the 72-hour rule before taking any action.

A copy of said Report No. A-16-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

PUBLIC COMMENTS—OPEN SESSIONPublic Comments

There were no requests for Public Comments.

BUSINESS SERVICES ITEMS**Kern Community College District, Certificates of Participation, April 2010 to June 2010**

Mr. Burke introduced Mr. Michael Urner, Investment Manager, Morgan Stanley, and Mr. Dave Ivarie, Investment Manager, Merrill Lynch, to present the Kern Community College District Certificates of Participation, April 1, 2010, through June 30, 2010, as shown in the Business Services Report. The reports included Certificates of Participation Quarterly Reports and the Quarterly Portfolio Report.

Mr. Urner advised that not only was there a fairly strong quarter in income because interest rates declined during the quarter, the value of the bonds increased. He reported that the LAIF yield, the District's risk-free alternative pool, is at 56 basis points total effective yield, which was a historic low and since the compilation of the report, it had gone lower. He noted that the difference between LAIF and the portfolio was three (3) full percentage points higher than LAIF at this time. Mr. Urner shared the historic average yield of the portfolio. A copy of said Report No. B-129-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Kern Community College District, Quarterly Financial Report for April 2010 through June 2010

The Chief Financial Officer presented the Kern Community College District, Quarterly Financial Report for April 2010 to June 2010, as shown in the Business Services Report. Mr. Burke reviewed the revenues and expenditures for the quarter. Mr. Witt asked that based on Mr. Burke's assessment of where the District is at in September of the new academic year, if the State does not adopt a budget, until the end of the fiscal year, how will the District operate, could the District make it through the end of the year? Mr. Burke responded yes; the District would have to go deep into the Certificates of Participation funds. Mrs. Meek asked how long, and Mr. Burke stated that if there is not a State Budget by December, the District will begin taking other actions. A copy of said Report No. B-130-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Kern Community College District, Authorization for the Chief Financial Officer to Execute an Addendum to an Agricultural Lease with John Hancock Life Insurance Company

Mr. Burke reported that the Lease provides flexibility over the course of the next five years should the District decide to use the property in a different manner than the current agriculture lease. Currently Farmland Management Services maintains the property and farms the almond trees currently located on the property. Mr. Burke stated that there is a projected significant decline in the value of almonds over the next few years.

It was moved by Mr. Rodgers, seconded by Mr. Corkins, and carried that the Board authorize the Chief Financial Officer to execute an addendum to an agricultural Lease between the Kern Community College District, and the John Hancock Live Insurance company, as recommended in the Business Services Report. This addendum extends the agricultural lease of the District's 235 acre Kratzmeyer property for two years with an option to extend an additional three years with the term being December 16, 2010, to December 15, 2015. The total amount payable to the District is an estimated \$41,000.00 per year. A copy of said Report No. B-131-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Kern Community College District, Authorization for Employees to Acquire State and Federal Surplus Property

It was moved by Mrs. Larwood, seconded by Mr. Beebe, and carried that the Board authorize the Chief Financial Officer to designate Kern Community College District employees to acquire State and Federal surplus property under the Terms and Conditions listed in the resolution from the California State Department of General Services, Federal and State Surplus Property Programs, as recommended in the Business Services Report. A copy of said Report No. B-132-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Bakersfield College, Cerro Coso Community College, and the District Office, Awarding of Contract to Provide Help Desk Services for all Students, Faculty, and Staff

Mr. Burke asked Mr. David Palinsky, Director, Information Technology, District Office, to address this item. The Chancellor advised that there was an overview of the recommendation as well as the bid tabulation in the Board materials.

Mr. Palinsky advised that the primary driver for providing a 24/7 help desk service is due to the need to provide help desk services for students, as there several changes taking place in technologies that the District is providing to faculty and staff. He stated that these changes more than ever before are really demanding that this be addressed and provide this level of service so that the technology does not become a barrier to student/employee success. Mr. Palinsky provided some examples of what has been completed recently and what the District will be doing to implement Luminis which is a hub that provides certain access to information and systems, depending on the role of the student or employee. He commented that when these new systems work it is great; when they do not work, it is a barrier. He reported that there are approximately 8,350 students taking online courses.

Mr. Palinsky advised that currently the District has a fragmented framework for providing services for students and for employees. Staff are assisting students and staffing; however, there is no logging of the issues, no tracking, and not providing consistent, standardized services, and they are not provided during non-work hours. He summarized the various issues for students and staff.

Mr. Palinsky reported that the Information Technology Managers, including the College Information Technology Managers, developed a vision and strategy for addressing help desk services and how the District could provide a 24/7 help desk. He stated that after reviewing the options of providing the services internally or using a service provider, they reached seven conclusions. He indicated that based on the in-depth research completed by the Information Technology Managers before and during the evaluation of the Request for Proposals for outsourcing help desk services, the recommendation to implement a 24/7 single point of contact help desk services for all students, faculty, and staff. It was further recommended to outsource the service to Presidium, a vendor with proven experience in providing help desk services to colleges and who possess the people, processes, and technology to provide an efficient and effective help desk services.

Mr. Witt asked how the service would be evaluated and if there is an opportunity to withdraw from the contract. Mr. Palinsky advised that there are several service level requirements that the vendor has to meet or exceed which are measured monthly; there is penalty language; and there is general language that if they fail to meet performance standards, that is a reason that the services agreement could be terminated.

Mr. Burke stated that it was proposed that the reserves be utilized to phase in the costs over time for the Colleges through the Budget Allocation Model. He stated that there are adequate reserves to meet the \$750,000 required over the five-year period. He indicated that the pricing structure was included in the Presidium's proposal. Mr. Palinsky commented that the concept for using the reserves was to initially fund the implementation of the service and that after a four-year period, begin to transition to the standard Budget Allocation Model. He stated that initially it was thought that this project would be implemented over a three to four year period because of the budget; however, if the reserves are used there will be a value benefit of the service and in reality the District needs to go 24/7 with all of the new programs being implemented.

Mrs. Larwood commented that with 8,000 plus students taking online courses, it seems critically important that these students have 24/7 service. She stated that the District has to do it, and if it takes reserves, it needs to be done. She stated that it is important to educate students and having access is also very important.

Mr. Corkins asked about the long-term sustainability of this funding to the budget process, and asked Mr. Burke how these services would be funded in the long term. Mr. Burke advised that eventually these services will have to be funded by the Colleges through their allocations. He stated that the hope is by incorporating this transition model that growth rather than a cost of living adjustment will eventually reappear in the allocation from the State, and that the funding will be there. Mr. Corkins indicated that he agreed with Mrs. Larwood that these services will improve Student Learning Outcomes.

The Chancellor reported that this item had been studied over the past eighteen months and that staff are satisfied with the recommendation that has been brought forward, including the funding recommendation.

It was moved by Mrs. Larwood, seconded by Mr. Rodgers, and carried that the Board award a contract for the Kern Community College District, on behalf of Bakersfield College, Cerro Coso Community College, Porterville College, and the District Office, to provide Help Desk Services for all students, faculty, and staff, Bid Number B10001, as recommended in the Business Services Report. The estimated cost of the project is \$1,650,000.00. A formal bid process has been completed and the results have been tabulated, reviewed and recommendations have been made. A copy of said Report No. B-133-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

<p style="text-align: center;">BUSINESS SERVICES ITEMS— CONSENT</p>
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Consent Items: The Business Services items listed below require approval to authorize the Chief Financial Officer to execute agreements to procure construction services above \$30,000 or to procure goods and services other than construction services above \$50,000, in accordance with Board Policy 3A9A. Earlier in the meeting, it was moved by Mrs. Meek, seconded by Mr. Rodgers, and carried that the following Business Services items be approved on the consent agenda.

Construction Items

Bakersfield College, Photo Voltaic Field Project, Authorization to Enter Into an Agreement with BSK Association for Construction Materials Testing Services

The Chief Financial Officer was authorized to enter into an agreement with BSK Associates for the construction materials testing services for the Photo Voltaic Field Project, Bakersfield College, in the amount of \$63,215.00, as recommended in the Business Services Report. A copy of said Report No. B-134-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Bakersfield College, Science, Technology, Engineering, and Mathematics (STEM) Grant Renovations Project, Approval of Change Order Number One

The Board of Trustees approved Change Order Number One with Don Kinzel Construction, Inc., for the Science, Technology, Engineering, and Mathematics (STEM) Grant Renovations Project, Bakersfield College, as recommended in the Business Services Report. This change order increases the contract by \$12,737.00, which is 10.73% of the original contract amount. A copy of said Report No. B-135-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Bakersfield College, Science, Technology, Engineering, and Mathematics (STEM) Grant Renovations Project, Authorization to File a Notice of Completion

The Chief Financial Officer was authorized to file a Notice of Completion for the Science, Technology, Engineering, and Mathematics (STEM) Project, Bakersfield College, as recommended in the Business Services Report. A copy of said Report No. B-136-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Cerro Coso Community College, Pedestrian Bridge Repairs Project, Authorization to Enter into an Agreement with JTS Construction, Inc.

The Chief Financial Officer was authorized to enter into an agreement with JTS Construction, Inc. in the amount of \$398,020.00 for the Pedestrian Bridge Repairs Project, Cerro Coso Community College, as recommended in the Business Services Report. A copy of said Report No. B-137-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Items other than Construction

Kern Community College District, Authorization to Accept Modification Number One with the State of California, Employment Development Department

The Chief Financial Officer was authorized to accept Modification Number One between the Kern Community College District and the State of California, Employment Development Department, as recommended in the Business Services Report. The modification changes the work plan and proposed expenditures of the budget of the original Energy Commission Subgrant agreement. The award remains the same at \$463,496.00. All other terms and conditions remain the same. A copy of said Report No. B-138-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Kern Community College District, Authorization to Accept Modification Number Two with the State of California, Employment Development Department

The Chief Financial Officer was authorized to accept Modification Number Two between the Kern Community College District and the State of California, Employment Development Department, as recommended in the Business Services Report. The modification changes the work plan and proposed expenditures of the budget of the original WIA Subgrant agreement. The award remains the same at \$302,910.00. All other terms and conditions remain the same. A copy of said Report No. B-139-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Kern Community College District, Authorization to Execute an Agreement with El Camino Community College District to Provide Training to Companies Using Employment Training Panel (ETP) Funds

The Chief Financial Officer was authorized to execute an agreement between the Kern Community College District and the El Camino Community College District, to provide training to companies using Employment Training Panel (ETP) funds, as recommended in the Business Services Report. The term of the agreement is June 22, 2010, to June 30, 2011. The total amount payable to the District is \$70,000.00 and will be paid from El Camino's Community College District ETP contract. A copy of said Report No. B-140-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Kern Community College District, Authorization to Accept Amendment Number Two to the Economic and Workforce Development Grant Agreement-Small Business Programs

The Chief Financial Officer was authorized to accept Amendment Number Two to the Economic and Workforce Development Grant Agreement-Small Business Programs between the Kern Community College District and the California Community Colleges Chancellor's Office, to facilitate the success of business and entrepreneurship through partnership and collaborations with business, industry, and government, as recommended in the Business Services Report. The amendment extends the performance period from June 30, 2009, to December 31, 2010. All other terms and conditions remain the same. A copy of said Report No. B-141-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Bakersfield College, Authorization to Accept Grant Funding from the California Community Colleges Chancellor's Office to Maintain Enrollment Capacity in the Associate Degree of Nursing Program

The Chief Financial Officer was authorized to accept grant funding between the Kern Community College District, on behalf of Bakersfield College, and the California Community Colleges Chancellor's Office, to maintain enrollment capacity in the Associate Degree of Nursing program. The term of the agreement is July 1, 2010, to June 30, 2012, as recommended in the Business Services Report. The total amount payable to the District is \$464,374.00. A copy of said Report No. B-142-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Bakersfield College and Cerro Coso Community College, Authorization to Accept a New Contract with the State of California Department of Education for Facilities Renovation Repair

The Chief Financial Officer was authorized to accept a new contract between the Kern Community College District, on behalf of Bakersfield College and Cerro Coso Community College, and the State of California Department of Education for Facilities Renovation Repair funds—CRPM-0024, as recommended in the Business Services Report. The term of the agreement is July 1, 2010, to June 30, 2013. The total amount payable to the District is \$17,800.00. A copy of said Report No. B-143-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Consent Items: The Business Services items listed below require ratification in accordance with Board Policy 3A9A, which authorizes the Chief Financial Officer to execute agreements for goods and services up to \$30,000 for construction services or up to \$50,000 for goods and services other than construction services, as recommended in the Business Services Report. Earlier in the meeting, it was moved by Mrs. Meek, seconded by Mr. Rodgers, and carried that the following Business Services items be approved on the consent agenda.

Items Other than Construction

- Acceptance of a donated patrol vehicle, on behalf of Bakersfield College, from the Delano City Police Department for use at the Delano campus, as shown in the Business Services Report.
- Amendment Number One to the Economic and Workforce Development Grant Agreement – Youth Entrepreneurship Program between the Kern Community College District and the California Community Colleges Chancellor’s Office, to allow the hosting of a large event where youth (14-27) can connect with young entrepreneurs to motivate them towards an entrepreneurship career pathway. The amendment extends the performance period from December 1, 2009, to December 31, 2010.
- Purchase Agreement between the Kern Community College District and Cardiac Science Corporation, to provide Automatic Defibrillator Program AED/CPR training to management staff of the Kern Community College District, for a term of two years, and the total cost to the District is \$5,440.00.
- Renewal of annual membership of the Kern Community College District with the Central Valley Higher Education Consortium, July 1, 2010, through June 30, 2011, at a cost of \$1,000.00.
- Contractual Services Agreement between the Kern Community College District, on behalf of Bakersfield College, and Employers’ Training Resources, to refer students to Bakersfield College for training in various certificate and degree programs, July 1, 2010, through June 30, 2011, and the total amount payable to the District is \$20,000.00.
- Amendment Number Two between the Kern Community College District, on behalf of Bakersfield College, and the Foundation for California Community Colleges, to provide facilities and equipment in support of the State of California’s Bureau of Automotive Repair, Referee and Student Technician training program, July 1, 2010, to June 30, 2012, and the total amount payable to the District is \$12,000.00.
- Amendment Number Two between the Kern Community College District, on behalf of Bakersfield College, and iPARADIGM, LLC., to provide online service to Bakersfield College English faculty, September 27, 2010, to September 27, 2011, and the total cost to the District is \$2,900.00.

- Fine Art Insurance Application between the Kern Community College District, on behalf of Bakersfield College, and Huntington T. Block Insurance Agency, Inc., to provide insurance coverage to the Wylie and May Louise Jones Gallery, Bakersfield College, for art collection(s) on temporary loan for display, September 7, 2010, to September 7, 2011, and the total cost to the District is \$800.00.
- Allied Health Education Program Agreement between the Kern Community College District, on behalf of Bakersfield College, Porterville College, Cerro Coso Community College and San Joaquin Community Hospital, for the use of clinical facilities suitable for the educational needs of the Allied Health Programs, July 1, 2010, to June 30, 2012, and there is no cost to the District.
- Allied Health Education Program Agreement between the Kern Community College District, on behalf of Bakersfield College, Porterville College, Cerro Coso Community College and RN,C., MBA Inc., dba Interim Health Care, for the use of clinical facilities suitable for the educational needs of the Allied Health Programs, July 1, 2010, to June 30, 2013, and there is no cost to the District.
- Allied Health Education Program Agreement between the Kern Community College District, on behalf of Bakersfield College, Porterville College, Cerro Coso Community College and Kern County Mental Health Department, for the use of clinical facilities suitable for the educational needs of the Allied Health Programs, July 1, 2010, to June 30, 2014, and there is no cost to the District.
- Allied Health Education Program Agreements between the Kern Community College District, on behalf of Bakersfield College, Cerro Coso Community College, and Porterville College and the following agencies, for the use of clinical facilities suitable for the educational needs of the Allied Health Programs, August 1, 2010, to June 30, 2012, and there is no cost to the District.

Bishop Care Center-Long Term Care Facility
Bishop Pediatrics & Allergy Clinic
Grace Lutheran Preschool
Northern Inyo Hospital Acute Care Facility
Pioneer Home Health Care

- Authorization for the Chief Financial Officer to declare the items listed from Bakersfield College, Information Technology Department, identified in the Business Services Report, no longer required for school purposes as surplus property, per Education Code Section 81450, and to dispose of said property through public auction, private sale, or donation, per Education Code Section 81452.
- Authorization for the Chief Financial Officer to declare the items listed from Bakersfield College, Maintenance and Operations Department, identified in the Business Services Report, no longer required for school purposes as surplus property, per Education Code Section 81450, and to dispose of said property through public auction, private sale, or donation, per Education Code Section 81452.

- Auditing Services Agreement between the Kern Community College District and Wendy Yuan-Sway, Certified Public Accountant, to provide auditing services for the Cerro Coso Community College Foundation funds and disbursements to and from the District for the year ended June 30, 2010, and the total cost to the District is \$2,600.00.
- Personal/Professional and Contractual Services Agreement between the Kern Community College District, on behalf of Cerro Coso Community College, and Employers' Training Resource, to provide approved education programs, July 1, 2010, through June 30, 2011, and the total amount payable to the District is \$20,000.00.
- Maintenance Agreement between the Kern Community College District, on behalf of Cerro Coso Community College, and A.B. Dick/IPS, to provide maintenance as needed to the Duplo Digital Duplicating Machine, July 1, 2010, to June 30, 2011, and the total cost to the District is \$1,502.00.
- Statement of Work between the Kern Community College District, on behalf of Cerro Coso Community College, and Equitrac Corporation, to provide installation services to upgrade the College's Equitrac Pay-for-Print software, August 9, 2010, to September 30, 2010, and the total cost to the District is \$2,006.90.
- Agency/User License Contract Amendment between the Kern Community College District, on behalf of Cerro Coso Community College, and EUREKA, to extend the agreement through June 30, 2011, and the total cost to the District is \$2,159.59.
- Rental Agreement between the Kern Community College District, on behalf of Cerro Coso Community College, and the 53rd District Agricultural Association, to participate in the Desert Empire Fair, October 21-24, 2010, and the total cost to the District is \$245.00.
- Radio Broadcast Agreement between the Kern Community College District, on behalf of Porterville College, and KTIP Radio AM, to advertise classes and programs through broadcasts with the local station, August 2, 2010, to July 31, 2011, and the total cost to the District is \$2,500.00.
- Authorization for the Chief Financial Officer to declare the items listed from Porterville College, Maintenance and Operations Department, identified in the Business Services Report, no longer required for school purposes as surplus property, per Education Code Section 81450, and to dispose of said property through public auction, private sale, or donation, per Education Code Section 81452.
- Agreements with Independent Contractors for 2010-11, for Kern Community College District, Bakersfield College, Cerro Coso Community College, and Porterville College to provide various services, as recommended in the Business Services Report. The total cost to the District is approximately \$60,490.00.

A copy of said Report No. B-144-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

District Order Reports

The following District Order Reports were approved and payments were authorized, and copies of the same, designated as Report No. B-145-10 in the Supplementary Minutes File, are hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

General Fund: Numbers: A-2: 9 - 12
General Fund: Numbers: 3101260 - 3102653
Student Financial Aid Fund: Numbers: 3102115 - 3102526
Student Financial Aid Direct Deposit: Numbers: 3100225 - 3106312
Measure G Building Fund: Numbers: 3101353 - 3102535
Mammoth Building Fund: Numbers 3101915 - 3102536

<p style="text-align: center;">EDUCATIONAL SERVICES— CONSENT</p>

Consent Items: The Educational Services items listed below require approval by State law, State regulations, or approval in accordance with the Board Policy Manual of the Kern Community College District. Earlier in the meeting, it was moved by Mrs. Meek, seconded by Mr. Rodgers, and carried that the following Educational Services items be approved on the consent agenda.

Kern Community College District, Workplace Learning Resource Center, Authorization to Enter into an Agreement for Services with Kaiser Permanente for a Customized Training Program

The Chief Financial Officer and the Vice Chancellor, Educational Services, were authorized to enter into an Agreement for Services, on behalf of the Workplace Learning Resource Center, and Kaiser Permanente for a customized training program that will address their desire to improve first time pass rates for Kaiser Permanente employees taking the Language Line Medical Certification test, as recommended in the Educational Services Report. The total amount payable to the District is \$1,492.00. A copy of said Report No. E-60-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Kern Community College District, Workplace Learning Resource Center, Authorization to Enter into an Agreement with Butte-Glenn Community College District

The Chief Financial Officer and Vice Chancellor, Educational Services, were authorized to enter into an Agreement for Services on behalf of the Workplace Learning Resource Center and Butte-Glenn Community College District on behalf of its sponsored program California Corporate College (CACC), as recommended in the Educational Services Report. The total amount payable to the District is \$16,060.00. A copy of said Report No. E-61-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Kern Community College District, Workplace Learning Resource Center, Authorization to Enter into an Agreement for Services with IKEA Tejon Distribution Center

The Chief Financial Officer and Vice Chancellor, Educational Services, were authorized to enter into an Agreement for Services, between the Kern Community College District, on behalf of the Workplace Learning Resource Center, and IKEA Tejon Distribution Center, as recommended in the Educational Services Report. The total amount payable to the District is \$21,565.00. A copy of said Report No. E-62-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Cerro Coso Community College, Authorization to Approve an Agreement with Intellectual Equity, Inc.

The Chief Financial Officer and the Vice Chancellor, Educational Services, were authorized to approve an agreement on behalf of Cerro Coso Community College, and Intellectual Equity, Inc., as recommended in the Educational Service Report. The total amount payable to the District is \$2,700.00. A copy of said Report No. E-63-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Cerro Coso Community College, Approval to Deliver Community Education Classes

The Board approved Cerro Coso Community College to deliver Community Education classes, as listed on the accompanying Educational Services Report. The District will generate \$1,800.00. A copy of said Report No. E-64-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

**HUMAN RESOURCES ITEMS—
CONSENT**

Consent Items: The Human Resources items listed below require approval by State law, State regulations, or approval in accordance with the Board Policy Manual of the Kern Community College District. Earlier in the meeting, it was moved by Mrs. Meek, seconded by Mr. Rodgers, and carried that the following Human Resources items be approved on the consent agenda.

Approval of Employee Transactions for Academic, Classified, and Confidential and Management Employees

The Board approved the employee transactions for academic, classified, and management staff, as recommended in the Human Resources Report. A copy of said Report No. H-21-10 in the Supplementary Minutes File is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

REPORTS

Faculty Reports

Ms. Mary O'Neal, CCA President, reported that faculty were looking forward to beginning negotiations on the collective bargaining agreement for next year. She advised that the faculty and management team members would be participating in Interest Based Bargaining training. She indicated that the faculty as well as management will be presenting their respective sunshine proposals at the next Board meeting.

Ms. O'Neal commented that the faculty team members were surprised that the management Chief Negotiator will be Mr. Bruce Barsook, Attorney. She stated that it was understood that part of the rationale for hiring internal counsel was that costs would be reduced by not hiring an external Counsel. She commented that Mr. Barsook will be participating in the Interest Based Bargaining training and ultimately they will be bargaining together.

Classified Staff Report

There were no classified staff reports.

Management Association Report

Ms. Primavera Arvizu, Director, Extended Opportunity Programs and Services (EOP&S), Bakersfield College, indicated that she was there on behalf of the President of the Management Association; Mrs. Sue Vaughn. She reported that there were no updates at time; however, Mrs. Vaughn wanted it reported that staff are working hard with the high enrollment at Bakersfield College.

College Reports

Cerro Coso Community College - Mrs. Jill Board, President, reported that the College received a notification that the College's National Science Foundation grant that focuses on renewable energy was going to be funded. She advised that Cerro Coso Community College is one of ten Colleges participating in that grant which is \$3 million and the College will receive the largest amount of \$700,000 over a four year period.

Mrs. Board advised that there had been a press conference to announce the award. She also reported that there was a recent press release related to Jacobs Technology and NDTI who are local contractors who provided \$10,000 to assist in continuing offering low enrolled courses leading to engineering degrees. She stated that this grant is a community effort with Sierra Sands Unified School District, the College, and the China Lake Naval Weapons Center. She indicated that Sierra Sands has over 102 students enrolled in their pre-engineering courses for grades 10-12; in the middle school, grades 7-8; and are offering after-school activity programs featuring robotics to keep the students interested. She advised that Cerro Coso Community College is committed to offering the Engineering courses that fill the students' lower division transfer requirement and the higher level mathematics requirement.

Mrs. Board reported that College engineering students had the opportunity to apply at the California State University, Long Beach. She advised that an agreement was signed that will allow the University to take the place of Fresno State University at the University Center in Lancaster. This will allow students to apply at the California State University, Long Beach, Center in Lancaster, and receive the last two years of their Bachelor's Degree.

Mrs. Board announced that the College has a new head Baseball Coach, Mr. Billy Montgomery, a former student and baseball team member. Mr. Montgomery then attended San Diego State University, continuing to play for them, and then graduated from Western Oregon University. She advised that he was drafted in the tenth round by the Texas Rangers and played in the minor league, and he also coached at Western Oregon.

Mrs. Board reported that the College's CSEA leadership launched a communication initiative to their members and they entitled it, "It is an attitude thing." She stated that this is an outcome of the Leadership program, because the CSEA leaders are putting into perspective that the classified staff are part of the face of Cerro Coso Community College and want their co-workers to consider what they want to present to the public and each other. She indicated that the first communication focused on how one approaches their job, making either a positive or negative impression. She stated that there were specific items related to soft skills. They are encouraging each other to reflect on how they made a positive impact in the workforce at the College.

Porterville College – Dr. Rosa Carlson, President, announced that she had the pleasure of attending the Porterville City Council meeting where she accepted a \$25,000 check from Southern California Edison. The College will be partnering with the City of Porterville, the Chamber of Commerce, and Southern California Edison to conduct a very specific training needs assessment to determine what employers in the community need, not only now, but also in the future. She stated that this is one of the College's priorities, Career Technology, to ensure that the necessary courses offered to fit the needs of the community. Dr. Carlson stated that in addition to this partnership, the Porterville Unified School District is also starting a pathway of careers for each of the high schools. She indicated that Porterville College faculty and administrators will be involved with the high schools. She advised that following the educational part, there will be internships provided in the local community.

Dr. Carlson reported that Porterville College was one of three Colleges selected to participate in the Bridging Researching Information in Culture (BRIC). She stated that three outside researchers from other Community Colleges are working with Porterville College faculty and administrators to determine what is working and what is not working. They will be focusing on student learning outcomes and conducting specific research projects and also on student success and retention. She indicated that several projects will be identified.

Dr. Carlson reported that Mr. Richard Goode, Chair of Mathematics and Science, has been mentoring at the Sequoia Middle School and as part of the NASA program, he had the opportunity to spend an entire weekend at NASA and received hands-on training provided to astronauts. She reported that an adjunct instructor and musician performed in Cairo, Egypt, and stated that indicates faculty are involved not only in the local community but beyond.

Dr. Carlson advised that the College will be continuing the C.H.A.P. activities for the College. She announced that the College Presidents are very proud of the faculty, staff, and administration, as everyone is working very hard, as all three Colleges are serving more students, and at the same time there are fewer classes than in the past. Everyone is doing more with less.

Bakersfield College – Mrs. Nan Gomez-Heitzeberg, Executive Vice President, Academic Affairs/Student Services, advised that Dr. Chamberlain, President, was participating in an Accreditation Training as he will be serving on an Accreditation Team Visit.

Mrs. Gomez-Heitzeberg referred to the Bakersfield College Board Report, highlighting the accomplishments of faculty members. She reported that Ms. Barbara Braid, Counselor, who along with other faculty, and former administrator Ms. Patti Ross, participated in a research project that was published, Hispanic Community College Students: Acculturation, Family Support, Perceived Educational Barriers, and Vocational Planning; and Mr. Kris Tiner, faculty member, artist and musician, was one of five contemporary trumpet players who has featured on National Public Radio. She commented that he is a wonderful educator who takes a group of new students and brings them along creating a harmonious way of presenting music.

Mrs. Gomez-Heitzeberg reported about a new program, a pilot, the Math Jam, which was designed to bring students together before instruction began in the fall and provide some intensive training as it was determined from assessment testing that even the advanced students can be challenged and not be successful in their mathematics courses. She stated that a process was initiated to bring the students on board, and of the 16 enrolled that began and 16 completed the process. Of those 16, 14 were now enrolled in the mathematics courses, and there is a process for tracking the data related to their success.

Mrs. Gomez-Heitzeberg advised that the MESA Week Zero is a partnership with Chevron where Science, Mathematics, and Engineering students along with faculty and bring in engineers from the field. She commented that there was a high level of energy in the room; they were enthused, and looking forward to the project.

Mrs. Gomez-Heitzeberg reported that Bakersfield College is offering classes in Arvin. She commented that she knew Arvin community members had addressed the Board of Trustees to advocate for a program and services. She indicated that there is not a program; however, there is plan in place to offer general education courses over a period of semesters. This semester there are four general education courses and 52% of the students enrolled are from the Arvin and Lamont area. She advised that the College found that when classes are in high demand, students residing in Bakersfield, are traveling to Arvin to participate in those classes. It was also determined that they have drawn students from Tehachapi. This will be tracked to determine how the College is meeting those needs and how that information can be factored into the development of the proposed center in the future.

Mrs. Gomez-Heitzeberg stated that she and Dr. Bonnie Suderman, Dean of Learning Resources and Information Technology, who is responsible for outreach instructional sites, have been meeting with a variety of people including the new principal at Arvin High School to ensure that this connection is in place and there is marketing to the community. She commented that there are strong advocates in the community getting the word out.

Mrs. Gomez-Heitzeberg stated that related to professional development, the week prior to school starting, Department Chairs, new faculty, and adjunct faculty met and there was a day filled with professional day activities. She reported that new faculty will continue with a year-long series of meetings to help support and acclimate them to set expectations for the coming year as a professional at Bakersfield College. She stated that adjunct faculty had the opportunity to attend three different workshops to assist them in the challenges they meet as an adjunct faculty member. They were also provided additional materials to be used as campus resources.

Mrs. Gomez-Heitzeberg extended an invitation to the Renegade Room dinners; the Alumni Barbecue on September 16, 2010, at the Bakersfield College practice field; and an Art Show opening this evening. Also, on October 14, 2010, there is a new show by Ms. Nancy Romero and she encouraged the Trustees to visit the art gallery.

Mrs. Meek asked if Arvin and/or Lamont students were turned away from any of the classes at Arvin because of students from Bakersfield and Tehachapi. Mrs. Gomez-Heitzeberg replied that the classes did not reach the maximum for those classes.

Chancellor's Report

The Chancellor commented that it had been a very busy month since the last Board meeting as the Colleges were working towards the opening of classes and thousands of students descending on the campuses. She stated that she visited the Cerro Coso Community College campus and it was a pleasure to participate in the celebration of the College's participation in the NSF grant for clean energy. She commented that having made the trip to the College she was pleased to hold a forum, a meeting with the Chancellor, where she had an opportunity to meet with faculty, staff, and administrators related to issues that might have been on their mind, things they would like to know, things she should know, etc. She stated that she returned with a list and have been following up to find answers to questions, some of which she could not answer. Some answers generated more questions. She indicated that she also had an opportunity to meet with members of the College Council and talk about various issues.

Ms. Serrano stated that since the last Board meeting, the District had been busy with candidates that were interested in the Clean Energy Program, including Senator Barbara Boxer; questions from Mr. Michael Rubio's office related to educational needs; and last night had an opportunity to meet with Assemblywoman Jean Fuller who asked to visit both Bakersfield College and the District Office to look at the Clean Energy Programs. Also, she met with Assemblymember Tom Torlakson who is a candidate for the State Superintendent of Public Instruction, who is also interested in career technical education and he may drop by while visiting Bakersfield.

The Chancellor stated that one really learns a lot when participating in community events, and you learn what the community does not know. She indicated that in talking about Career Technical Education programs, someone from the public made the comment that there is going to be some significant construction both in the East Kern area and the West Kern area and that some of the contractors coming from out-of-state fear the inability to find an adequate number of welders in order to meet the needs of the project. She had shared that with the College Presidents so that they can insure that the Colleges are being responsive to the community workforce needs and asked Mr. John Means, Associate Chancellor, Economic and Workforce Development, to ensure that the College Deans are also having those conversations.

The Chancellor reported that she would be attending a meeting in Sacramento to hear about the Commission on the Future, and she advised that Mrs. Larwood would also be attending a presentation at a later date and location. Ms. Serrano indicated that there has been a Commission formed to talk about the needs for community college education and that will be shared at the next meeting of the Board.

Ms. Serrano reported that the Leadership Academy Kickoff was recently held and it was the best to date. She advised that administrative staff members attended and it was an excellent day and the first regular session would be taking place the following day. She commented that each of the Board members had been asked to participate in a day of the Leadership Academy.

The Chancellor referred to a comment made related to General Counsel and negotiations and she stated that the District does have in-house Counsel and he has completed over a 100 days on the job, and it is intended that he will continue to absorb more of what has been outside work; however, after his first 100 to 150 days are so he was not ready to delve into negotiations.

Ms. Serrano referred to Mrs. Nan Gomez-Heitzeberg's comments about Arvin and commented that the Board would recall that Dr. Chamberlain was to provide a report related to the offer from the City of Arvin in terms of the instructional offerings and the land. She stated that she was contacted twice over the last few weeks about Grimway planning to establish a charter school in Arvin. She expressed interest as to what that might generate for the community of Arvin and Lamont. She reported that Dr. Chamberlain and she were scheduled to meet with Mrs. Barbara Grimway-Marshall.

Ms. Serrano called attention to the revised Human Resources Report that included two Deans of Instruction at Bakersfield College, Mr. Stephen Eaton and Dr. Rebecca Flores.

Ms. Serrano asked Mr. Burke to present an update on the health premium. He shared comparable information related to three years of claims, stating that there had been a significant pike, and he also shared a report on historical utilization. He advised that the utilization rate is the ratio of the premium versus the claim; if the premiums equal the claim, it is 100%; if they exceed the premium it is 100+ percent. He reported that in the spring, SISC was advising that based on their analysis and the data they were receiving from Anthem Blue Cross, they were projecting a 21% increase in premium for the District to meet the projected claims. He stated that when doing this calculation, SISC does not take into account any component of the District's reserve.

Mr. Burke reported that he analyzed the data for the extended period and based on current trends along with Anthem Blue Cross projected changes in the costs of services, the District could see a claim increase to 19%. He advised that in discussions with long-term staff, it was noted that they have traditionally seen during tough budget times and staff reductions spikes in utilization. He indicated that taking that into account, and the fact that SISC and Anthem Blue Cross have not exactly been the best, he feels that a reasonable recommendation for incorporating into the budget would be to move the premium to the cap levels established for the classified bargaining unit which would be a 10.87% increase or \$987.85. He stated that he had an opportunity to review this data and the recommendation with the members of the District Fringe Benefit Committee earlier in the week. He commented that after a spirited discussion there was consensus to move forward with a recommendation to adjust the premium rate to the cap level. Additionally, if it appears after the first half of the year that the utilization is starting to decrease significantly, and there is an increase in the excess reserves, the District relook at that and re-adjust accordingly. Mr. Burke shared the current reserve levels and the projected reserves with the proposed change.

Mr. Burke advised that he would be directing the Colleges to build this change into the Adopted Budget. Mrs. Larwood commented that this seemed reasonable.

Board of Trustees Reports

Mrs. Bans expressed thanks to whoever was responsible for getting services at Arvin which is very good for the students of Arvin and it will be good for the Kern Community College District.

Mr. Duncan advised that there was a time as a student that he was skeptical of Boards of Trustees; however, he has been attending the Board meetings for the last four months, and has had the opportunity to sit on various boards and committees at Porterville College. He stated that he was grateful to have the opportunity to attend the Student Trustee Workshop following the last meeting, stating it was very informative. He commented that he was very grateful and thankful for the members of the Board as well as all the support staff. He stated that the Porterville College students are also grateful for the work of the Trustees and several students requested to use the Student Government Offices to watch the streaming version of today's Board meeting.

ADJOURNMENT

Adjournment

The meeting was adjourned by the President at 4:19 p.m.

_____, President
Stuart O. Witt

_____, Clerk
John A. Rodgers