



**WEST
HILLS**
COMMUNITY
COLLEGE
DISTRICT

WEST HILLS COMMUNITY COLLEGE DISTRICT

Board of Trustees
9900 Cody Street
Coalinga, CA 93210
(559) 934-2100

MINUTES OF THE REGULAR MEETING OF THE GOVERNING BOARD

June 7, 2011



CALL TO ORDER / OPEN SESSION

President McKean called the meeting of the Board of Trustees to order at 3:03 p.m. and led the Board members and audience in the flag salute.

Board members present:

Mark McKean, President
Bill Henry, Vice President
Nina Oxborrow, Clerk
Jeff Levinson
Edna Ivans
Jack Minnite
Steve Cantu

Board members absent:

Ryan Cardoza, Student Trustee

Administrators present:

Frank Gornick, Chancellor
Ken Stoppenbrink, Vice Chancellor of Business Services
Pedro Avila, Vice Chancellor of Institutional Effectiveness and Enrollment Management
Dave Bolt, Vice President of Educational Services, West Hills College Lemoore
Jill Stearns, Vice President of Educational Services, West Hills College Coalinga
Marlon Hall, Vice President of Student Services, West Hills College Coalinga
Susan Whitener, Associate Vice Chancellor of Educational Planning
Cathy Barabe, Director of Grants
Richard Larson, Director of Farm of the Future

Public Comments

There were no public comments made at this time.

Introduction of Guests

There were no guests introduced at this time.

PUBLIC HEARING

President McKean stated that this time has been set aside for a public hearing on the possible scenarios for adjusting the West Hills Community College District Board of Trustees election district boundaries.

Dr. Frank Gornick introduced the following guests: Mr. Chris Skinnell, Legal Counsel, Nielsen, Merksamer, Parrinello, Gross, and Leoni, LLP; and Dr. Jeanne Gobalet, Demographer, Lapkoff & Gobalet Demographic Research, Inc.

Dr. Gobalet addressed the Board of Trustees and provided a presentation with regard to the redistricting options for the district. She stated that when considering redistricting, the district must use 2010 census data; the trustee areas must have (almost) equal populations; and the federal Voting Rights act applies. Dr. Gobalet summarized the data with regard to the trustee area populations and the deviation factor. She stated that as long as deviation is under 10%, she thinks we will be fine. Mr. Skinnell agreed, stating that any deviation under 10% is presumptively constitutional.

Dr. Gobalet discussed the equal population considerations, stating that a trustee area having a population of 15,181 is the ideal size. With a 10% deviation, there would have to be a population of no less or no more than 1,518 (below or above) the ideal size. Dr. Gobalet discussed the maps of the district and explained that there are two plans developed for consideration by the Board (Plan A and Plan B). She provided a comparison of the plans.

President McKean stated that neither plan does anything for Riverdale. Dividing a community in half is wrong. It doesn't give one man one vote, it does just the opposite. He stated that neither plan makes good sense to him and this is how he sees it for the people of his community. Trustee Ivans stated that Plan B shows little concern for Riverdale at all but understands that we need to choose one of the plans. Trustee Oxborrow stated that Plan A would be the lesser of two evils. Dr. Gobalet stated that there are too many people in the Coalinga-Huron Unified School District to be placed into one trustee area. She stated that these are the two best plans that could be developed based on the criteria adopted by the Board. She stated that they could not come up with any other plans given the number of people and demographics. There is no way to avoid dividing the communities.

Dr. Gornick stated that everyone is affected by this change a little bit. Mr. Skinnell stated that we are a little crunched for time because of the late census data. Trustee Minnite questioned what would happen if the Fresno County Committee on School District Organization rejected the plan. Mr. Skinnell responded that they could then determine another plan, but his experience is that they defer to the district. Dr. Gornick questioned what occurs after approval of the plan by the County Committee. Mr. Skinnell explained that the November 2011 election will use the new boundaries and

the elections would continue to be at large. The change to the electoral system would occur with the November 2013 election. He stated that he does not anticipate any problems with waivers for an at large election in November 2011. Trustee Henry questioned what happens if we miss the County Committee deadline. Mr. Skinnell stressed that we need to get this done. We do not want to miss their deadline.

Trustee Ivans stated that she would choose Plan A. Trustee Oxborrow, Trustee Cantu, and Trustee Minnite stated that they would also choose Plan A. Trustee Henry stated that he wants to vote the same as President McKean since his area is the one most affected. Mr. Skinnell stated that it sounds like the Board is moving toward choosing Plan A. President McKean confirmed with Mr. Skinnell that Plan A is legally defensible.

President McKean called for public comments. Hearing none, the public hearing was concluded.

CHANCELLOR'S OFFICE

- CO-62** Resolution – Adopting Final Plan for Adjustment of Trustee Area Boundaries – On a motion by Trustee Levinson, carried by Trustee Ivans, and carried unanimously, the Board of Trustees adopted the resolution in the matter of adopting a final plan (Plan A) for adjustment of trustee area boundaries and authorizing the transmission of the resolution and final plan to the Fresno County Committee on School District Organization for approval pursuant to Education Code section 5019 to permit implementation of the plan in connection with the district election to be held on November 8, 2011, and authorizing the transmission of the resolution, along with Resolution CO-51, which was approved by the Board of Trustees at a duly noticed public hearing on May 17, 2011, to the County Committee for its approval to change the district's method of election to "by-trustee area" elections pursuant to its authority under California Education Code sections 5019(a) and (c)(1) and 5030, with the change to be effective for the district's election in November 2013.
- CO-63** Retiree Health Benefits Plan – Trustee Henry commented on being involved with a group of retired educators that have had their retirement pensions reduced. He stated that many people rely heavily on their retirement figure and commented that future changes that may be made by the Board can affect the benefit. Trustee Henry requested that before implementing this plan, language be added that any changes would not affect the retirees who are receiving the benefits of the plan at that time. In other words, they would be "grandfathered" and the changes would only affect future recipients of the plan. He stated that the people who are benefiting from the plan will rely upon it.

A revised version of the plan was distributed and President McKean explained that he will take credit for the added paragraph concerning the Board's ongoing review of the plan. His concern is that the district may get into a position where investments have gone awry, interest rates are down, etc., which may pose problems with the plan. Many counties and cities are experiencing these problems now and are unable to manage the monies that they have. President McKean stated that he would like to have the language added, but he also stated that it adds an element of discomfort because there are no absolutes. The plan can function well, but it cannot be a defined benefit program. Dr. Gornick agreed that it is a good idea to add the language. He explained that the district already has an existing committee (GASB) that meets with regard to retirement benefits. Mr. Ken Stoppenbrink suggested that the committee be expanded to include a bargaining unit representative from CSEA and CTA, a trustee, and a retiree. The Retiree Health Benefits Plan is a voluntary program and is not mandatory. The committee would function to provide some oversight. Trustee Ivans stated that she thinks the added language is a good idea. Dr. Gornick reiterated that the retiree health benefits plan is an optional program that would provide a benefit. Those who enjoy it will have to carry the burden.

Trustee Henry reiterated his earlier comment about not reducing or amending the benefit for retirees, stating that if there is a reduction it should only be applied to only those who are going to receive it in the future.

President McKean commented that it is his hope that employees will read the plan thoroughly and understand it. Dr. Gornick stated that the intent is to assist with some stability for our employees as we do not know the future of health care. Brief discussion took place regarding the options in the plan.

Discussion took place concerning the effective date of the plan. Mr. Stoppenbrink stated that a 90 day window will be provided for current employees to make a decision to participate, and a 30 day window will be provided for new employees. Discussion took place regarding the 90 day window beginning the date that the plan is approved. It was agreed that the effective date will be June 7, 2011.

The Retiree Health Benefits Plan was approved on a motion by Trustee Levinson, seconded by Trustee Cantu, and carried unanimously.

- CO-64** Memorandum of Understanding (CSEA) – Dr. Gornick explained that the Memorandums of Understanding (MOUs) with the bargaining groups signify their agreement with the offering of a retiree health benefits plan. The Memorandum of Understanding by and between the West Hills Community College District and California School Employees Association (CSEA) was ratified on a motion by Trustee Levinson, seconded by Trustee Ivans, and carried unanimously.
- CO-65** Memorandum of Understanding (CTA/NEA) – The Memorandum of Understanding by and between the West Hills Community College District and West Hills College Faculty Association, CTA/NEA was ratified on a motion by Trustee Ivans, seconded by Trustee Oxborrow, and carried unanimously.

FISCAL SERVICES

- FS-47** Change Order – Mr. Kevin Cobb, district architect, explained that we can have a change order without a bid if it is under 10% of the total bid for the project. Trustee Minnite questioned why the project wasn't included in the original bid. Mr. Cobb explained that it was an alternate bid that was taken out of the original bid.

Trustee Oxborrow questioned the three months of maintenance and if there is a guarantee. Mr. Cobb responded that the landscaping in the project will be installed with the rest of the landscaping and it will be guaranteed for a year.

Trustee Henry questioned if we will be able to address the drainage issue with this project. Mr. Cobb responded in the affirmative, stating that almost half of the project is for underground drainage. The current contractors for EMJ Construction will be doing the work.

Trustee Minnite questioned the budget for the total project. Mr. Cobb stated that he hasn't completed the accounting, but reported that there is currently about \$800,000 - \$850,000 remaining. Discussion took place regarding the contingency for the project. Mr. Cobb stated that we are spending the state contingency, but holding on to the local contingency. Those funds may be able to be shifted to another project or placed on hold. Dr. Gornick commented that we cannot spend bond money for personnel. Both college presidents have identified custodial and security positions that are a priority if we have other funds.

On a motion by Trustee Cantu, seconded by Trustee Oxborrow, and carried unanimously, change order no. 1 in the amount of \$231,651.20 for

the West Hills College Lemoore temporary parking landscape project was approved.

FS-48 Contract Award – Ivans Hall Furniture Project – Trustee Oxborrow questioned if the contract is to furnish 100% of the dorms. Mr. Stoppenbrink responded that it will furnish all of Ivans Hall. Trustee Oxborrow questioned when furniture was last purchased for this facility. Mr. Cobb responded that he thinks it was in 1994. Trustee Oxborrow questioned the installation cost. Mr. Stoppenbrink stated that it is not included but is only about \$8,000 or \$9,000.

On a motion by Trustee Ivans, seconded by Trustee Minnite, and carried unanimously, the contract for the West Hills College Coalinga Ivans Hall furniture project was awarded to Savoy Contract Furniture in the amount of \$65,929.23.

FS-49 Report – Location of Online Students – Mr. Pedro Avila introduced Ms. Kendra Brennan, one of the students in the crop science class working on mapping. Ms. Brennan had approached Mr. Avila earlier in the semester about working on a class project. The results of that project are being shared today. Ms. Brennan addressed the Board of Trustees and discussed her work in the class with the handheld GPS system. Mr. Avila provided information to Ms. Brennan on the location (by zip code) of students in the online program. 36% of students are enrolled in at least one online course; 16% of students took the majority of their courses online; and 77% of online students reside within our service area. Ms. Brennan discussed the maps that she developed based on this information.

Trustee Minnite thanked Ms. Brennan for the information and stated that it is a nice project from which West Hills will benefit.

FS-50 Contract Award – Online Learning Management Program (LMS) – Mr. Stoppenbrink explained that the recommendation is to award a contract to a company who is not the lowest bidder. He explained that because the contract is for technology equipment, we are allowed to choose one of the three lowest bidders. It was explained that a committee was convened for the purpose of reviewing the vendors. Concerns had been expressed with regard to the service provided by BlackBoard. Trustee Cantu questioned the involvement by students on the committee. Ms. Susan Whitener stated that three students were involved, but not all of them responded to the survey. More faculty were involved as well but not all responded to the survey. Trustee Cantu asked Ms. Whitener for her input. She commented that she and her staff were involved in a lot of conversations

about the learning management system. BlackBoard has become increasingly disconnected from the needs of the students and a better system was needed. Edvance 360 was the favorite. Trustee Minnite questioned when it will be implemented and the transition time. Ms. Whitener explained that the contract with BlackBoard expires in the fall. The summer months will be used to implement the new software and train faculty and the programs will run side by side until the contract with BlackBoard expires in December.

Trustee Oxborrow stated that she appreciates the analysis done by the committee and it was done well. Trustee Minnite questioned the length of the contract. Ms. Whitener responded that it is a two year contract and can be renewed by mutual agreement. Ms. Whitener expressed her thanks to all of the faculty who worked on the analysis of the program.

On a motion by Trustee Cantu, seconded by Trustee Ivans, and carried unanimously, the contract for the Online Learning Management Program (LMS) was awarded to Edvance360 in the amount of \$137,600.00.

FS-51 Agreement with County of Kings – The agreement for contract services with the County of Kings in the amount of \$176,500 for the 2011-2012 fiscal year was approved on a motion by Trustee Ivans, seconded by Trustee Oxborrow, and carried unanimously.

FS-52 K-Camp Contract – The Child Development Center K-Camp contract no. 2011KC0012 in the amount of \$70,587 for the period July 11, 2011 through August 12, 2011 was approved on a motion by Trustee Minnite, seconded by Trustee Henry, and carried unanimously.

PERSONNEL SERVICES

PS-16 Resolution – Reduction and/or Elimination of Classified Services in the Child Development Centers – Mr. Stoppenbrink explained that this resolution included three individuals who were not included in the original resolution due to an oversight.

The resolution in the matter of reduction and/or elimination of classified services in the child development centers was adopted on a motion by Trustee Minnite, seconded by Trustee Oxborrow, and carried unanimously.

BOARD REPORTS / COMMENTS / REQUESTS AND ANNOUNCEMENTS

President McKean announced that at its meeting on May 17, 2011, the Board of Trustees of the West Hills Community College District considered a decision for dismissal in the matter of a classified employee. Based on the evidence provided, the Board of Trustees affirmed the recommendation and charges for termination effective March 21, 2011.

President McKean acknowledged Ms. Whitener, stating that she will soon be leaving the West Hills Community College District for a job opportunity in Alaska. He thanked her for her efforts and her work with the district.

Trustee Levinson expressed his thanks to Ms. Whitener for her work, stating that she is very much appreciated.

Trustee Oxborrow stated that she will miss everything about Susan. She stated that she hopes everyone has a great summer.

Trustee Henry expressed his thanks to Ms. Whitener.

Trustee Ivans reported that she enjoyed both graduation ceremonies. She also enjoyed the presentation on discussion on redistricting, as well as the report provided by Ms. Brennan. Trustee Ivans expressed her thanks to Ms. Whitener, stating that she will be missed.

Trustee Minnite complimented everyone for their work. He commented that Ms. Whitener has contributed a lot to the district. He thanked her and wished her well, stating that she is a great asset to West Hills. Trustee Minnite expressed thanks to his fellow board members for their participation in the discussions today.

Trustee Cantu commented that he hopes Ms. Whitener enjoys Alaska. He stated that it is good to see Ms. Faye Mendenhall in the audience today.

President McKean announced that the next meeting of the Board of Trustees is scheduled for June 28, 2011.

CLOSED SESSION

The meeting was adjourned to closed session at 4:52 p.m.

- Public Employee Discipline/Dismissal/Release (as per Government Code Section 54957)

- Conference with Labor Negotiator (as per Government Code Section 54957.6). Agency negotiator: Chancellor; Vice Chancellor of Business Services. Employee organization: CSEA; CTA. Unrepresented employees: Administrative; Management; Confidential.
- Discussion of Land Acquisition/Disposition of Property (as per Government Code Section 54956.8). Property: Firebaugh, California

ADJOURNMENT

There being no further business before the Board of Trustees, the meeting was adjourned at 5:30 p.m.

Nina Oxborrow
Clerk of the Board of Trustees

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