



**SANTA MONICA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

REGULAR MEETING

**MONDAY,
DECEMBER 11, 2006**

**Santa Monica College
1900 Pico Boulevard
Santa Monica, California**

**5:30 p.m. – Closed Session
Board Room (Business Building Room 117)**

**7:00 p.m. – Public Meeting
Board Room (Business Building Room 117)**

*The complete agenda may be accessed on the
Santa Monica College website:
<http://www.smc.edu/admin/trustees/meetings/>*

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 11, 2006

MINUTES

A meeting of the Board of Trustees of the Santa Monica Community College District was held in the Santa Monica College Board Room (Business Building Room 117), 1900 Pico Boulevard, Santa Monica, California, on Monday, December 11, 2006.

The agenda included the following items: (Items for action - recommendations - are listed numerically; items for information are listed alphabetically).

I. ORGANIZATIONAL FUNCTIONS

- A Call to Order
- B Roll Call

II. CLOSED SESSION (*Scheduled for 5:30 p.m.*)

- Conference with Labor Negotiators (Government Code Section 54957.6)
Agency Designated Representatives: Sherri Lee-Lewis, Associate Vice-President, Human Resources
Employee Organization: CSEA Chapter 36
- Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9)
Santa Monica College Faculty Association vs. SMCCD
Unfair Labor Practice Charge No. LA-CE-5017-E
- Real Property (Government Code Section 54956.8)
 - Property: 2909 Exposition Blvd., Santa Monica*
 - Agency Negotiator: Chui L. Tsang, Superintendent/President*
 - Negotiating Parties: Chui L. Tsang, Superintendent/President, and Verizon*
 - Under Negotiation: Price and terms of payment*

 - Property: 23519 W. Civic Center Way, Malibu*
 - Agency Negotiator: Chui L. Tsang, Superintendent/President*
 - Negotiating Parties: Chui L. Tsang, Superintendent/President, and the County of Los Angeles*
 - Under Negotiation: Price and terms of payment*

III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS (*Continued*)

- C Pledge of Allegiance
- D Welcome to New Members of the Board of Trustees
- #1 Approval of Minutes: November 20, 2006 (Regular Meeting)

IV. SUPERINTENDENT'S REPORT

- Management Association Update/Classified Staff Recognition Award
- SB 361: Impact on Santa Monica College

V. **PRESENTATIONS AND BOARD DISCUSSION**

- CCLC Annual Convention
- Vocational Education Presentation

VII. **ACADEMIC SENATE REPORT**

VIII. **COMMUNICATIONS OR PUBLIC COMMENTS**

IX. **CONSENT AGENDA** *(All items considered in one motion unless pulled for discussion or questions)*

Grants and Contracts

- #2 Contracts and Consultants
 - A Consultant for Theater Arts Program
 - B Legal Services (Amendment)
 - C Legal Services
 - D Contract for Average Vehicle Riders Survey (Amendment)
 - E Consultant for Personnel Commission
 - F Consultant for Human Resources
 - G KCRW Contracts and Consultants
 - H Acceptance of KCRW Grant
 - I Authorization of Payments for KCRW

Human Resources

- #3 Academic Personnel
- #4 Classified Personnel – Establish/Abolish Positions
- #5 Classified Personnel – Regular
- #6 Classified Personnel – Limited Term
- #7 Classified Personnel – Non Merit Salary Schedule 2006
- #8 Classified Personnel – Non Merit

Facilities and Fiscal

- #9 Facilities
 - A Change Order No. 30 – Music and Performing Arts Complex, Madison
 - B Reduction of Retention Amount – Music and Performing Arts Complex, Madison
 - C Agreement for Architectural Services – Bundy West Building Tutoring Center
 - D Agreement for Architectural Services – Drescher Hall Third Floor Renovation
 - E Agreement for Architectural Services – Shuttle Replacement Parking Lot
 - F Amendment to Agreement for Consulting Services – Bundy Campus Master Plan
 - G Agreement for Consulting Services – Environmental Surveys
- #10 Budget Augmentation
- #11 Budget Transfers
- #12 Commercial Warrant Register
- #13 Payroll Warrant Register
- #14 Direct, Benefit and Student Grant Payments
- #15 Auxiliary Payments and Purchase Orders
- #16 Purchasing
 - A Award of Purchase Orders

X. **CONSENT AGENDA – Pulled Items**

XI. **MAJOR ITEMS OF BUSINESS**

- #17 Resolution in Support of the DREAM Act
- #18 Resolution to Enter into an Energy Service Contract
- #19 Contract with Chevron Energy Solutions
- #20 Resolution of the Board of Trustees of Withdrawal from the Schools
Excess Liability Fund JPA
- #21 Election of Officers of the Board of Trustees
 - E Seating of the Board of Trustees
- #22 Authorized Signature Resolutions

XII. **INFORMATION**

XIII. **BOARD COMMENTS AND REQUESTS**

- XIV. **ADJOURNMENT:** The next regular meeting of the Santa Monica Community College District Board of Trustees will be Monday, January 8, 2007 at 7 p.m. (5:30 p.m. if there is a closed session) Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 11, 2006

I. ORGANIZATIONAL FUNCTIONS

- A. CALL TO ORDER – 5:30 p.m.
- B. ROLL CALL
 Dr. Nancy Greenstein, Chair - Present
 Dr. Susan Aminoff, Vice-Chair - Present
 Judge David Finkel (Ret.) - Present
 Louise Jaffe - Present
 Dr. Margaret Quiñones - Present
 Rob Rader - Present
 Dr. Andrew Walzer - Present
 Brittany Salone, Student Trustee – Present (for public session)

II. CLOSED SESSION

- Conference with Labor Negotiators (Government Code Section 54957.6)
Agency Designated Representatives: Sherri Lee-Lewis, Associate Vice-President, Human Resources
Employee Organization: CSEA Chapter 36
- Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9)
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Under Negotiation: Price and terms of payment

III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS

- C. PLEDGE OF ALLEGIANCE – Susan Aminoff
- D. WELCOME TO NEW MEMBERS OF THE BOARD OF TRUSTEES

RECOMMENDATION NO. I

APPROVAL OF MINUTES

Approval of the minutes from the regular meeting of the Santa Monica Community College District Board of Trustees held on November 20, 2006.

MOTION MADE BY: Margaret Quiñones
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Aye
 AYES: 4 (Aminoff, Greenstein, Quiñones, Rader)
 NOES: 0
 ABSTAIN: 3 (Finkel, Jaffe, Walzer)

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 11, 2006

IV. SUPERINTENDENT’S REPORT

Management Association Update/Classified Staff Recognition Award: SMC Management Association President Al DeSalles presented the Classified Staff Recognition Award for December to nightshift custodian Leonard Magur, who has worked at the college for about 12 years.

Senate Bill 361: Vice President of Academic Affairs Jeff Shimizu reported that recent landmark state legislation (Senate Bill 361), which is a comprehensive reform of community college funding formulas, would have resulted in a reduction in SMC’s base funding had there not been a “grandfather” clause that ensured SMC and six other similarly affected districts that their base funding would not be reduced from what it would have been under the previous funding formula. However, he noted that the college’s Academy of Entertainment & Technology has qualified as a “center” under the new funding formula, which provides for a higher “foundation grant” base under the new funding formula as long as the academy maintains a certain enrollment level.

V. PRESENTATIONS AND BOARD DISCUSSION

- CCLC Conference: Rob Rader provided a brief summary of activities at the CCLC conference in November.
- Vocational Education: The Board heard a report from representatives of an *ad hoc* task force from the Academic Senate Joint Occupational Education Committee, which is recommending the college consider establishing one or more of the following new vocational programs: telecommunications technician, automotive service technician or mechanic, pharmaceutical technician, and emergency medical technician. The recommendation comes after members of the task force reviewed the results of an environmental scan on trends in careers with high job growth, industry job training needs, and more. The college will continue to explore the possibility of establishing these recommended programs, as well as others.

VI. ACADEMIC SENATE REPORT

Richard Tahvildaran-Jesswein

VII. COMMUNICATIONS OR PUBLIC COMMENTS

Tron Burdick
 Bernie Rosenloecher
 Peggy Shannon
 Des Manttari
 Carl Gettleman

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 11, 2006

CONSENT AGENDA

RECOMMENDATION: The Board of Trustees take the action requested on Consent Agenda Recommendations #2-#16.

Recommendations pulled for questions and returned to the Consent Agenda: #2-D, #2-F, #9-C

Public Comments
Des Manttari on #2-C

Action on Consent Agenda

MOTION MADE BY: Margaret Quiñones
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Absent
 AYES: 7
 NOES: 0

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: GRANTS AND CONTRACTS

RECOMMENDATION NO. 2 CONTRACTS AND CONSULTANTS

Requested Action: Approval/Ratification

2-A CONSULTANT FOR THEATRE ARTS PROGRAM

Provider: Ronald Eckerman
Amount: \$5,000
Term of Contract: Fall Semester, 2006
Funding Source: District Funds Departmental Budget
Services Provided: Mr. Eckerman provided designs for sets, sound and lighting for the production of Amadeus. Services were required due to the medical leave of the full-time Theatre Technical Director.

2-B LEGAL SERVICES (Amendment)

Provider: Harrington, Foxx, Dubrow & Canter
Amount: \$165 per hour for attorney services
Term of Contract: 2006-2007
Funding Source: 2006-2007 Risk Management budget
Services Provided: Legal defense for District's self-insured liability program
Comment: The amount previously approved of \$160 per hour for attorney services needs to be amended to reflect the correct amount of \$165 per hour.

2-C LEGAL SERVICES

Provider: Tyre Kamins Katz Granof & Menes
Amount: \$5,754.50 (attorney's fees), \$55 (costs), total of \$5,809.50
Term of Contract: July 1 through October 31, 2006
Funding Source: District Funds
Services Provided: The services covered were necessarily incurred by Jim Keeshen, an instructor at the Academy of Entertainment and Technology, in connection with the lawsuit before the District Keeshen adv. Manttari, LASC Case No. BC 56729. The District had agreed to defend and indemnify Mr. Keeshen in this lawsuit initiated by student Des Manttari alleging discrimination.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: GRANTS AND CONTRACTS

RECOMMENDATION NO. 2 CONTRACTS AND CONSULTANTS (continued)

2-D CONTRACT FOR AVERAGE VEHICLE RIDERS SURVEY(AMENDMENT)

Provider: Paradise Consulting
 Term: September 1, 2006 – August 31, 2007
 Amount: Not to exceed \$4,000
 Funding Source: 2006-2007 Risk Management Budget
 Services provided: This contract was approved in June, 2006 for tabulation services of the annual Average Vehicle Riders (AVR) survey as required by the City of Santa Monica as part of the District's Emissions Reduction Plan and preparation of Ordinance 1604 plan. The amendment is needed because the scope of the contract has been increased. The consultant will (1) assist with employees in clean air commute including vanpool referral and formation, carpool matchlists, biking information, transit pass schedules, (2) prepare quarterly newsletters and (3) plan in-house events.

2-E CONSULTANT FOR PERSONNEL COMMISSION

Provider: Michael Prihar, Esq.
 Amount: \$1,000 per day, plus expenses, not to exceed \$5,000
 Term of Contract: February 1 through June 30, 2007
 Funding Source: 2006-07 Personnel Commission Budget
 Services Provided: Hearing officer to hear appeals of classified employees, review records and prepare reports.

2-F CONSULTANT FOR HUMAN RESOURCES

Provider: ELS Group
 Amount: \$18,000, plus travel expenses and miscellaneous administrative costs.
 Term of Contract: December 1, 2006 through June 30, 2007
 Funding Source: Staff Diversity Funds
 Services Provided: Recruitment of Vice-President, Business and Administration and Vice-President, Human Resources. Specific services include but are not limited to assisting staff with announcements and communications, outreach and recruitment to develop a diverse, well experienced and qualified pool of candidates, and reference checks.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: GRANTS AND CONTRACTS

RECOMMENDATION NO. 2 CONTRACTS AND CONSULTANTS (continued)

2-G KCRW CONTRACTS AND CONSULTANTS

Provider: I.S. Marketing, LLC
 Fees: \$2,900 per month; total not to exceed \$29,000.
 Effective dates: July 1, 2006 thru April 30, 2007
 Service: For all aspects of marketing KCRW programs THE BUSINESS and THE TREATMENT for network and nationwide distribution including, but not limited to design/development of on-line support page for outside stations.
 Funding Source: KCRW donations

2-H ACCEPTANCE OF KCRW GRANT

Title of Grant: Corporation for Public Broadcasting Grant
 Granting Agency: Corporation for Public Broadcasting
 Approved Funding: \$1,209,172
 Matching Funds: N/A
 Performance Period: October 1, 2006 – September 30, 2007
 Summary:

2-I AUTHORIZATION OF PAYMENTS FOR KCRW

Payment to: American Public Media
 Amount: Membership fees not to exceed \$15,000. Carriage fees for \$90,000; it may exceed this amount.
 Service provided: Program acquisition
 Effective dates: July 1, 2006 – June 30, 2007
 Funding Source: Corporation for Public Broadcasting and KCRW donations

Payment to: National Public Radio
 Amount: Membership fees not to exceed \$8,080.
 Studio usage/ISDN lines/engineering time, not to exceed \$10,000
 Program Acquisition, includes but is not limited to, News Services, Car Talk not to exceed \$1,330,052.
 Annual Interconnect fee for above programs not to exceed \$6,900.
 Monthly Interconnect fees for satellite/channel uplink/downlink, not to exceed \$21,500.

Service provided: Program acquisition
 Effective dates: July 1, 2006 – June 30, 2007
 Funding Source: Corporation for Public Broadcasting and KCRW donations

Payment to: Public Radio International
 Amount: Institutional membership fees not to exceed \$90,000.
 Carriage fees not to exceed \$112,000.

Service provided: Program acquisition.
 Effective dates: July 1, 2006 – June 30, 2007
 Funding Source: Corporation for Public Broadcasting and KCRW donations

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 3 ACADEMIC PERSONNEL

Requested Action: Approval/Ratification

All personnel will be properly elected in accordance with district policies, salary schedules, and appropriate account numbers.

EFFECTIVE DATE

ELECTIONS

ADJUNCT

(List on file in the Office of Humans Resources - Academic)

ADMINISTRATIVE

Lee-Lewis, Sherri (Extension)	Acting Associate Vice President, Human Resources	06/30/07
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SEPARATION

Gonzalez, John	Dean, Instructional Services/Occupational Education	01/2/07
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RECOMMENDATION NO. 4 CLASSIFIED PERSONNEL
ESTABLISH/ABOLISH POSITIONS

Requested Action: Approval/Ratification

The following positions will be established/abolished in accordance with District policies and salary schedules.

EFFECTIVE DATE

ESTABLISH

Multimedia Specialist (2 positions) Media Center, 12 mos, 40 hrs	12/12/06
Administrative Assistant III (1 position) Enrollment Development 12 mos., 40 hrs.	12/12/06

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 5 CLASSIFIED PERSONNEL – REGULAR

Requested Action: Approval/Ratification

All personnel assigned into authorized positions will be elected to employment (Merit System) in accordance with District policies and salary schedules.

ELECTIONS EFFECTIVE DATE

PROMOTIONS MANAGEMENT

Rojas, Dan	Network Systems Manager, Network Services	11/17/06
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PROBATIONARY

Felder, Ronnie	Admissions and Records Clerk I, A & R	11/13/06
Sydney, Karen S.	Admissions and Records Clerk II/NS-I, A & R	11/13/06
Cadena, Ruben	Community College Police Trainee, Campus Police	12/07/06

PROMOTIONS

Sher, Brian	Systems Administrator, Network Services	11/22/06
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INCREASE IN HOURS/PERMANENT

Esmaeilli, Akram		11/27/06
Fr:	Instructional Assistant-Math, Mathematics, 11 mos, 20 hrs	
To:	Instructional Assistant-Math, Mathematics, 11 mos, 30 hrs	

SEPARATIONS

RETIREMENT

Banks, Anne S.	Insurance Program Coordinator, Risk Management	12/30/06
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The Board hereby accepts immediately the retirement of the above listed personnel to be effective as indicated.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 6 CLASSIFIED PERSONNEL – LIMITED TERM

Requested Action: Approval/Ratification

All personnel assigned to limited term employment (Merit System) will be elected in accordance with District policies and salary schedules. No limited term assignment shall exceed 120 working days per fiscal year.

ELECTIONS

EFFECTIVE DATE

PROVISIONAL

Barber, Niki, Counseling Aide, Disabled Students Center	11/06/06 - 12/22/06
Bates, Bryan, Stage Construction Technician, Theatre Arts	07/01/06 - 12/22/06
Blanchard, Keith, Stage Construction Technician, Theatre Arts	07/01/06 - 12/22/06
Brown, Carla, Personnel Clerk I, Human Resources	12/04/06 - 12/21/06
Gervais, Jennifer, Stage Construction Technician, Theatre Arts	07/01/06 - 12/22/06
Gragg, David, Stage Construction Technician, Theatre Arts	07/01/06 - 12/22/06
Harris, LaTrice, Payroll Specialist, Fiscal Services (ext)	10/11/06 - 01/11/07
Krawczyk, Shelly, Stage Construction Technician, Theatre Arts	07/01/06 - 12/22/06
Malolli, Fatmira, Accompanist-Voice, Program Development	09/18/06 - 01/17/07
McDonald, Alonzo, Stage Construction Technician, Theatre Arts	07/01/06 - 12/22/06
Mitchell, Ian, Stage Construction Technician, Theatre Arts	07/01/06 - 12/22/06
Ory, Robert, Stage Construction Technician, Theatre Arts	07/01/06 - 12/22/06
Robinson, Dewain, Stage Construction Technician, Theatre Arts	07/01/06 - 12/22/06

LIMITED TERM

Duran, Mia, Counseling Aide, EOP & S (ext)	10/16/06 - 12/31/06
Gomez, Rachel, Registration Information Clerk, Admissions & Rec	12/04/06 - 12/31/06
Moore, Victoria, Registration Information Clerk, Admissions & Rec	12/04/06 - 12/31/06

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 7 **CLASSIFIED PERSONNEL - NON MERIT**
Requested Action: Approval/Ratification **SALARY SCHEDULE 2006**

It is recommended that the non-merit salary schedule be increased in the following classifications as indicated to be effective January 1, 2007.

<u>Student Employee</u>	
CalWORKS	\$8.00/hr
College Student Assistant	\$8.00/hr
College Work-Study Student Assistant	\$8.00/hr
<u>Art Model</u>	
Art Model	\$18.00/hr
Art Model w/Costume	\$21.00/hr

Comment: This increase is necessary for the college to remain comparatively competitive with outside agencies allowing Santa Monica College to attract and maintain employees, particularly art models for Art classes, Emeritus College classes, Community Services classes and the Academy of Entertainment and Technology. The California minimum wage will increase January 1, 2007 to \$7.50 per hour; to \$8.00 per hour effective January 1, 2008. The last salary survey conducted by the Office of Human Resources was in 1999. The current survey confirms the recommended rates of compensation from other agencies at the rate of \$18.00 per hour for Art Models and \$21.00 per hour for Art Model w/Costume.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 8 CLASSIFIED PERSONNEL - NON MERIT

Requested Action: Approval/Ratification

All personnel assigned to non-merit employment will be elected on a limited term basis to be used as needed in accordance with District policies and salary schedules.

ELECTIONS

STUDENT EMPLOYEES

CalWORKS \$7.00/hr	6
College Student Assistant \$7.00/hr	29
College Work-Study Student Assistant \$7.00/hr	51

List(s) available in the Human Resources Office and attached to permanent minutes.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 9 FACILITIES

Requested Action: Approval/Ratification

9-A CHANGE ORDER NO. 30 – MUSIC AND PERFORMING ARTS COMPLEX, MADISON

Change Order No. 30 – FTR INTERNATIONAL on the New Music and Performing Arts Complex, Madison Campus in the amount of \$ 206,928.

Original Contract Amount	\$30,780,000
Previously approved Change Orders 1 – 29	1,355,608
Change Order No. 30	<u>206,928</u>
Revised Contract Amount	\$ 32,342,536
Original Contract Time	670 days
Previous Time Extensions	<u>0 days</u>
Revised Contract Time	670 days
Time Extension this Change Order No. 30	<u>0 days</u>
Current Revised Contract Time	670 days

Funding Source: Measure S

Comment: Change Order No. 30 provides for labor and materials to revise the skylight system to add control dampers, operators and power, miscellaneous door revisions to doors including change from a single to double door, changed door thickness, and revisions to door hardware to accommodate project requirements. This change order also includes the provision for power to automatic smoke detectors for smoke containments screens at elevator doors, corrections to concrete elevations at vestibule 104, wrap exhaust duct from elevator equipment room to roof with 1-hr rated 3M fire barrier wrap, additional curbs, gutters and sidewalk beyond the scope of contract work at new driveways per city's approved layout, install concrete bases for light poles and bollards and provide concrete bases for (5) additional security camera poles.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 9 FACILITIES *(continued)*

9-B REDUCTION OF RETENTION AMOUNT – MUSIC AND PERFORMING ARTS COMPLEX, MADISON

Reduce the retention amount held from FTR INTERNATIONAL, INC. for the New Music and Performing Arts Complex, Madison Campus project from 10 percent to 5 percent of the contract amount.

Funding Source: Measure S, U

Comment: The public contract code gives the District the option of reducing the retention amount held from the contractor when the project is 50 percent completed. The District holds back 10 percent from all payments made to the contractor to pay for claims or disputes with subcontractors. The retention amount is reduced to 5 percent at 50 percent completion of the project and to 0 when the project is complete.

9-C AGREEMENT FOR ARCHITECTURAL SERVICES – BUNDY WEST BUILDING TUTORING CENTER

Agreement with tBP ARCHITECTS for the Bundy West Building Tutoring Center for \$162,300 plus reimbursable expenses.

Funding Source: Title V Grant

Comment: The District has received a federal grant to renovate an unused area in the Bundy Campus West Building into a Math and English tutoring area. tBP is the architect for the original renovation of the West Building.

9-D AGREEMENT FOR ARCHITECTURAL SERVICES – DRESCHER HALL THIRD FLOOR RENOVATION

Agreement with tBP ARCHITECTS for the Drescher Hall Third Floor Renovation for \$522,500 plus reimbursable expenses.

Funding Source: Measure U

Comment: The area being vacated by the relocation of Information Technology will be renovated for a Superintendent/President’s and administrative offices as suggested by DPAC. This remodeling will require the upgrading of the fire alarm system of the entire building, which is included in this fee.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 9 FACILITIES *(continued)*

9-E AGREEMENT FOR ARCHITECTURAL SERVICES – SHUTTLE REPLACEMENT PARKING LOT

Agreement with NAC Architecture for the Shuttle Replacement Parking Lot for \$56,350 plus reimbursable expenses.

Funding Source: Measure U

Comment: The property at 2909 Exposition Blvd. will need minor renovation in order to accommodate the replacement shuttle parking lot. Due to the need to open the lot as soon as possible, address access requirements and outreach efforts with the neighbors, the architectural contracts need to be prepared before the holidays so architectural work can commence as soon as the sale is completed. The architectural contracts will not be executed until the property is sold to the District.

9-F AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES – BUNDY CAMPUS MASTER PLAN

Amend the agreement with CHRISTOPHER JOESPH & ASSOCIATES for the Bundy Campus Master Plan Environmental Impact Report to increase by \$53,000 plus reimbursable expenses.

Funding Source: Measure U

Comment: A contract extension required because the project has passed its original contract completion date. The project took longer than expected because of the additional traffic and related environmental studies that were needed.

9-G AGREEMENT FOR CONSULTING SERVICES – ENVIRONMENTAL SURVEYS

Agreement with HAZARD MANAGEMENT CONSULTANTS for environmental consulting not to exceed \$5,000 plus reimbursable expenses.

Funding Source: Measure S, U

Comment: This consultant will assist the District in reviewing environmental and hazardous material surveys that are required to be prepared for various facility projects.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 10 BUDGET AUGMENTATION

Requested Action: Approval/Ratification

10-A DISABLED STUDENTS PROGRAM & SERVICES (DSPS)

Granting Agency:	State of California	
Appropriated Funding:	\$304,034 Augmentation (bringing the total from \$1,179,995 to \$1,477,029)	
Matching Funds:	N/A	
Performance Period:	July 1, 2006 – June 30, 2007	
Budget Augmentation:	Income:	
	8000 Income	\$ 304,034
	Expenditures:	
	1000 Academic Salaries	\$ 182,155
	2000 Classified Salaries	\$29,653
	3000 Benefits	\$63,542
	4000 Books & Supplies	\$3,684
	5000 Operating Expense	\$24,000
	6000 Equipment	\$1,000

Summary: Santa Monica College receives additional funds from the Chancellor's Office for the DSPS allocation.

RECOMMENDATION NO. 11 BUDGET TRANSFERS

Requested Action: Approval/Ratification

11-A FUND 01.0 – GENERAL FUND - UNRESTRICTED

Period of: October 21, 2006 – November 16, 2006

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	44,483
2000	Classified/Student Salaries	0
3000	Benefits	0
4000	Supplies	719
5000	Contract Svcs/Operating Exp	-48,795
6000	Sites/Bldgs/Equipment	3,593
7000	Other Outgo/Student Payments	0
Net Total:		0

Comment: The Adopted Budget needs to be amended to reflect the totals of the departmental budgets. The current system of the Los Angeles County Office of Education requires Board approvals each month for budget adjustments. Only the net amount of the transfers in or out of the object codes is shown. In addition to the budget adjustments, transfers result from requests by managers to adjust budgets to meet changing needs during the course of the year.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 12 **COMMERCIAL WARRANT REGISTER**

Requested Action: Approval/Ratification

November 1 – November 30, 2006 2326-2360 \$7,651,157.33

Comment: The detailed Commercial Warrant documents are on file in the Accounting Department.

RECOMMENDATION NO. 13 **PAYROLL WARRANT REGISTER**

Requested Action: Approval/Ratification

November 1 – November 30, 2006 CID-C2E \$7,750,576.86

Comment: The detailed payroll register documents are on file in the Accounting Department.

RECOMMENDATION NO. 14 **DIRECT, BENEFIT & STUDENT GRANT PAYMENTS**

Requested Action: Approval/Ratification

Payments were authorized upon delivery and acceptance of the items ordered, or performance of the service. All payments were made in accordance with Education Code requirements and allocated to approved budgets. List on file in Business Office.

November 1 – November 30, 2006	D000020 – D000133	\$523,773.33
	B000061 – B000108	\$1,124,375.45
	ST00041 – ST00040	\$0

D – Direct Payments
 B – Benefit Payments (health insurance, retirement, etc.)
 ST – Student Grant Payments

RECOMMENDATION NO. 15 **AUXILIARY PAYMENTS & PURCHASE ORDERS**

Requested Action: Approval/Ratification

All purchases and payments were made in accordance with Education Code requirements and allocated to approved budgets in the Bookstore, Trust and Other Auxiliary Funds.

November 1, 2006 – June 30, 2007	Payments	Purchase Orders
	\$561,432	\$7,622

Comment: The detailed Auxiliary payment documents are on file in the Auxiliary Operations Office.

RECOMMENDATION NO. 16 **PURCHASING**

Requested Action: Approval/Ratification

14-A AWARD OF PURCHASE ORDERS

Establish purchase orders and authorize payments to all vendors upon delivery and acceptance of services or goods ordered. All purchases and payments are made in accordance with Education Code requirements and allocated to approved budgets. Lists of vendors on file in the Purchasing Department

November 1 – November 30, 2006 \$492,823.26

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 17

SUBJECT: **RESOLUTION IN SUPPORT OF THE DREAM ACT**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees approve the following resolution to support the DREAM (Development, Relief and Education for Alien Minor) Act.

SUMMARY: The CCCT (California Community College Trustees) acted to support the resolution and is requesting similar support by all community college districts so staff can report on California action at the AACC/ACCT National Legislative Seminar in Washington, D.C. in February 2007.

MOTION MADE BY: Margaret Quiñones
 SECONDED BY: Louise Jaffe
 STUDENT ADVISORY: Absent
 AYES: 7
 NOES: 0

RESOLUTION IN SUPPORT OF THE DREAM ACT

WHEREAS, the DREAM (Development, Relief and Education for Alien Minors) Act was introduced in 2003 and re-introduced last year in the U.S. Congress;

WHEREAS, the DREAM Act would permit certain immigrant students who have grown up in the United States to apply for temporary legal status and eventually obtain permanent status and become eligible for citizenship if they attend college or serve in the United States military;

WHEREAS, the DREAM Act would eliminate a federal provision that penalizes states that provide in-state tuition without regard to immigration status;

WHEREAS, the DREAM Act would have a life-changing impact on students who qualify, dramatically increasing their future earnings and human capital while significantly reducing criminal justice and social services costs to taxpayers;

WHEREAS, the Dream Act recognizes that students who have graduated from a state high school should be able to pay in-state fees at public universities and colleges;

WHEREAS, California is one of ten states that provides in-state college and university fees to be paid by students who have been educated in a California high school for three years, graduated from a California school and met college admission standards;

WHEREAS, the Santa Monica Community College Board of Trustees recognizes that the investment made in these students' college education will be repaid through a stronger economy;

WHEREAS, denying these hard-working students the opportunity to enter the American work force sends all immigrant students a contradictory message about the importance of graduating from high school and results in a waste of human potential and of an investment the states have already made into their K-12 and college educations;

THEREFORE, BE IT RESOLVED that the Santa Monica Community College District Board of Trustees feels that it is important for this district to continue encouraging students, regardless of immigration status, to strive to gain a higher education; and

BE IT FURTHER RESOLVED, that the Santa Monica Community College District Board of Trustees encourages all California and U.S. Senators and Representatives to fully support legislation to enact the federal Dream Act in the coming legislative session.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 18

SUBJECT: **RESOLUTION TO ENTER INTO AN ENERGY SERVICE CONTRACT**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees approve the following resolution to enter into an Energy Service Contract.

WHEREAS California Government Code Section 4217.10 to 4217.18, authorizes the District Board of Trustees to enter into an Energy Service Contract for the implementation of energy related improvements if the District Board of Trustees finds that it is in the best interest of the District to enter into such Energy Service Contract and that the anticipated cost to District for thermal or electrical energy or conservation services provided by the energy conservation facility under the contract will be less than the anticipated marginal cost to the District of thermal, electrical, or other energy that would have been consumed by the District in absence of those purchases; and

WHEREAS The cost to the District for the Energy Service Contract by and between the District and Chevron Energy Solutions for the implementation of certain energy measures for thermal or electrical energy or conservation services will be less than the anticipated marginal cost to the District of thermal, electrical, or other energy that would have been consumed by the District in absence of the implementation of the improvements under the Energy Service Contract.

NOW, THEREFORE, the District Board of Trustees adopts the following resolution:

“The District Board finds that (1) it is in the best interest of the Santa Monica Community College District to enter into an Energy Service Contract with Chevron Energy Solutions for the implementation of certain energy related improvements to District facilities, and (2) the anticipated cost to District for thermal or electrical energy or conservation services provided by the energy conservation facility under the contract will be less than the anticipated marginal cost to the District of thermal, electrical, or other energy that would have been consumed by the District in absence of those purchases. Therefore, the District Board hereby authorizes the District to execute the Energy Service Contract by and between the District and Chevron Energy Solutions Company, a division of Chevron U.S.A., Inc. for the implementation of certain energy related improvements to District facilities in accordance with these findings and California Government Code Section 4217.10 to 4217.18.”

COMMENT: The will permit the District to enter into contract and have the energy conservation and alternative energy projects to be brought to construction more rapidly and efficiently, which will reduce future energy budget and decrease the pollutions to the environment.

MOTION MADE BY: Margaret Quiñones
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Absent
 AYES: 7
 NOES: 0

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 19

SUBJECT: CONTRACT WITH CHEVRON ENERGY SOLUTIONS

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees authorize the District to enter into the following Energy Service Contract:

Provider: Chevron Energy Solutions

Services Provided: Chevron Energy Solutions will provide high-efficiency lighting upgrade, emergency lighting upgrade, heating hot water boiler replacement, energy management system upgrade, roof repair, and fire life safety system upgrade to the Business Building, Pavilion, Academy of Entertainment and Technology, Counseling, Music Building, Parking Structure "C", ESL Building, and Airport Campus

Amount: \$1,018,356.00

Funding Source: Schedule Maintenance, District Capital Funds, Measure S

COMMENT: Chevron Energy Solutions is an energy services company that will provide the District with "turn-key" operations that include evaluation, design, engineering, project management, construction, and rebate redemptions for the energy conservation projects. Chevron Energy Solutions is highly recommended by other community colleges in the State of California for its team performance, timely project delivery, and quality results.

MOTION MADE BY: Margaret Quiñones
SECONDED BY: Susan Aminoff
STUDENT ADVISORY: Absent
AYES: 7
NOES: 0

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 20

SUBJECT: **RESOLUTION OF THE BOARD OF TRUSTEES OF WITHDRAWAL FROM THE SCHOOLS EXCESS LIABILITY FUND JPA**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees approve the following resolution for the District to withdraw from the Schools Excess Liability Fund (SELF) JPA, effective July 1, 2007.

WHEREAS, California school districts need to maintain fiscally stable excess liability coverage to protect their agency against unforeseen liability claims; and

The SMCCD presently has \$5,000,000 in liability limits through its membership in the Statewide Association of Community Colleges (SWACC) Joint Powers Authority; and

SWACC desires to seek alternative quotations for additional limits of liability and

In order for the SMCCD to be able to make an informed decision on this matter it must give notice of withdrawal to the Schools Excess Liability Fund Joint Powers Authority by December 31, 2006.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Santa Monica Community College District notifies the Schools Excess Liability Fund Joint Powers Authority of its intent to withdraw from that Joint Powers Authority effective July 1, 2007.

SUMMARY: The District is a member of the SELF JPA for excess emergency insurance beyond what is covered by the SWACC JPA for excess liability insurance. The recommendation to give notice to SELF to withdraw from the JPA will allow the District's risk management//insurance consultants to negotiate a new excess insurance contract.

MOTION MADE BY: Margaret Quiñones
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Absent
 AYES: 7
 NOES: 0

BOARD OF TRUSTEES	Action
Santa Monica Community College District	December 11, 2006

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 21

SUBJECT: ELECTION OF OFFICERS OF THE BOARD OF TRUSTEES

A. REQUESTED ACTION: It is recommended that the election be held for Chair of the Board of Trustees of the Santa Monica Community College District.

Rob Rader nominated Susan Aminoff as Chair.
 Margaret Quiñones seconded the nomination.
 Susan Aminoff was elected Chair by acclamation.

B. REQUESTED ACTION: It is recommended that the election be held for Vice-Chair of the Board of Trustees of the Santa Monica Community College District.

Nancy Greenstein nominated Rob Rader as Vice-Chair.
 Margaret Quiñones seconded the nomination.
 Rob Rader was elected Vice-Chair by acclamation.

C. REQUESTED ACTION: It is recommended that Superintendent/President Chui L. Tsang be elected Secretary to the Board of Trustees; Executive Vice-President Randal Lawson, be elected Assistant Secretary to the Board of Trustees; and Coordinator, District/Board of Trustees Office Lisa Rose, be elected Recording Secretary to the Board of Trustees

MOTION MADE BY: Rob Rader
 SECONDED BY: David Finkel
 Elected by Acclamation

COMMENT: In accordance with Board Policy 1170, the officers and auxiliary personnel of the Board of Trustees of the Santa Monica Community College District shall consist of a chair, vice-chair, secretary, assistant secretary and recording secretary.

INFORMATION ITEM E

SUBJECT: SEATING OF THE BOARD OF TRUSTEES

The Board of Trustees was seated by drawing numbers, with the Board Chair in the middle, the Vice-Chair to the right of the Chair, the Superintendent to the right of the Vice-Chair, and the Student Trustee in the designated Student Trustee position.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	December 5, 2005

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 22

SUBJECT: AUTHORIZED SIGNATURE RESOLUTIONS

REQUESTED ACTION: It is recommended that the Board of Trustees authorize the following Santa Monica College administrators to sign District documents as indicated.

Name/Title	Warrants	Orders for Salary Payment	Notices of Employment	Contracts	Auxiliary Warrants	Purchase Orders
Dr. Chui L. Tsang Superintendent/President	X	X	X	X	X	X
Randal Lawson Executive Vice-President	X	X	X	X	X	X
Chris Bonvenuto Acting Associate Vice-President, Fiscal Services	X	X		X	X	X
Sherri Lee-Lewis Dean, Human Resources Acting Associate Vice-President, Human Resources			X			
Patricia Brown Dean, Human Resources			X			
George Prather Director of Auxiliary Services					X	
Keith Webster Director of Purchasing						X

It is further recommended that the "Certification of Signatures" be completed and filed with the County Superintendent of Schools. The signatures shall be considered valid for the period of December 12, 2006 through December 31, 2007.

COMMENT: The County Superintendent of Schools requires that the Certification of Signatures be approved at the annual organizational meeting of the Board of Trustees which is held within a 15-day period that commences with the date upon which a governing board member elected takes office.

MOTION MADE BY: Nancy Greenstein
 SECONDED BY: Rob Rader
 STUDENT ADVISORY: Absent
 AYES: 7
 NOES: 0

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 11, 2006

XIV. ADJOURNMENT

The next regular meeting of the Santa Monica Community College District Board of Trustees will be held on Monday, January 8, 2007 at 7 p.m. (5:30 p.m. if there is a closed session) in the Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.