

Board Minutes

Sonoma County
Junior College District

April 12, 2005

The regular meeting of the Board of Trustees of the Sonoma County Junior College District convened at 3:02 p.m., Tuesday, April 12, 2005, in the Pedroncelli Center of the Santa Rosa Campus of Santa Rosa Junior College. Trustees in attendance included: B. Robert Burdo, Richard W. Call, Joseph J. Palla, Onita Pellegrini, Marsha Vas Dupre and Don Zumwalt. Trustee Mike Smith was absent.

APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Burdo/Palla), the Closed Session Agenda was approved as listed on the April 12, 2005 agenda.

PUBLIC COMMENTS ON CLOSED SESSION AGENDA

SEIU President Doug Kuula presented a document that responds to the District's recently distributed memorandum on the status of negotiations.

The Board of Trustees recessed into Closed Session at 3:05 p.m. Closed Session adjourned at 3:40 p.m.

OPEN SESSION

The Board of Trustees of the Sonoma County Junior College District reconvened at 4:00 p.m. in the Pedroncelli Center at the Santa Rosa Campus of Santa Rosa Junior College. Trustees in attendance included: B. Robert Burdo, Richard W. Call, Joseph J. Palla, Onita Pellegrini, Marsha Vas Dupre, Don Zumwalt and Student Trustee Nick Caston. Trustee Mike Smith was absent.

Board President Don Zumwalt called the meeting to order.

Before the start of agenda items, Trustee Burdo asked for a moment of silence in recognition of the passing of Trustee Don Zumwalt's mother.

1. NEW TRUSTEE INTRODUCTION

President Zumwalt introduced Onita Pellegrini, newly appointed trustee for Area 2 to fill the Board vacancy created by the resignation of Trustee Kathleen Doyle.

2. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions taken in closed session.

3. APPROVAL OF MARCH 8, 2005 AND MARCH 22, 2005 MINUTES

M/S/C (Palla/Vas Dupre) the Board of Trustees approved the minutes of the March 8, 2005 regular meeting and the March 22, 2005 special meeting as presented.

4. **A. PRESENTATION OF "EMPLOYEE OF THE MONTH" — SOLOMON GHEBRETENSAE, WAREHOUSE STOREKEEPER**

Tim Bosma, Director of Purchasing & Graphics Services, introduced Solomon Ghebretensae, Warehouse Storekeeper, as the April Employee of the Month. He noted Solomon's contributions to the Purchasing Department and the college. Gary Bagley, AM Custodial Supervisor, also noted Solomon's commitment and contributions in Solomon's prior position in custodial services. Solomon was presented with a Recognition Plaque from the College, two season tickets to SRT, tickets to the SRJC's Culinary Café and a gift from the department.

5. **PUBLIC COMMENTS**

–*Mike Hilber* made comments on several topics of concern to him and gave some examples of topics that he felt were inappropriately being discussed in classrooms.

–*Kevin Dayton* (Government Affairs Director for Associated Builders and Contractors for Construction Trade Association), *Keith Woods* and *Jim Mulheren* (North Coast Builders Exchange), *Ken Kreisler* (construction business owner), and *Loren Hudson* spoke against project labor agreements--item 15 of this agenda. Several individuals provided handouts and documentation that cited numerous reasons why project labor agreements (PLAs) are unfair and discriminatory. One individual expressed surprise and disappointment that this item was on the Board agenda again, having been rejected by the Board in 2002. Several individuals noted that the ballot for the Measure A Bond had made no mention of PLA's. Had this been the case, there would have been strong opposition against passage of the bond.

–*Steve Benjamin*, a concerned citizen and district representative for Assemblymember Evans, spoke in favor of project labor agreements, stating that Assemblymember Evans is in favor of PLA's. He noted his reasons why he feels that PLA's are important to the construction trade and said that he does not believe the Board has studied this issue comprehensively. *Jack Buckhorn*, Business manager for IBEW, Local 555, asked the board to consider the advantages and success of PLA's as a cost saving measure.

–*Terry Mulcaire*, English department faculty, spoke against pending legislation-SB 5, the so-called Students Bill of Rights, and asked the Board to publicly oppose this bill. He distributed a letter regarding the Red Star incident as a response to a letter he received from President Agrella and he requested that the administration openly voice their support of faculty.

–*Richard Fiorentino* announced he is running for the Student Trustee position on this Board. He also said he feels that the assault against the rights of faculty and academic freedom are also assaults against all student freedoms. He expressed his opinion that the students support the faculty of SRJC.

–*Pam Granger*, a member of the Sonoma County Tobacco Free Coalition and employee of the American Lung Association, spoke in favor of Item 12, the proposed policy/revision on SRJC being designated as a smoke-free environment. She cited effects of second hand smoke. She noted that six other California community colleges have adopted similar policies and applauded the Board for moving in this direction.

–*Linda Picton* spoke about various issues that are of concern to her: need for better mental health services in Sonoma County and the need for collaboration with other service organizations; free speech and student rights on campus; and gender apartheid. She expressed her appreciation for free speech and the integrity of SRJC instructors.

13. **BOILER SYSTEM REPLACEMENT PROJECT, RESCISSION OF AWARD FOR PUBLIC UTILITIES ENERGY CONSERVATION SERVICE AND PERMISSION TO BID BOILER SYSTEM PROJECT**

Based on notification by Trane Systems of their inability to perform awarded services as proposed, M/S/C (Burdo/Call) the Board of Trustees rescinded the March 8, 2005 award to Trane Systems for the Boiler Replacement Project and granted permission to bid the Boiler Systems Replacement Project in increments.

INFORMATION

14. **OFFICE OF INSTITUTIONAL RESEARCH REPORT ON COMMUNITY COLLEGES, "WHO DO WE SERVE"**

Director of Institutional Research, KC Boatsman, presented the third part of the series, "Who Are Our Students?" and detailed data and information on the students we serve in the Sonoma County Junior College District. It included enrollment data for credit, non credit and community interest courses, enrollment by age, gender, educational goals, educational attainment, ethnicity, primary language, parental education and several other factors.

15. **PROJECT LABOR AGREEMENTS**

This item was placed on the agenda at the request of Trustee Marsha Vas Dupre and Student Trustee, Nick Caston. In introducing this item, Trustee Vas Dupre stated that she just wanted to know more about Project Labor Agreement hiring practices and suggested that perhaps a study session should be held. In supporting this suggestion, Trustee Caston feels that preference to local contractors should also be explored. Several Board members said they had no objection to Trustee Vas Dupre doing further individual study, but noted that an extensive study of project labor agreements was undertaken by the Board in 2002 and they had no interest in doing another study. Trustee Palla expressed his confidence that the Board members at that time would have done an extensive review and expressed support for letting the 2002 decision stand.

Trustee Burdo then made a motion that the Board not do another study on project labor agreements. This was seconded by Trustee Call. At this time Mr. Henry, the college's legal counsel, noted that the Brown Act did not permit for a vote to be taken at this meeting. Rather this item could be placed on a future agenda for action. The discussion then centered around clarifying the process for making motions/placing items on agendas.

Student Trustee Caston then questioned how a vote would be recorded, since no vote was taken and he felt that, based on Trustees comments, it appeared clear how each Board member would have voted. Trustee Palla noted that this item was an information item and that board members are entitled to give their opinions, which was that they did not wish to further study the topic of Project Labor Agreements.

Trustee Burdo then made a motion to place an action item on the May agenda to pursue a study session on Project Labor Agreements. ~~The motion failed for lack of a second.~~ *

President Agrella then asked Bob Henry to explain the concept about findings the College Board would need to make before entering into project labor agreements. In giving his opinion, Mr. Henry distributed a copy of a Supreme Court decision and noted the two tests needed to make this determination. They are (1) job actions are common in the jurisdiction, and (2) the length of the project is such that labor strife may interfere with the completion of the project.

***Correction to Minutes**

The Minutes were approved at the May 10, 2005 meeting with a correction to this item as follows: Trustee Burdo made a motion to place an action item on the May agenda to pursue a study session on Project Labor Agreements. The motion was seconded by Trustee Call. The motion failed on a 3-4-1 vote.

Student Trustee Caston asked that a division of the vote be stated in the minutes:

Yes: Burdo, Vas Dupre, Caston (advisory)

No: Call, Palla, Pellegrini, Zumwalt

Absent: Trustee Smith.

16. REPORTS

A. Academic Senate

Academic Senate President Kimberlee Messina gave the following update: three senators attended the State Academic Senate Plenary session in San Francisco where the Brown Act was discussed at one of the breakout sessions. Several resolutions were passed by the Statewide Academic Senate that will have an effect on SRJC students—one of the most significant was to raise the English and Math graduation requirements. This still needs to go to Consultation Group and the Board of Governors. Another was to pass a vote against legislation for the so-called Student Bill of Rights. This resolution clearly states that academic freedom is essential to the education of students and that academic freedom includes the rights of the faculty to present diverse points of view and the rights of the students to learn and to have diverse opinions. She also noted that our grievance policies for students are accessible and that it is perceived to be easy to initiate that process. She feels it is dangerous to put into law anything that would violate academic freedom.

Locally the Academic Senate has passed a resolution in support of academic freedom and support for the faculty members who received the red star flyers and against the manner in which this was brought to the faculty's attention (posting of flyers). The Senate is also working on revising the attendance policy, trying to get a voluntary "netiquette" agreement, and has elected Greg Granderson to be the SRJC's Area B representative on the Statewide Academic Senate.

B. Classified Senate

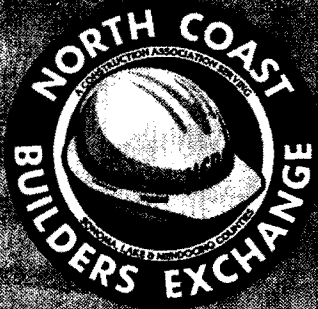
Bea Griffiths, Senate President announced the activities taking place this week during Classified Recognition Week: the morning reception on April 12, the art show at the Mahoney Library in Petaluma, artists cards being sold in which proceeds will benefit the Tognozzi Classified scholarship, the Classified Dinner on April 14. At the dinner, the Classified Senate will present the following awards: Outstanding faculty: Dexter Rammage; Unsung Hero: Carol Wolfe; Outstanding Supervisor: Rich Abrahams; Outstanding Community Service: Rafael Vasquez; Classified Senate President's award: Doug Kuula; Academic Senate Classified Staff Recognition: Ruben Ochoa; Pat Tognozzi Scholarship: Gina Watts.

C. Associated Students

Richard Fiorentino reported that the Student Senate had been busy with the associated student elections as well as attending a legislative session in Sacramento. He noted that lawmakers were very receptive to students' input.

He reported that a motion had passed in support of AB1286, establishing a Physicians Assistant Training Program at SRJC. He expressed the students' support for settling a contract with SEIU classified employees, and again voiced his support for faculty for academic freedom, noting that the student Republican Club on campus does not speak for the entire student body.

17. ADJOURNMENT



North Coast Builders Exchange

BUILDING NEWS

VOLUME 51, NO. 17

A Construction Association Serving Sonoma, Lake & Mendocino Counties

MONDAY, APRIL 25, 2005

Santa Rosa Junior College Trustees Reject Project Labor Agreements

For the second time in the last four years, the Board of Trustees for Santa Rosa Junior College has rejected the idea of placing Project Labor Agreements on school construction on their campuses.

The North Coast Builders Exchange, which has strongly opposed PLA's each time they have been proposed, appeared before the Trustees at a meeting on April 12th to point out that such labor agreements are discriminatory and are an abuse of public funds.

"It was a prudent and appropriate decision on the part of the Trustees to take no further action towards implementing PLA's," noted NCBE President Jim Mulheren (Ukiah Custom Cabinets, Inc.), who testified before the Board. "They clearly realized that such agreements severely discriminate against non-union contractors, who make up the overwhelming majority of local construction firms and workers."

NCBE's Board of Directors re-affirmed its ongoing opposition to PLA's at its monthly meeting in March. The Board first adopted its

policy in 2002, citing the Builders Exchange's desire to "maintain the bidding processes and natural competitive balance that currently serve the construction industry fairly and impartially."

NCBE Chief Executive Officer Keith Woods, testifying along with Mulheren, told the SRJC Trustees that "we don't consider this a union/non-union labor issue, but rather a discrimination issue that has no business being applied to projects that use public money."

In his testimony, Woods added that since NCBE represents union and non-union firms alike, if the Trustees were attempting to discriminate against union firms in a similar fashion, the Builders Exchange would be standing before them with equally strong opposition.

Newly-elected SRJC Trustee Marsha Vas Dupre, who raised the long-dormant issue to her fellow Board members at the April 12th meeting, has indicated she will continue to push the concept of PLA's in the future.

"We'll be ready to push back," Mulheren said.