

OHLONE COMMUNITY COLLEGE DISTRICT
Newark Memorial High School (Tech Center Building)
39375 Cedar Boulevard, Newark, CA 94560

Minutes of Board Meeting
July 14, 2004
Page 1 of 8 Pages

UNADOPTED

MEMBERS PRESENT: Mrs. Ruthe Foster, President
Mr. John H. Weed, Vice President
Mr. Bob Brunton, Secretary
Mr. Dan Archer
Mr. Bill McMillin
Mr. Garrett Yee
Ms. Rosary Cordova, Student Trustee

MANAGEMENT PRESENT: Ms. Deanna Walston, Vice President, Business Services/Deputy Superintendent
Dr. James Wright, Vice President, Instruction
Dr. Lisa Waits, Vice President, Student Services
Mr. Lyle Engeldinger, Executive Dean of Human Resources

COLLEGE COUNCIL: Mr. Dennis Keller

CLASSIFIED SENATE: Mr. Patrick Lane

FACULTY SENATE: Ms. Martha Brown

OPEN MEETING: Mrs. Foster called the meeting to order at 7:04 p.m.

The roll was called and all members were present except Mr. Nick Nardolillo.

1. (Attachment 1) Swearing in of New Student Trustee
Ms. Walston administered the oath to Ms. Rosary Cordova, new Student Trustee.
2. (Attachment 2) Approval of Minutes (February 11, 2004, Board Meeting)
3. (Attachment 3) Approval of Minutes (February 25, 2004, Board Meeting)
4. (Attachment 4) Approval of Minutes (March 10, 2004, Board Meeting)
5. (Attachment 5) Approval of Minutes (April 14, 2003, Board Meeting)

Motion Approved Moved/Weed/Seconded/Brunton/Passed to approve Item 2, 3, 4, and 5: Minutes of February 11, 2004, February 25, 2004, March 10, 2004, and April 14, 2004. A roll call vote was taken: Ayes: Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: Nardolillo; (Advisory Vote - Ayes: Cordova).

Communications from the Public

None

Agenda Modifications

Ms. Walston advised that a request had been made to move Item 14 from the Consent Agenda to the Regular Agenda.

Reports and Announcements

College Council

Mr. Keller reported on discussions in today's College Council meeting: an update from Ms. Walston regarding Bond "A" monies and the current status of the College budget; a day-long retreat scheduled with College Council and Strategic Planning on August 9, 2004.

Faculty Senate

Ms. Martha Brown, Coordinator of Disabled Students, noted that she has been employed at the College for 14 years. She will serve as Faculty Senate President for the next two years and looks forward to representing the faculty at Board meetings.

Classified Senate

Mr. Lane and three classified employees recently attended an informative Classified Leadership Institute in Granlibakken, Tahoe City. This is an annual event sponsored by CCLC and the California Community College Classified Senate.

Associated Students

Ms. Cordova noted that ASOC would resume meetings before the Fall Semester in order to plan and schedule College activities.

Administration

Dr. Waits acknowledged and thanked Ms. Jacqueline Bradley, Financial Aid Director, for her efforts in securing financial funding for emancipated foster youth and to make them aware of the opportunities available to successfully fulfill their educational goals.

Ms. Walston announced that Dr. Treadway has scheduled two retreats: August 6, 2004, a retreat with Deans, Directors, and Administrators; August 12, 2004, a retreat with College Council and the Strategic Planning Committee. She also advised that the new electronic board packet process will be in effect beginning with the August 11, 2004, Board meeting.

Ms. Walston announced that the District has been the recipient of an approximately \$200,000 Brownfields Grant, awarded by the Environmental Protection Agency, to help with the funding in the remediation of the soil at the Newark Center.

Mr. McMillin and Mr. Weed participated with staff in interviewing prospective architects for the College's Fremont Campus project. Ms. Walston advised that two firms have been selected for final interviews.

Mr. McMillin and Mr. Archer thanked Mr. Yee for his part in arranging for the 91st Army Band to perform at the July 4th celebration in the amphitheatre at the Ohlone Campus.

Mr. Brunton announced that he has filed papers to run for the Ohlone College Board of Trustees. He referred to the Board-approved policy requiring each candidate to procure 20 signatures for eligibility to run for the Board. Ms. Walston stated that staff would check the status of this action.

Mr. Weed thanked Mrs. Foster for his appointment and for the opportunity to serve on the architect selection interviewing committee.

Mr. Yee referred to two successful events at the College: the 4th of July celebration and "A Chorus Line" production. He thanked Dean Walt Birkedahl and staff for their support in making the July 4th celebration happen.

Ms. Rosary stated that she is pleased to serve on the Board as Student Trustee and looks forward to working with the Board.

Closed Session Report—June 30, 2004, Board Meeting

On June 30, 2004, the Board of Trustees met in closed session at Papillon Conference Room in Fremont, California, at 6:00 p.m. to conduct its annual performance evaluation and employment agreement review for Douglas Treadway, President/Superintendent. Mrs. Foster presented the following report of the action taken in the closed session: The Board commends Dr. Treadway for excellence in the performance of his duties and the accomplishment of his goals for 2003-2004. The Board recognizes Dr. Treadway for his outstanding leadership as President/Superintendent of Ohlone College during his first year of service. The Ohlone Community College District Board of Trustees unanimously approved the appointment of Douglas Treadway for a term of four years from July 1, 2004, through June 30, 2008. The current employment agreement is hereby amended to include the new four-year term and to specify the 2004-2005 contract year a 2.41% cost-of-living adjustment to his base salary, an increase of three days' paid vacation leave, and an increase of \$2,000 in annual expense allowance. Effective July 1, 2004, the District will no longer directly pay for Dr. Treadway's health and welfare fringe benefits. Instead, he will receive the current value of those benefits as an addition to his salary and will be responsible to pay for his own benefits according to the same conditions that apply to all other District administrative personnel.

Dated June 30, 2004

Roll Call Vote: All members present and all members voting Aye.

Consent Agenda

6. (Attachment 6) Approval of Recapitulation of the June 2004 Payroll Warrants Report
7. (Attachment 7) Approval of Resignation of Academic Dean (Dr. Hersh)
8. (Attachment 8) Confirmation of Ohlone College District New Hires
9. (Attachment 9) Approval of Revised Job Description for Classified Position EOPS/CARE Program Coordinator
10. (Attachment 10) Approval of Revised Job Description for Classified Position Student Services Assistant
11. (Attachment 11) Approval of Resignation of Classified Employee Facilities/Equipment Attendant (Felicione)
12. (Attachment 12) Approval of 2004-2005 Contract with the State Department of Rehabilitation for the WorkAbility III Program
13. (Attachment 13) Approval of New Curriculum Recommendations (2004-2005)
14. Increase in Facility Use Fees
Item removed for discussion
15. (Attachment 14) Award of Bid for Printing of Class Schedules
16. (Attachment 15) Authorization for the Surplus of Personal Property
17. (Attachment 16) Approval of Resolution #1/04-05 for Governing Board to Enter into Agreement with California Department of Education for Childcare and Development Services

Motion Approved

Moved/Weed/Seconded/Brunton/Passed to approve the Consent Calendar, Items 6-13, and 15-17. A roll call vote was taken: Ayes: Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: Nardolillo, (Advisory Vote - Ayes: Cordova).

Regular Agenda

14. (Attachment 17) Increase in Facility Use Fees

Ms. Walston presented the Board with an overview of the study prepared by Ohlone College staff and recommended that the Board of Trustees approve an increase in the District's facility use fees. She advised that Ms. Kimberly Robbie, Education Services Support II, Curriculum and Scheduling, and Mr. Michael Bowman, Director of Curriculum and Scheduling, were present to respond to questions.

Mr. Robert Ettare, a member of the community and elected director and vice president of the Men's Senior Baseball League, presented a history of the League, and urged the Board to reject the increase in the rental fee of the baseball field.

Following a lengthy discussion, the consensus was to conduct an additional study for nonprofits renting the College facilities.

Motion Approved

Moved/Brunton/Seconded/Weed/Passed to authorize an increase in Facility Use fees for profit groups, effective September 1, 2004. Additional information will be provided regarding an increase in fees for nonprofit groups. A roll call vote was taken: Ayes: Brunton, Weed, Foster, Yee, McMillin, Noes: Archer; Abstain: 0; Absent: Nardolillo, (Advisory Vote - Ayes: Cordova).

18. (Attachment 18)

Nursing Program Admission Policy

Ms. Nicole Jones, Ms. Rita Angle, Ms. Stella Parker, applicants to the Ohlone College Nursing Program, addressed the Board on the impact of the nursing program at Ohlone College. Reference was made to the present lottery system in selecting nursing students. The students expressed a desire that the District change their admission requirements to a merit system OR give preference to in-district residents.

Ms. Sharlene Limon, Dean of Health Sciences thanked the applicants for coming to the Board meeting. She gave an overview of the history of the nursing program at Ohlone College. Ms. Limon pointed out that the nursing situation at Ohlone College is a community and a state problem. Because of the complex issues and the necessity of coming up with a solution, Ms. Limon encouraged the Board not to make a decision tonight. She reiterated that the present policy is difficult for students, but also difficult for the nursing profession. Ms. Limon referred to the AB 2177 (Jackson Bill), a bill that would return admission and selection criteria back to each community college nursing program.

Ms. Limon introduced Ms. Gale Carli, Assistant Director of the Nursing Program. Ms. Carli reviewed the selection process, noting that 33 students were accepted into the Ohlone College nursing program with a waiting list of 15. She emphasized that the District has Education Codes and Chancellor rules to follow. She noted that her hope is that with a concerted effort, there will be a solution to the problem.

Mr. McMillin stated that in researching the present status of AB 2177, it is still immersed in the legislative process, and he recommended that a committee be formed to review and publicize this complex situation. Ms. Cordova and Mr. Yee encouraged bringing a recommendation to the Board and coming up with a solution to this problem.

19. (Attachment 19) Public Hearing on the California School Employees Association's (CSEA) Initial Bargaining Proposal for Fiscal Year 2004-2005

- a. Open Hearing for Comments from Citizens
None
- b. Discussion by Board Members
None
- c. Public Hearing Closed

20. (Attachment 20) Acceptance of the California School Employees Association's Initial Bargaining Proposal for Fiscal Year 2004-2005 and Approval of the Negotiations Timetables

Motion Approved

Moved/Brunton/Seconded/Archer/Passed acceptance of the California School Employees Association's Initial Bargaining Proposal for Fiscal Year 2004-2005 and Approval of the Negotiations Timetables. A roll call vote was taken: Ayes: Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: Nardolillo, (Advisory Vote - Ayes: Cordova).

21. (Attachment 21) Public Hearing on the Ohlone Community College District's Initial Counter Proposal to the Service Employees International Union's (SEIU) Initial Bargaining Proposal for Fiscal Year 2004-2005

- a. Open Hearing for Comments from Citizens
None
- b. Discussion by Board Members
None
- c. Public Hearing Closed

Article XXXVI (Term of Agreement) was amended to read 2004-2005 and correction of the spelling of Agreement.

22. (Attachment 22) Approval of Ohlone Community College District's Initial Counter Proposal to the Service Employees International Union's Initial Bargaining Proposal for Fiscal Year 2004-2005

- Motion Approved Moved/Archer/Seconded/McMillin/Passed to approve the Ohlone Community College District's Initial Counter Proposal to the Service Employees International Union's Initial Bargaining Proposal for Fiscal Year 2004-2005. A roll call vote was taken: Ayes: Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: Nardolillo, (Advisory Vote - Ayes: Cordova).
23. (Attachment 23) Public Hearing on the Ohlone College District's Initial Counter Proposal to the
the
United Faculty of Ohlone's (UFO) Initial Bargaining Proposal for Fiscal Year 2004-2005
- a. Open Hearing for Comments from Citizens
None
 - b. Discussion by Board Members
None
 - c. Public Hearing Closed
24. (Attachment 24) Approval of the Ohlone Community College District's Initial Counter
Proposal
to the United Faculty of Ohlone's Initial Bargaining Proposal for Fiscal Year 2004-2005
- Motion Approved Moved/McMillin/Seconded/Archer/Passed to approve the Ohlone Community College District's Initial Counter Proposal to the United Faculty of Ohlone's Initial Bargaining Proposal for Fiscal Year 2004-2005. A roll call vote was taken: Ayes: Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: Nardolillo, (Advisory Vote - Ayes: Cordova).
25. (Attachment 25) Award of Contract to Turner Construction, Inc., for Construction Management at Risk Services
- Ms. Walston introduced three representatives from Turner Construction, Inc.: Mr. Bill Jangraw, Project Manager; Mr. Mike O'Brien, Vice President and General Manager; and Mr. Kavinder Singh, Business Development Sales Manager. Ms. Walston strongly recommended that the Board approve this contract, noting that Turner Construction, Inc., is one of the top firms in the country. The representatives addressed questions from the Board. Mr. McMillin requested two changes be made to the contract: Page 8, (5.6.3) change **of** to **or** in second line: Page 9, (5.7.2) last sentence should read...**without** the prior direction and authorization of the district.
- Motion Approved Moved/Weed/Seconded/McMillin/Passed to approve the Award of Contract to Turner Construction, Inc., for Construction Management at Risk Services. A roll call vote was taken: Ayes: Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: Nardolillo, (Advisory Vote - Ayes: Cordova).

Agenda Items for
Future Meetings

Discussion of Facility Use Fees: Mr. Brunton.
Nursing Program Admission Policy (Appoint a Committee): Ms. Cordova
Review Ohlone College sport teams and intramurals: (Mr. McMillin and
Mr. Weed)
Schedule August Board of Trustees meeting in Newark

CLOSED SESSION:

Time: 10:15 p.m.

**RETURN TO OPEN
MEETING:**

Time: 10:25 p.m.

**Report of Closed
Session Items:**

26.

Public Employee Discipline/Dismissal/Release: Government Code Section 54957

During Closed Session, the Board approved the following actions: the probationary release of a classified employee; the layoff of a classified employee for lack of work, the job title of Lab Technician/Micro Computers, in a Computer Applications Office Technology Department.

ADJOURNMENT:

Time: 10:30 p.m.

Bob Brunton
Secretary