

**WEST KERN COMMUNITY COLLEGE DISTRICT
MINUTES OF THE BOARD OF TRUSTEES**

REGULAR MEETING

August 12, 2015

The regular meeting of the Board of Trustees of the West Kern Community College District was called to order at 5:10 p.m. by President Billy White. Trustees Emmanuel Campos, Dawn Cole, Michael Long and Kal Vaughn were also present. Superintendent/President Dr. Dena Maloney and Executive Secretary Shelley Klein were also in attendance.

PUBLIC COMMENT ON CLOSED SESSION ITEMS

No comments were heard.

CLOSED SESSION

At 5:11 p.m. it was moved by Trustee Cole seconded by Trustee Campos and unanimously carried, that the Board convene in Closed Session to discuss the District's position regarding the following matters:

- A. Public Employee Appointment/Employment, Government Code Section 54957
- B. Public Employee Performance Evaluations, Government Code Section 54957
- C. Public Employee Discipline/Dismissal/Release/Reassignment, Government Code Section 54957
- D. Conference with Legal Counsel – Potential Litigation, Pursuant to Paragraph (4) of Subdivision (d) of Government Code Section 54956.9 – One Case
- E. Conference with Labor Negotiators, Government Code Section 54957
Agency Designated Representative: Superintendent/President
Employee Organizations: TC Faculty Association, CSEA Chapter #543 & Management /Supervisory/Classified Confidential Employees

RECONVENE IN PUBLIC SESSION; ANNOUNCE CLOSED SESSION ACTIONS

At 6:03 p.m., it was moved by Trustee Long seconded by Trustee Campos and unanimously carried, to reconvene in Public Session. President White reported that the following action was taken during Closed Session:

The District has had a contract dispute with one of its vendors – WRD Consulting Group, LLC, and has mediated the dispute seeking an early termination to the contract agreement. By a unanimous vote, the Board voted in Closed Session to authorize Superintendent/President Dr. Dena Maloney to create and sign on behalf of the District a finalized settlement agreement, memorializing the mediated terms of the early contract termination. The settlement amount is \$375,000.00 to be paid in two payments of \$187,500.00 each. The early termination agreement will save the District approximately \$372,000.00.

PLEDGE OF ALLEGIANCE

President White led the pledge of allegiance.

PUBLIC COMMENT ON OPEN SESSION ITEMS

No comments were heard.

GENERAL COMMUNICATIONS

No communications were presented.

QUARTERLY INVESTMENT REPORT

District Investment Advisor Dave Ivarie distributed and reviewed the quarterly report of the WKCCD General Obligation Bond Portfolio and Facilities Reserve for the quarter ending June 30, 2015 (copies attached to the official minutes). Mr. Ivarie reviewed the highlights of the Facilities Reserve including income for the quarter of \$110,120.78 and a withdrawal of \$702,582.00 for a scheduled payment of a long-term debt obligation (certificates of deposit). The ending value was \$14,417,756.66. He noted that the portfolio's performance was off for the quarter at -0.233%; however, the total return for the year to date is 0.963%. The projected 12-month portfolio coupon income is \$373,528.00 with \$4,029,200.34 total income since inception. Mr. Ivarie reviewed the asset and credit sector allocation and the portfolio maturity distribution, as well as confirming continuing compliance with state code and regulations.

The General Obligation Bond Portfolio was reviewed. Mr. Ivarie reported that the GO Bond Portfolio gained income of \$57,369.56 and an ending value of \$12,023,171.86. The projected 12-month portfolio coupon income is \$231,354.00 with \$4,643,491.97 total income since inception. He noted that the GO Bond Portfolio return was also off for the quarter at -0.489% with a total return for the year to date of 0.469%. Mr. Ivarie reviewed the asset and credit sector allocation and the portfolio maturity distribution, as well as confirming continuing compliance with state code and regulations. He noted that the portfolio distribution ladder has been adjusted to a three-year schedule as requested by the District to meet future financial needs.

Mr. Ivarie noted that the financial markets are "bouncy" as a result of the recent devaluation of the Chinese currency, speculation of the U.S. Treasury raising interest rates and weakening of the U.S. dollar. However, the District is well positioned with quality investments that will maintain. He added that this type of volatility has occurred in markets in the past without major consequences.

APPROVAL OF MINUTES

On a motion by Trustee Campos, seconded by Trustee Vaughan and unanimously carried, the minutes of the Regular Meeting held July 8, 2015 were approved.

NEW BUSINESS

First Presentation - Tentative Agreement with the Taft College Faculty Association for a 1.02% Cost of Living (COLA) Salary Adjustment to the Faculty 2015-16 Salary Schedule, Effective 7/1/15

Dr. Maloney reported that this is the initial presentation for tentative agreements with the Faculty Association and CSEA Chapter #543 (see item below) for the 1.02% salary adjustment to both salary schedules for 2015-16 (copy attached to official minutes). Through the collective bargaining process, the District and both the faculty and classified units have reached consensus on the recommendation of the cost of living adjustment of 1.02% to both salary schedules. This is the statutory COLA contained in the state budget and represents a pass-through of the COLA to the employee groups. A second presentation, including an opportunity for public comment, and request for approval will be made at the meeting scheduled for September 9th. If approved, the salary adjustments will be effective retroactive to 7/1/15.

First Presentation - Tentative Agreement with the Classified School Employees Association (CSEA) Chapter #543 for a 1.02% Cost of Living (COLA) Salary Adjustment to the 2015-16 Classified Salary Schedule, Effective 7/1/15

Similar to the tentative agreement with the Faculty Association, the proposed agreement with CSEA Chapter #543 for the 1.02% cost of living adjustment is attached.

First Presentation - Proposed 1.02% Cost of Living (COLA) Salary Adjustment to the Management 2015-16 Salary Schedule, Effective 7/1/15

Dr. Maloney reported that the District's practice is to provide the same COLA to its management group as to the faculty and classified employee groups. As with the faculty and classified groups, if approved it is recommended that the COLA be effective 7/1/15.

WKCCD Equal Employment Opportunity Plan

Dr. Maloney reported that Title 5 requires the District to develop an EEO Plan which provides details on how the District will implement its equal employment opportunity program. The plan is to be submitted to the state Chancellor's Office. The plan has been developed by the District's Equal Employment Opportunity Advisory Committee and includes all required elements per Title 5 regulations. The committee reviewed plans from other districts and the WKCCD Plan is essentially similar to those that have been submitted to the state Chancellor's Office. The specific action items included in the Plan have been reviewed by the Advisory Committee. On a motion by Trustee Cole, seconded by Trustee Long and unanimously carried, the EEO Plan was approved (copy attached to official minutes).

Board Policy #7135 - Substitute and Temporary Employees Paid Sick Leave

Dr. Maloney reviewed that the Healthy Families Act of 2014 requires employers to offer

NEW BUSINESS (continued):

paid sick leave to any temporary or substitute employee who works 30 or more days within a year of employment. The sick leave accrues at the rate of one hour for every 30 hours worked and is available only to temporary or substitute employees who work for 30 or more days in a given year. The new policy was first presented at the meeting held July 8, 2015 and is being proposed for approval. On a motion by Trustee Long, seconded by Trustee Cole and unanimously carried, Board Policy #7135 was approved (copy attached to official minutes).

Updated Board Policy #3410 - Nondiscrimination

Dr. Maloney reported that Board Policy #3410 - Nondiscrimination - reflects new accreditation eligibility requirements and standards, as well as additional language ensuring the protection of rights for those who have military or veteran status or pregnancy. The updated policy was presented for a first reading at the meeting held July 8th and is being presented as a second reading and proposal for approval. On a motion by Trustee Long, seconded by Trustee Cole and unanimously carried, Board Policy #3410 was approved (copy attached to official minutes).

Updated Board Policy #3430 - Prohibition of Harassment

Dr. Maloney noted that the update to Board Policy #3430 - Prohibition of Harassment - reflects new government code and now includes sexual acts of violence as a result of new legislation and regulations. The revised policy is expanded to include unpaid interns or volunteers as well as employees and students. On a motion by Trustee Long, seconded by Trustee Cole and unanimously carried, updated Board Policy #3430 was approved (copy attached to official minutes.)

First Reading - Updated Board Policy #7130 - Compensation

Dr. Maloney reported that the updated Board Policy #7130 - Compensation - now includes "administrators employed pursuant to a contract under Education Code" as well as language prohibiting the payment of incentive compensation relating to securing enrollments or financial aid to employees or external organizations (copy attached to official minutes).

First Reading - Updated Board Policy #5700 - Intercollegiate Athletics

Vice President of Student Services Darcy Bogle reported that the updated Board Policy #5700 - Intercollegiate Athletics - inserts the word "Intercollegiate" in the title and stipulates a change regarding non-discrimination based on gender (copy attached to official minutes).

NEW BUSINESS (continued):

First Reading – Updated Board Policy #5030 – Fees

Dr. Maloney reported that Board Policy #5030 – Fees – has been updated to reflect regulatory references and the District practice to adjust the fee proportionately based upon the term length (copy attached to official minutes).

First Reading – Updated Board Policy #2015 – Student Member(s)

Dr. Maloney reported that Board Policy #2015 – Student Member(s) – has been updated to reflect minimum enrollment requirements for student trustees from 12 to five consistent with CCLC recommendations (copy attached to official minutes).

Purchase of 2015 Chevrolet 15-Passenger Van from Richland Chevrolet Company (Shafter, CA) for \$32,162.50

Executive Vice President of Administrative Services Brock McMurray reported that the proposed purchase of the 2015 Chevrolet 3500 extended 15-passenger van will replace the District’s 2000 Dodge one-ton van. Three quotes were solicited and the lowest was submitted by Richland Chevrolet Company of Shafter in the amount of \$32,162.50. On a motion by Trustee Long, seconded by Trustee Cole and unanimously carried, the van purchase was approved (copy of quotes attached to official minutes).

Agreement (Quote 119540193-1) with DAI Source for IBM Cognos (Report Writer) License, (12 mo.) \$27,764.66

Vice President of Instruction Mark Williams reported that the proposed one-time agreement expands the current license with DAI Source to expand Cognos reporting capacity being developed for student equity data needs. The expansion includes up to eight “analytic” reporting users for the data modeling team and supports customized email and web delivery campus-wide if needed. Subsequent fees are approximated at \$7,250.00 annually. On a motion by Trustee Vaughn, seconded by Trustee Long and unanimously carried, the agreement was approved (copy of agreement attached to official minutes).

Authorization to Purchase Air Filtration Equipment for the Industrial Training Education Center (809 Black Gold Court) in an Amount Not to Exceed \$70,000.00 (CTE Funding)

Mr. Williams reported that the request for authorization to purchase additional air filtration equipment for the Industrial Technology Education Center located at 809 Black Gold Court in Taft will include a combination of individual bench units and exhaust fans that will provide additional capacity in order to expand the number of welding benches. Quotes for this equipment are currently being solicited. CTE funding is available to support the expense. On a motion by Trustee Vaughn, seconded by

NEW BUSINESS (continued):

Trustee Campos and unanimously carried, authorization to purchase air filtration equipment in an amount not to exceed \$70,000.00 was approved (copy of backup material attached to official minutes).

Information Item - Taft College Logo Enhancements and Design

Ms. Bogle presented the final updated Taft College logo enhancements and design (copy attached to official minutes). Since spring 2015, the College's Public Information Committee has been working with JP Marketing on a logo enhancement and website design project. Ms. Bogle noted that the campus support for this project and collaborative effort throughout the various phases has been very exciting. She displayed the revised cougar mascot, new seal and potential campus flags. A brand guideline is being developed and the new web design will be launched this fall following the Accreditation Site Visit in late September.

Information Item - Taft Union High School District "Technology Enhanced College and Career Academy" Grant Proposal

Dr. Maloney reviewed that the Taft Union High School District has submitted a proposal for a grant through the Technology Enhanced College and Career (TEEC) Academy Investing in Innovation (i3) project. If funded, TUHS will be a pilot site for green energy pre-Academy program at the 9th grade level which will dovetail into the existing Oil Technology Academy for students at the 10th - 12th grades. TC was asked to support the project application and to continue offering the STEM outreach activities, STEM courses and Energy Technology Program as part of this overall effort. The West Kern Community College District has long been committed to these programs and is eager to work with Taft Union High School in its career technical education endeavors.

CONSENT AGENDA

- A. Request for Approval - Enrollment Priority Schedule for 2016
- B. Request for Ratification - Renewal of Software Agreement with EMSI to Provide Analyst and Job Posting Analytics Information, 8/10/15 - 8/9/16, \$12,500.00. (Perkins Funding)
- C. Request for Ratification - Agreement with the Taft Correctional Institution (MTC) to Provide GED Testing Services Effective 7/1/15 - 6/30/16, \$140.00 For Individual Test Per Applicant and \$20.00 for Subsequent Tests Per Applicant
- D. Request for Ratification - Contract Dispute Resolution Services Agreement with JAMS, 8/6/15, \$6,500.00

CONSENT AGENDA (continued):

- E. Request for Approval – Renewal of the IBM SPSS Statistics Base Academic Concurrent User Subscription and Support (Support for Psychology 2200 and 2205), 9/1/15 – 8/31/16, \$8,999.10
- F. Request for Ratification – Agreement with C.A. Reding for Renewal of Equitrac Software Support for the Library Printing Cost Management System, 1/1/15 – 12/31/15, \$473.00
- G. Request for Approval - AMS.NET-CISCO SMARTnet Network Hardware Maintenance Renewal Agreement (Quote #94038) Related to TC Internet and Phone Service, 9/1/15 – 8/31/16, \$12,201.71
- H. Request for Approval – Agreement with GT Software for the NetCOBOL Software Maintenance Renewal, 9/1/15 – 8/31/16, \$2,079.00
- I. Request for Approval – Annual Renewal of SARS Software License for the Student Services SARS GRID and SARS CALL Programs, 8/20/15 – 8/19/16, \$5,100.00
- J. Request for Approval – Renewal of Maintenance Services with Harland Technology for the Scantron Scanner, 9/6/15 – 9/5/16, \$620.00
- K. Request for Ratification – Agreement with GL Consulting Services, LLC, to Provide IBM Cognos Business Intelligence Training and Support, 8/4/15 – 8/3/16, \$175.00/Hr., Not to Exceed 100 Hrs., (Student Equity Funding)
- L. Request for Ratification – Agreement with Double D Cleaning Service to Provide Custodial Services at the Industrial Technology Education Center (ITEC) Located at 809 Black Gold Ct., \$95.00/Visit/Week and \$45.00 Quarterly for Window Cleaning, Effective 7/1/15
- M. Request for Approval – Agreement with the Kern County Hispanic Chamber of Commerce Business Education Foundation to Provide (2) Small Business Academy Training Programs Related to the West Side AB86 Adult Education Grant Activities, 10/1/15 – 12/24/15, \$20,000.00
- N. Request for Ratification – Extension of Independent Contractor Agreement with Sabrina Buie to Proofreading Service Related to the Accreditation Self-Evaluation Document, 6/11/15 – 7/31/15, \$20.00/Hr., Not to Exceed 15 Hrs. (Original Agreement Provided for 65 Hrs. at \$20.00/Hr.)
- O. Request for Approval – Independent Contractor Agreement with Dr. David Morse for Travel Expenses Related to His Presentation During Fall Inservice “The 10+1: Roles and Responsibilities of the Academic Senate,” 8/17/15 – 8/18/15, Travel Expenses Not to Exceed \$300.00

CONSENT AGENDA (continued):

P. Ratification and Confirmation July 2015 Vendor Check & Purchase Order Registers

Q. Routine Personnel Items:

1. Request for Conference Attendance and Expenses as of August 5, 2015

On a motion by Trustee Vaughan, seconded by Trustee Campos and unanimously carried, Consent Agenda Items A - Q were approved as presented (materials related to items A - Q are attached to official minutes).

PUBLIC COMMENTS ON ITEMS OF GENERAL INTEREST

No comments were presented.

REPORTS FROM STAFF AND STUDENT ORGANIZATIONS

Financial Reports

The following financial reports were presented for information (copies attached to official minutes):

1. Revenue Accounts (Account Level 1) FY 2015/16
2. Expenditure Accounts (Account Level 1) FY 2015/16
3. Expenditure Detail of \$10,000.00 or Greater, July 2015
4. Student Organization and Special Accounts, July 2015
5. Funds Deposited in County Treasury, July 2015
6. Investments Held at Deutsche Bank Trust Company and
The Bank of New York Mellon 7/1/14 - 6/30/15

Academic Senate

2015/16 Academic Senate President Geoffrey Dyer reported that he is looking forward to the beginning of the semester and was very pleased to announce that the statewide Academic Senate President Dr. David Morse from Long Beach City College will speak during Fall Inservice on August 18th from 10:00 a.m. to 12:00 noon in the Library. Dr. Morse is highly regarded in his state leadership role and it is fortunate to have him at the beginning of the semester. The first TC Academic Senate meeting is scheduled for August 20th.

Information Services

Information Services Director Adrian Agundez was pleased to announce that the current agreement with the Foundation for Community Colleges for the Microsoft Office suite of programs provides any person with a TC email account five copies of Microsoft Office at no charge which is a great benefit to students and employees.

REPORTS (continued):

Instruction

Mr. Williams reported that he and his staff are busy with the typical challenges of the beginning of the fall semester with identifying and hiring adjunct instructors, etc. He is very pleased with the recommendation of Deborah Rodenhauer as the Associate Professor in Studio Arts. She is a dedicated and skilled instructor who has taught for TC as an adjunct for some time.

Student Services

Ms. Bogle reported that the dorms are full for the fall semester including 130 athletes. "Jump start" classes are in motion. These are courses taught by Supplemental Instructors that, when completed successfully, allow students to move up a level in their math classes. Enrollment is strong - Taft College has more students than the same time last year while most community colleges are down. This year, rather than holding a "TC Day" at the beginning of the semester, the ASB is planning daily activities during the first week of school to welcome students and promote participation in ASB organizations.

Administrative Services

Mr. McMurray reported that the state budget outlook for 2015/16 is strong. The final budget will be presented at a budget workshop at 4:00 p.m. immediately preceding the September Board meeting. It will not contain any significant changes from the preliminary budget approved June 10th. The state is directing major funding to the student success effort and payment of mandated claims owed to districts, in addition to one-time funds to offset rising STRS and PERS costs.

Facilities projects are progressing. The alley infrastructure project has been somewhat delayed due to unanticipated pipes, thick asphalt, etc. The Student Center project continues to await final approval of the Department of State Architects. It is hoped that it will begin the first of 2016. The interior gymnasium update project has been completed including new paint, sound panels, refinishing the floor, etc. The project greatly improved the gym aesthetics.

TC Foundation

Executive Director Sheri Horn Bunk reported that the Foundation is hosting two major events this fall - the TC Cookout and the West Kern Petroleum Summit. The Cookout is scheduled for the evening of October 8th from 5:00 to 8:00 in the TC Quad. This year Harry Wilson will receive the Community Spirit Award. On October 16th the West Kern Petroleum Summit will be held in the Oildorado Pavilion located next to the Oilworker Monument. Speakers include T. Boone Pickens, Alex Epstein, Chancellor Brice Harris and potentially Governor Brown. "Jeopardy" talk show host Alex Tribeck will serve as the master of ceremonies. It promises to be a great event!

REPORTS (continued):

WESTEC

Executive Director Bill Rector reported that WESTEC is experiencing an increasing amount of interest in the court reporting program. Several proprietary schools have closed, leaving fewer options for students looking for classes. WESTEC Chief Instructional Officer Randy Kizzar is on the TC campus two days weekly to work with Vice President Mark Williams in effort to coordinate and promote industrial technology courses. Overall, demand for WESTEC courses remains stable in spite of the current downturn in the oil-related training needs.

REPORT OF THE SUPERINTENDENT

Dr. Maloney reported that, as evidenced by the agenda and reports, a lot of activity surrounds the start of the fall semester. Enrollment is strong. Two Cougar Days were held which offer students a one-day registration process and both were very successful. Fall Inservice begins Monday, August 17th, with a week of events, meetings and activities. Included is an Interest Based Bargaining workshop for members of both the faculty and classified collective bargaining committees. As Professor Dyer announced, Statewide Academic Senate President Dr. David Morse will speak on the role of the Academic Senate on Tuesday, August 18th. And, the traditional Welcome Breakfast is scheduled for Friday, August 21st, at 8:00 a.m. in the Historic Fort Auditorium. The Board will hold their annual Retreat on Saturday, August 22nd. The Board will conduct a self-evaluation of their goals of the previous year, review ethics and trusteeship, and establish their goals for the ensuing academic year.

Dr. Maloney added that she is looking forward to another exciting and productive academic year!

EMPLOYMENT

On a motion by Trustee Campos and seconded by Trustee Long, Employment Items A - D were approved by the following vote (Employment Items A - D (*Appendix I & II*) are attached to official minutes):

Yes: Emmanuel Campos, Dawn Cole, Michael Long, Kal Vaughn and Billy White

No: None

Abstain: None

Absent: None

NEXT MEETING

The next monthly meeting is scheduled for Wednesday, September 9, 2015, at 5:00 p.m. A Budget Study Workshop is scheduled to be held immediately preceding the regular Board Meeting at 4:00 p.m. in the Cougar Room.

ADJOURNMENT

At 7:25 p.m., on a motion by Trustee Vaughn, seconded by Trustee Campos and unanimously carried, the meeting was adjourned.

Respectfully Submitted:

Kal Vaughn, Secretary