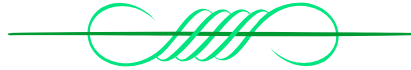




MINUTES OF THE REGULAR MEETING OF THE GOVERNING BOARD

March 10, 2008



CALL TO ORDER / OPEN SESSION

President McKean called the meeting of the Board of Trustees to order at 3:02 p.m.

Board members present:

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

Board members absent:

Robert Wallace, Student Trustee

Administrators present:

Frank Gornick, Chancellor
Ken Stoppenbrink, Vice Chancellor of Business Services
Don Warkentin, President, West Hills College Lemoore
Jana Cox, Interim Director of Human Resources
Willard Lewallen, President, West Hills College Coalinga
Jill Stearns, Dean of Student Learning, West Hills College Coalinga
Dave Bolt, Vice President of Educational Services, West Hills College Lemoore
Susan Kincade, Dean of Learning Resources
Marcel Hetu, Director of North District Center, Firebaugh
Richard Larson, Director of Farm of the Future, West Hills College Coalinga
Michelle Kozlowski, Director of Information Technology Services
Darlene Georgatos, Director of Enrollment Services

Introduction of Guests

There were no guests introduced at this time.

Public Comments

There were no public comments made at this time.

REPORTS FROM ORGANIZATIONS / COLLEGES / DISTRICT OFFICE

Academic Senate Report - Ms. Anita Bart, Academic Senate President for West Hills College Coalinga, reported that the Senate has finalized their comments on the policies and procedures. They have also determined the names of the faculty who will be presented as candidates for tenure. The names will be provided at the April Board meeting.

Mr. James Preston, Academic Senate President for West Hills College Lemoore, reported that the Senate has been working on tenure resolutions. Ms. Angela Tos and Mr. Ron Oxford are being recommended for tenure and the recommendation will be forwarded for the April Board meeting. Mr. Preston reported that the Senate is working on a resolution to become more environmentally friendly. They have developed a good list of ideas and hope to have the resolution developed by the end of the semester. The Senate is working on a handbook for online instructors and is also looking at the issue of proctoring and how it ties into distance education. Ms. Libra Howard is the leader for this area. Mr. Preston referred to the curriculum committee action report on the agenda, stating that it is pretty straight forward. Most of the items deal with the nursing and engineering program. Mr. Preston reported that the Senate has provided a number of comments on the policies and procedures which are included on the routing forms. Trustee Levinson questioned Mr. Oxford's department. Mr. Preston responded that he is the librarian and is included as part of the social science faculty. Trustee Oxborrow questioned if any of the cities have any mandates for environmental issues and if we foresee anything that they might require us to do. Dr. Frank Gornick stated that he does not know what they can require us to do. Mr. Preston responded that Ms. Tos will be conducting further research for the resolution.

WHCFA Report - Ms. Marty Ennes, WHCFA President, reported that the faculty have been reviewing the policies and procedures and providing comments. She reported that faculty representatives recently attended the state president's meeting in Burlingame at which time updates on budgets and statewide financial information was received. The next conference will be held in April and will focus on membership, recognition and empowerment.

CSEA Report - Mr. Mark Millett, CSEA President, reported that the phone system is upgraded and working. The recent classified staff training day was great and Mr. Millet thanked Ms. Jana Cox and the human resources staff for helping with this event. He stated that it was well attended and provided good training for staff. Mr. Millett reported that CSEA representatives attended a training meeting last month, spending three days in Santa Nella.

ASB Report - Mr. Robert Wallace, Student Trustee, was not present to report at this time.

West Hills College Coalinga and North District Center, Firebaugh – In the absence of Dr. Willard Lewallen, President, Jill Stearns, Dean of Student Learning, reported on the recent ceremony for nursing students. She also reported that Ms. Lynn Zinzer will be the featured speaker on March 12 at noon for Women’s Awareness Month.

West Hills College Lemoore – Mr. Don Warkentin, President, reported on rain water damage to the portable buildings, stating that this matter is being handled by the architect. Mr. Warkentin reported on the recent Engineering Scholars Program luncheon, stating that it is a good program. Trustee Levinson questioned the nursing program and articles. Mr. Warkentin responded that WASC (Western Association of Schools and College) is part of the process because it is considered a substantive change. We should receive notification any time. President McKean questioned if faculty at West Hills and Fresno State have talked. Mr. Warkentin responded in the affirmative, stating that new curriculum has been developed. President McKean stated that it is a program that is needed in this area.

Chancellor’s Report – Dr. Frank Gornick, Chancellor, thanked the members of the District Leadership Council (DLC) for their review of the suggested changes to the policies and procedures. He reported that he has had an opportunity to review a draft of the Technology Strategic Plan. This plan will be seen by the Board at a later date. A current enrollment report was distributed and Dr. Gornick stated that we are holding at about 8%. He stated that there have been some positive meetings with the City of Avenal about expansion and Fresno County library representatives about joint use of space. Dr. Gornick reported that he will have the opportunity tonight to attend the Lemoore Planning Commission meeting. The City of Lemoore is reviewing their general plan and Lemoore Naval Air Station has significant objections to expansion. He stated that it will be an interesting meeting.

CONSENT AGENDA

President McKean announced that there is an addition of a temporary hire (Donna Ball) to the list of personnel transactions.

The following consent agenda items were approved on a motion by Trustee Ivans, seconded by Trustee Oxborrow, and carried unanimously:

CA-36 Minutes – The minutes of the February 1, 2008 Board Retreat; February 19, 2008 Board of Trustees meeting; and February 22, 2008 Board of Trustees meeting were approved as submitted.

CA-37 Warrants – The warrants were approved as submitted.

CA-38 Personnel Transactions – The revised list of personnel transactions was approved as submitted.

CHANCELLOR'S OFFICE

CO-30 Board of Trustees Handbook – Trustee Ivans stated that the handbook was very well done. Dr. Gornick thanked Ms. Donna Isaac for her work on the handbook and stated that it is one of the items that was recommended by the Accrediting Commission. It is to be considered a living document that will be changed as necessary and reviewed by the Board each year.

The Board of Trustees Handbook was approved on a motion by Trustee Minnite, seconded by Trustee Ivans, and carried unanimously.

CO-31 Curriculum Committee Action Report – West Hills College Lemoore – Trustee Ivans questioned staffing for the engineering program in light of the hiring freeze. Mr. Warkentin responded that the program already has staff.

The Curriculum Committee Action Report for West Hills College Lemoore was approved on a motion by Trustee Levinson, seconded by Trustee Minnite, and carried unanimously.

CO-32 Administrative Procedure 3430, Prohibition of Harassment – Dr. Gornick thanked the DLC and various college groups for their input and comments on the policies and procedures. He explained that the comments are included on the routing forms and many of the suggestions have been incorporated. Trustee Minnite questioned the non-approval by the West Hills College Coalinga Academic Senate. Ms. Bart explained that the Senate objected to the consensual relationships section. Dr. Gornick explained that we were advised by legal counsel on the language.

Administrative Procedure 3430, Prohibition of Harassment, was approved on a motion by Trustee Ivans, seconded by Trustee Minnite, and carried unanimously.

CO-33 Board Policy and Administrative Procedure 4020, Program and Curriculum Development – Trustee Minnite questioned if this final version of the policy and procedure is the best compromise, taking into consideration all of the suggestions. Dr. Gornick responded in the affirmative.

Board Policy and Administrative Procedure 4020, Program and Curriculum Development, was approved on a motion by Trustee Ivans, seconded by Trustee Cantu, and carried unanimously.

-
- CO-34** Board Policy and Administrative Procedure 3720, Computer and Network Use – Board Policy and Administrative Procedure 3720, Computer and Network Use, were presented for a first reading at this time. Approval will be requested at a later date.

FISCAL SERVICES

- FS-27** Fiscal Services Report – Mr. Ken Stoppenbrink, Vice Chancellor of Business Services, provided the fiscal services report. He stated that we are 66% through the fiscal year. General fund revenues are at 72.8% and general fund expenditures are at 61.5%.

Dr. Willard Lewallen arrived at this time.

- FS-31** Grant of Easement (Right of Way) – Mr. Stoppenbrink explained that there is already an existing easement on the property. This new easement adds 10 feet to the current 20 foot easement. Parking and shrubbery is planned in that area, but no buildings. Dr. Gornick explained that the location is the furthest southeast corner. Trustee Minnite questioned building the cities water line and when and how we will be reimbursed. Dr. Gornick commented on the redevelopment agreement with the city. Trustee Minnite questioned where the funds will go. Mr. Stoppenbrink stated that they were paid out of capital outlay and will be returned there.

The grant of easement (right of way) was approved on a motion by Trustee Cantu, seconded by Trustee Ivans, and carried unanimously.

- FS-32** Resolution – Certificates of Participation (COP) – Mr. Stoppenbrink introduced Mr. Ken Ough. Mr. Ough explained that the Board’s action today is for the purpose of restructuring the existing COPs. He stated that they will be restructured into a variable rate and this will benefit the district substantially. Dr. Gornick commented that the bond market has “tanked” because the insurer of the COPs was downgraded to a AA rating from a AAA rating. This has increased the rate at the auctions and causes a great deal of concern as we want to be at a lower rate.

Dr. Gornick asked Mr. Ough to discuss the pertinent issues. Mr. Ough stated that the district will get a better interest rate by restructuring. They will be getting rid of AMBAC (the insurer) who has had a lot of negative press lately. This issue will also allow the district to remarket and change modes (7 days to 30 days or 30 days to 7 days); thereby allowing for a better interest rate. The re-marketing agent will be replaced with someone who is more aggressive. Additional years are not being added to the restructuring.

Discussion took place regarding the equity and Mr. Ough explained that the equity that has been gained will go back into the investment. President McKean questioned why we can't just get a new insurer. Mr. Ough responded that this is a new issuance. Brief discussion took place regarding who oversees the insurer. Mr. Ough explained that there have never been any complaints against their company. President McKean questioned the lower interest rates and changing maturity. Discussion took place regarding interest. Trustee Henry questioned variable rate financing and the span. It was explained that the highest cap rate is 12%. Discussion took place regarding the frequency of change and the differences in financing and letters of credit versus the insurance company. Mr. Ough explained that the District would be reissuing for about 25 years. Discussion took place regarding the issuance costs and the offset of costs based upon savings due to interest rates.

Dr. Gornick distributed a project list and stated that the projects could offset the issuance. Trustee Cantu questioned the reissuance of bonds and it was stated that this will be done because everything is being reissued. Trustee Henry questioned the amount of the bonds issued now. Mr. Stoppenbrink responded \$27.9 million on COP 1 and \$37.2 million on COP 2. Discussion took place regarding the reissuance and the timeline. Mr. Ough stated that the longer we wait the worse it gets. It was stated that we are fortunate to be in the early stages and we have lined up the banks. If we wait, we are going to have a much higher interest rate. Mr. Ough stated that we are trying to move as quickly as possible.

Trustee Cantu commented that possibly we should wait and have a special session just for discussion of this particular item. Trustee Henry stated that he thinks we need to move forward. Trustee Oxborrow expressed that she wishes she could have had more historical information on the rates. Trustee Ivans stated that she is comfortable with the information provided today. Trustee Oxborrow stated that she has not had the chance to read through it all. Mr. Mark Levinson stated that it is important to emphasize that the documents presented are in draft form and are not final. He stated that it is a step in the process and not the last opportunity to talk about them.

President McKean summarized the comments made by the Board members and stated that he does not want to rush any Board members through the process. He asked if the Board would be interested in having a workshop on this matter. Trustee Oxborrow stated that she feels this is a good idea. Mr. Ough encouraged the Board of Trustees to approve the resolution now, with the option of making changes to the corresponding documents at a later date. Trustee Cantu questioned how long they have

been working on this matter. Mr. Ough responded that they have been working on this since January 15.

Dr. Gornick explained that the essence of what Mr. Ough has shared today is contained in the letter provided to the Board. This is a process that has been done twice already – once with COP 1 and once with COP 2. The point Trustee Cantu raises is that the Board wants to understand it better. He stated that the Board can continue to discuss it and establish another workshop on the process. Dr. Gornick stated that his concern is that we may lose the opportunity if the Board does not take action on the resolution. He stated that the Board can always decide not to move forward. Dr. Gornick stated that he would like to take this opportunity as the CEO to recommend to the Board of Trustees that the resolution be approved. Trustee Levinson questioned the costs involved if we were to change our minds. Mr. Ough stated that there would be minor out of pocket expenses. Mr. Levinson stated it may be approximately \$1,500.

President McKean explained that this order of business is the adoption of a resolution approving participation in a variable rate demand obligations Certificate of Participation (COP) financing designed to refinance two existing COP financings and add a new money component for district facilities. He asked that Trustee Oxborrow read the proposed resolution FS-32 relating to the approval of the District's participation in the West Hills Community College District variable rate demand obligations COP (2008 refunding project), but that he would entertain a motion to dispense with the reading of the entire resolution, provided that all Board members confirm that they have previously read the resolution, as it is lengthy. He asked if all Board members have read the proposed resolution. All Board members responded that they had read the resolution.

On a motion by Trustee Ivans, seconded by Trustee Henry, and carried unanimously, the motion to dispense with the reading of the resolution was approved.

President McKean stated that the floor is now open for discussion of the resolution. There were no comments made at this time.

President McKean stated he will entertain a motion to adopt the resolution.

The resolution in the matter of Certificates of Participation (COP) was adopted on a motion by Trustee Henry, seconded by Trustee Oxborrow, and carried unanimously.

President McKean stated that this completes the formal business to come before the Board of Trustees and he entertained a motion to temporarily adjourn the regular meeting in order to hold the meeting of the West Hills Community College District Financing Corporation, which will be participating in the Certificate of Participation financing just approved.

On a motion by Trustee Cantu, seconded by Trustee Minnite, and carried unanimously, the meeting was temporarily adjourned to conduct the business of the Financing Corporation.

The meeting was temporarily adjourned at 4:54 p.m.

The meeting was reconvened at 4:58 p.m.

Dr. Gornick stated that he will arrange for a workshop to further discuss the reissuance of COPs. It was requested that Mr. Mark Levinson be in attendance at the workshop.

BOARD REPORTS / COMMENTS / REQUESTS AND ANNOUNCEMENTS

Trustee Ivans thanked everyone for their reports and hard work. She stated that she appreciates the budget status reports. Trustee Ivans reported that she attended the recent opening of the child development center in Avenal and it was a nice event.

Trustee Henry congratulated Mr. Warkentin and West Hills College Lemoore on the Engineering Scholars Program. He stated that it is an exciting program to have.

Trustee Oxborrow thanked everyone for their hard work with the budget, stating that it is never pleasant to deal with reductions.

President McKean reported that he recently attended a basketball game and there was a great crowd in attendance along with fantastic student participation. He expressed his congratulations on the nursing program, stating that it is exciting.

President McKean announced that the next meeting of the Board of Trustees is scheduled for April 22, 2008.

CLOSED SESSION

The meeting was adjourned to closed session at 5:11 p.m.

- Discussion of land acquisition/disposition of property (as per Government Code Section 54956.8). Property: Coalinga, California; Firebaugh, California; Lemoore, California

- Potential Litigation (as per Government Code Section 54956.9). Number of potential cases: 2
- Public Employee Discipline/Dismissal/Release (as per Government Code Section 54957)

ADJOURNMENT

There being no further business before the Board of Trustees, the meeting was adjourned at 5:46 p.m.

Nina Oxborrow
Clerk of the Board of Trustees

/di

Personnel Transactions

1. New Hires – Certificated

Name	Title & Location	Schedule	Salary Placement	Funding	Effective Date	Additional Information
Gonzalez, Maria	DSPS Counselor West Hills College Lemoore	197 day contract	Class IV Step 4	District & Grant	3/3/08	New position

2. New Hires – Classified

Name	Title & Location	Schedule	Salary Placement	Funding	Effective Date	Additional Information
Corea, Robert	Advising Specialist West Hills College Coalinga	40 hrs/wk 12 mo/yr	Range 56 Step A	Grant	2/25/08	Replacement for Ricardo Marmolejo
Cortez, Edna	Child Development Center Assistant San Joaquin Child Dev. Center	19 hrs/wk 12 mo/yr	Range 23 Step A	Auxiliary	3/3/08	New position
Fleming, Marla	Learning Skills Program Assistant West Hills College Lemoore	40 hrs/wk 12 mo/yr	Range 32 Step B	Grant	2/25/08	New position
Jennings, John	Program Assistant West Hills College Coalinga	19 hrs/wk 12 mo/yr	Range 36 Step A	District	3/3/08	Replacement for Franki Cleveland
Trevino, Danielle	Bookstore Assistant I West Hills College Coalinga	40 hrs/wk 12 mo/yr	Range 32 Step A	Auxiliary	2/19/08	Replacement for Estella Nolasco
Valadez De Ayala, Maria	Child Development Center Assistant San Joaquin Child Dev. Center	19 hrs/wk 12 mo/yr	Range 23 Step A	Auxiliary	3/3/08	New position
Zaragoza, Ana	Child Development Center Assistant San Joaquin Child Dev. Center	19 hrs/wk 12 mo/yr	Range 23 Step A	Auxiliary	3/3/08	New position

3. Temporary Hires

Name	Title & Location	Schedule	Salary Placement	Funding	Effective Date	Additional Information
Ball, Donna	Food Service Cook West Hills College Coalinga	40 hrs/wk	Range 40 Step A	Auxiliary	3/11/08 – 6/30/08	Substitute for Martin Corpus
Cavins, James	Security Guard West Hills College Coalinga	19 hrs/wk	Range 32 Step A	District	3/11/08 – 6/30/08	Temporary hire while recruiting
Martinez, Erica	Child Development Center Assistant West Hills College Coalinga	19 hrs/wk	Range 23 Step A	Auxiliary	3/11/08 – 6/30/08	
Solorio, Cecilia	Child Development Center Assistant Avenal Child Development Center	19 hrs/wk	Range 23 Step A	Auxiliary	3/11/08 – 6/30/08	
Terrazas, Juditt	Secretary, Health Careers West Hills College Lemoore	19 hrs/wk	Range 36 Step A	Grant	3/11/08 – 5/15/08	

4. Resignations / Retirements / Releases During Probation / Terminations

Name	Title & Location	Effective Date	Additional Information
Acox, Salena	Program Assistant West Hills College Lemoore	1/24/08	Resignation

4. Resignations / Retirements / Releases During Probation / Terminations (continued...)

Name	Title & Location	Effective Date	Additional Information
Armenta, Vanessa	Student Services Assistant West Hills College Coalinga	2/16/08	Resignation
Esposito, Amy	Child Dev. Center Associate Teacher San Joaquin Child Development Center	2/14/08	Resignation