



**MINUTES**

**SPECIAL MEETING OF THE GOVERNING BOARD  
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT**

NORMA L. HERNANDEZ, GOVERNING BOARD PRESIDENT  
 HUMBERTO PERAZA, JR., GOVERNING BOARD VICE PRESIDENT  
 TIM NADER, GOVERNING BOARD MEMBER  
 JEAN ROESCH, ED.D., GOVERNING BOARD MEMBER  
 TERRI VALLADOLID, GOVERNING BOARD MEMBER  
 MELINDA NISH, ED.D., SECRETARY TO THE GOVERNING BOARD AND  
 SUPERINTENDENT/PRESIDENT

Written notice is hereby given in accordance with Government Code Section 54956 that a special meeting of the Governing Board of the Southwestern Community College District will be held as noted below:

DATE: Wednesday, May 23, 2012  
 TIME: 6:30 p.m.  
 LOCATION: Southwestern College  
 Learning Resource Center (LRC), Room L238 N&S  
 900 Otay Lakes Road  
 Chula Vista, CA 91910

**Compliance with Americans With Disabilities Act**

Southwestern Community College District, in compliance with the American Disabilities Act (ADA), requests individuals who may need special accommodation to access, attend, and/or participate in Board meetings to contact Mary Ganio at (619) 482-6301 in advance of the meeting for information on such accommodation.

	<b>ITEM</b>
<b>Call to Order</b>	<p><b>1. CALL TO ORDER</b>            (Hernandez)            6:30 p.m., L238 N&amp;S</p> <p>Attendance at this special meeting (Board members arriving after meeting commences will be noted as "present" at point in this suggested order of business at which they arrive).</p> <p>Present: Hernandez, Peraza, Nader, Roesch, Valladolid</p>
<b>Announcement of Closed Session</b>	<p><b>2. ANNOUNCEMENT OF CLOSED SESSION AGENDA</b>            (Hernandez)</p> <p>Members of the public may be present to hear the closed session announcements and will be given an opportunity to speak on any closed session items at this time. Persons wishing to address the Governing Board under this item should fill out a yellow request card (available at the reception table).</p> <p><i>No speakers. President Hernandez announced that the Board would reconvene in open session at approximately 7:15 p.m.</i></p>
<b>Agenda</b>	<p><b>2A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION</b>            Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 5 potential cases</p> <p><b>2B. CONFERENCE WITH LABOR NEGOTIATOR</b>            Negotiator: Joseph N. Quarles, Ed.D.            Employee Organizations: CSEA, SCEA, SCCDAA, Confidentials            Unrepresented Employees: Vice Presidents</p> <p><b>2C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE</b>            Government Code Section 54957</p> <p><b>2D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION</b>            Government Code Section 54956.9            Superior Court Case Number: 37-2011-00099248-CU-WM-CTL</p>

	ITEM
<b>Adjourn to Closed Session</b>	<b>3. ADJOURN TO CLOSED SESSION</b> (Hernandez) 6:31 p.m., Room L246
<b>Reconvene in Open Session</b>	<b>4. RECONVENE IN OPEN SESSION</b> (Hernandez) 7:30 p.m., L238 N&S  Present: Hernandez, Peraza, Nader, Roesch, Valladolid
<b>Closed Session</b>	<b>5. CLOSED SESSION REPORT OF ACTION(S) (If Applicable)</b> (Hernandez) <i>President Hernandez announced that the Board considered and rejected by a unanimous vote the following tort claims:</i> <ol style="list-style-type: none"><li><i>1. Claim dated November 4, 2011, submitted by BCA Architects for damages against the District related to alleged extra work on the Cafeteria Project.</i></li><li><i>2. Claim dated November 8, 2011, submitted by BCA Architects for damages against the District related to alleged extra work on the Corner Lot Project.</i></li><li><i>3. Claim dated April 11, 2012, submitted by Echo Pacific Construction, Inc., for damages against the District related to termination of the construction manager at risk contract on the Corner Lot Project.</i></li><li><i>4. Claim dated April 23, 2012, submitted by Seville Construction Services for damages against the District related to termination of the program management and construction management contract on the District's bond projects.</i></li></ol>
<b>Pledge of Allegiance</b>	<b>6. PLEDGE OF ALLEGIANCE</b> (Hernandez)
<b>Oral Communication</b>	<b>7. ORAL COMMUNICATION</b> (Hernandez) <p>Persons wishing to address the Governing Board under this item should fill out a yellow request card (available at the reception table) and indicate on the card if they wish to be called under Oral Communication, or when a specific agenda item is considered. Pursuant to the Brown Act (Government Code Section 54954.3) members of the public shall be afforded the opportunity to directly address the Governing Board concerning any agenda item that has been described in the notice for the special meeting.</p> <p>An oral presentation to the Board does <i>not</i> constitute an open discussion on the presentation topic, unless that topic is on the posted agenda. Pursuant to the Brown Act (Government Code Section 54954.2(a)): "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may <i>briefly</i> respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3."</p> <p><i>No Speakers.</i></p>

		ITEM																														
<b>Action</b>	<b>8. EMPLOYMENT OF ACADEMIC ADMINISTRATORS (ENCLOSURE)</b>																															
	(Quarles)																															
		Hernandez	S	Nader		Roesch		Peraza	M	Valladolid																						
	Aye		Aye		Aye		Aye		Aye																							
<p>Hernandez announced that there was an addendum for employment of Kathy Tyner as Vice President for Academic Affairs.</p> <p>Recommend approval of employment as indicated below:</p> <table border="1"> <thead> <tr> <th>Employee</th> <th>Position</th> <th>Department</th> <th>Mos/ Svc</th> <th>Class/ Range</th> <th>Monthly Salary</th> <th>Annual Salary</th> <th>Effective Date</th> </tr> </thead> <tbody> <tr> <td>Steven Crow</td> <td>Vice President for Business &amp; Financial Affairs</td> <td>Business &amp; Financial Affairs</td> <td>12 months/ 1.0 FTE</td> <td>AD-5</td> <td>\$13,395.00</td> <td>\$160,740.00</td> <td>07/01/12</td> </tr> <tr> <td>Kathy Tyner</td> <td>Vice President for Academic Affairs</td> <td>Academic Affairs</td> <td>12 months/ 1.0 FTE</td> <td>TBD AD/4</td> <td>TBD \$13,004.00</td> <td>TBD \$156,048.00</td> <td>05/24/12</td> </tr> </tbody> </table>									Employee	Position	Department	Mos/ Svc	Class/ Range	Monthly Salary	Annual Salary	Effective Date	Steven Crow	Vice President for Business & Financial Affairs	Business & Financial Affairs	12 months/ 1.0 FTE	AD-5	\$13,395.00	\$160,740.00	07/01/12	Kathy Tyner	Vice President for Academic Affairs	Academic Affairs	12 months/ 1.0 FTE	TBD AD/4	TBD \$13,004.00	TBD \$156,048.00	05/24/12
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<b>Amended</b>																																
<b>Action</b>	<b>9. EMPLOYMENT OF CONSULTANT</b>																															
	(Nish)																															
		Hernandez	S	Nader		Roesch		Peraza	M	Valladolid																						
	Aye		Aye		Aye		Aye		Aye																							
<p>Recommend approval of employment of consultant listed below:</p> <table border="1"> <thead> <tr> <th>Department</th> <th>Consultant</th> <th>Purpose</th> <th>Date</th> <th>Fee</th> </tr> </thead> <tbody> <tr> <td>Superintendent/ President</td> <td>Dr. Cindra Smith</td> <td>Facilitate Board Retreat on June 9, 2012 (includes preparation and follow-up) Agreement No. A3544.12</td> <td>6/9/12</td> <td>Not to exceed \$2,500</td> </tr> </tbody> </table>									Department	Consultant	Purpose	Date	Fee	Superintendent/ President	Dr. Cindra Smith	Facilitate Board Retreat on June 9, 2012 (includes preparation and follow-up) Agreement No. A3544.12	6/9/12	Not to exceed \$2,500														
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<b>Action</b>	<b>10. GOVERNING BOARD MEMBER COMPENSATION REDUCTION FOR FY 2012-13</b>																															
(Nish)																																
	Hernandez		Nader		Roesch	M	Peraza	S	Valladolid																							
	Aye		Aye		Aye		Aye		Aye																							
<p>Recommend approval of five percent (5%) reduction in Governing Board compensation for fiscal year 2012-13.</p>																																
<b>Workshop</b>	<b>11. BUDGET WORKSHOP</b>																															
	(Nish)																															
	<p>C.M. Brahmbhatt, consultant, will facilitate a workshop on the 2012-13 budget.</p> <p>Brahmbhatt gave an overview of the 2012-13 Tentative Budget Assumptions:</p> <ul style="list-style-type: none"> <li>✓ Step and column increase of \$771,000 including benefits for unrestricted fund</li> <li>✓ Five percent pay reduction for all employees for 2012-13 fiscal year only</li> <li>✓ SERP payment of \$598,000</li> <li>✓ Additional employee health insurances above the bargained amount \$5,200 + \$800,000 for 2012-13</li> <li>    No increase for health insurance budgeted for 2012-13</li> <li>✓ \$1 million retiree benefits reimbursement from OPEB trust</li> <li>✓ Workload reduction of \$5.5 million equal to 1212 FTES for 2011-12 year</li> </ul>																															

**ITEM**

- ✓ FTES target for 2012-13 is 13,743 FTES based on possible workload reduction of 5.6% for 2012-13 due to possible failure of tax initiative
- ✓ First attempt to develop PTOL budget by connecting FTES target, number of sections offered and available funds within General Fund
- ✓ Budget includes following vacancies:
  - \_\_\_\_\_ faculty positions totaling \_\_\_\_\_ including benefits
  - \_\_\_\_\_ classified positions totaling \_\_\_\_\_ including benefits
  - \_\_\_\_\_ management positions totaling \_\_\_\_\_ including benefits
- ✓ Budget includes: \$\_\_\_\_\_ for cafeteria operation  
\$\_\_\_\_\_ for Child Development Center
- ✓ Recommend to reduce reserve for contingency from 7% to 5%
- ✓ If tax initiative fails, District is to lose \$4.2 million ongoing dollars and workload measures will be reduced by 800+ FTES
- ✓ District has \$\_\_\_\_\_ unallocated dollars from ending balance towards possible mid-year budget cut

Brahmbhatt also shared information provided by the Chancellor's Office at the ACBO conference he attended. The information included Scenario A and Scenario B worst case) related to RDA/property taxes local revenue shortfall. Brahmbhatt indicated that districts were not prepared for the worst case scenario for 2012-13. Information regarding Budget Risks was also shared.

He concluded his presentation with the District's challenges for its 2013-14 Budget:

2013-14 Budget

- ✓ Possible mid-year budget cut of \$4.2 million may impact 2012-13 ending balance and permanent reduction of income for 2013-14
- ✓ 2012-13 budget solution is for one year only. District was facing \$5.6 million budget cuts. On-going budget reduction \$1.5 million (\$1.0 PTOL & \$0.5 million for supplies). This leaves \$4.1 million cuts to be addressed in 2013-14
- ✓ Possible step & column increase of \$700,000+ in 2013-14 based on 2012-13
- ✓ Possible increase in PERS and/or STRS rate for 2013-14
- ✓ Possible increase in health benefits cost for 2012-13 and 2013-14
- ✓ Possible changes in funding formula due to less resources at state level
- ✓ Continuous monitoring of FON (Faculty Obligation Number) for 2013-14
- ✓ Continuous monitoring of 50% law for 2013-14 due to sudden decrease of revenue

Board questions and discussion included the following topics: Cafeteria; Child Development Center; FTES and scheduling of classes; Part-Time Overload (PTOL); Faculty Obligation Number (FON); revenue generating ideas.

**Closed Session/  
Report of  
Action(s)**

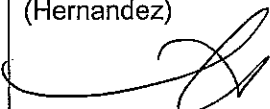
**12. CLOSED SESSION / REPORT OF ACTION(S) (If Applicable)**

The Board adjourned to closed session at 8:35 p.m.

The Board reconvened in open session at 10:09 p.m. There was no reportable action.

**Adjournment**

**13. ADJOURNMENT 10:10 p.m.**  
(Hernandez)



Melinda Nish, Ed.D.  
Governing Board Secretary

  
Norma L. Hernandez  
Governing Board President