SOLANO COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD

UNADOPTED MINUTES

A tour of Building 1500 renovation was held from 6:00 – 7:00 p.m., prior to the Board Meeting.

1. CALL TO ORDER

A meeting of the Solano Community College District Governing Board was called to order at 7:00 p.m., on Wednesday, February 15, 2006, in the Administration Building, Room 626, Solano Community College, 4000 Suisun Valley Road, Fairfield, CA 94534-3197, by Jerry R. Wilkerson, President.

2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Board President Wilkerson led those present in the pledge of allegiance to the flag of the United States of America.

3. ROLL CALL

Members Present:

Jerry R. Wilkerson, President
Pam Keith, Vice President
James M. Claffey
Denis Honeychurch, J.D.
Phil McCaffrey
A. C. “Tony” Ubalde, Jr., Rel.D.
Makenzie Spillner, Student Trustee
Paulette J. Perfumo, Ph.D., Secretary

Members Absent:

Vacancy from Area #3 – Vallejo

Others Present:

Gerry Fisher, Vice President, Student Services
J. Laurel Jones, Ed.D., Vice President, Academic Affairs
John E. Hendrickson, Interim Vice President, Administrative & Business Services
Jay Field, Vice President, Technology & Learning Resources
James G. Mitchell, Ed.D., Interim Director, Human Resources
Patricia Y. Cordry, Executive Coordinator, Superintendent/President/Governing Board
4. APPROVAL OF AGENDA

Board President Wilkerson announced the following deletions to the Board agenda and a request to move informational item 10. (b) up on the agenda to immediately follow action item 9. (c): (1) under the Human Resources section of the Consent Calendar, page 1, Employment 2005-06, delete the position of Programmer/Analyst, CSEA and (2) under Non-Consent Agenda item – delete item 9. (f) Authorization to Bid for Renovation of Building 700/800 and New Annex Building – Bid No. 06-004.

Moved by Trustee Claffey and seconded by Trustee Ubalde for approval of the agenda as amended. The motion passed unanimously.

5. COMMENTS FROM MEMBERS OF THE PUBLIC

The following speakers spoke about the following topics:

Kathy Rosengren – limited parking in Lot A. Dean Rosengren protested the continued practice of coning off 11 parking spots in Lot A for Board member parking on Board meeting days during the night before or early AM hours and respectfully asked the Board to re-consider this practice for the following reasons: (1) excessive number of reserved parking spaces (with the exception of those with special physical needs); (2) cones could be set out at 3 or 4 p.m. on Board meeting days and (3) respect for employees. Board President Wilkerson expressed appreciation to Dean Rosengren for the comments and indicated that the administration would work on the matter.

Alex Casareno – spoke about the benefits of the Ethnic Studies program and urged continued Board support of the program.

*Tom Mattis, Business Agent for Carpenters Local 180 - certified payroll records from JDS Builders and all of the subcontractors who had performed work on Building 1800B. Mr. Mattis indicated that he had requested the records on December 13, 2005 and on January 23, 2006, he received all of the payroll records for all of the contractors that worked on 1800B except for Tim Sullivan Concrete Construction. Mr. Mattis stated that Change Order #7 lists an invoice from Tim Sullivan Concrete for labor in the amount of $38,547.32. Mr. Mattis reported that in a follow-up meeting on February 2, Interim Vice President Hendrickson indicated that Change Orders 6 and 7 no longer exist and that they would be reworked into a new Change Order to be presented to the Board at a future meeting. Mr. Mattis stated that Tim Sullivan Concrete was on site, performed work and submitted timesheets and there should be certified payroll records available. Mr. Mattis requested assistance from the Board to make the certified payroll records available immediately.

In addition, Mr. Mattis commented that he had reviewed the certified payroll records already received and he noticed that the state has a standard Department of Industrial Relations (DIR)
certified payroll request form which was not used, however, the DIR allows the form to be modified as long as all of the deduction boxes are on the form. Mr. Mattis indicated that JDS did not use all of the deduction boxes that are required by the state, one of which is training. Mr. Mattis explained that training is a pass-through, taxpayer-funded contribution that is part of the prevailing wage and is not to be paid to the worker, as it is to be listed separately in the deduction box and then paid to an appropriate trust fund.

Trustee McCaffrey asked for an answer to the question raised about the state form and compliance with the deduction boxes by the next Board meeting. Interim Vice President Hendrickson will provide the information requested by Trustee McCaffrey. Interim Vice President Hendrickson also reported that the public records request has been fulfilled and the set of certified payroll records are being produced as a result of the follow-up meeting with Mr. Mattis.

Dennis Espinoza, Mason -- concrete work between Buildings 1800 and 1900 as water puddles in this area. Mr. Espinoza asked who is responsible for the inspection before and after the concrete is poured. He questioned the quality of work and asked if there was language in the specifications concerning project quality. He suggested that Kitchell see that the language is strengthened. Mr. Espinoza asked the Board to address these concerns.

6. REPORTS (NO ACTION REQUIRED)

(a) Associated Students of Solano College (ASSC)

Tara Norman, Governing Board Representative, reported that ASSC:

--approved a $250 donation for the SUCCESS Consortium “College Making it Happen” conference at its last meeting.

--approved revisions on the Election Code and formed the Election Committee for the spring election. The filing period for candidates for President, Vice President, Legislative Advocate and Student Trustee will be from February 27 through March 10. Voting week will be April 3-6. ASSC authorized Dr. Lewis to contact the architectural firm of LPA Architects, in Roseville, to get a quote on the cost for providing a campus master plan for our grounds with the hope that once the plan is approved by ASSC, administration and the Board, capital improvements would be made that would benefit the students such as landscaping, outside seating and new signage. (Note: this would need to go through a bid process.)

--along with the Inter-Club Council, ASSC hosted Club Promo Day today with 20 clubs participating.

--Mardi Gras/Monte Carlo night is coming up soon. Board members were asked to see Student Trustee Spillner for tickets.
--at the urging of returning, retired Facilities employee Wayne Engell, replacement of the boilers has been moved up on the priority list for this year. Kittell has received a proposal from the design engineer which should be ready to bring to the Board in March. Work on the boilers is anticipated for the fall.

--the hydronics project is ongoing. Phase 1, zone 1, will be done mid-April; weather permitting. Completion is anticipated for late fall.

--the final punch list for Buildings 300, 500 and 1500 walkthrough is on Friday, February 17.

--the design process for Building 1400 is on schedule with the goal of being ready to go to the DSA this summer.

--the large design task of a master plan for the sports complex is underway starting with the renovation of Building 1700. Kittell just received a draft from the architects.

Mr. Colt answered questions from Trustees Claffey and Ubalde regarding the lack of proper drainage near Building 1800, the cement work in that area, corrective action at the contractor's expense, safety for the disabled, a broken chain and the ramp from Building 1800 to the new restroom facility. Mr. Colt stated that there is a drain near Building 1800 that is not working very well and may require additional plumbing such as a repair to the drain or to increase the size of the drain. In answer to Trustee Claffey's inquiry regarding whether the District was paying for master craftsmen and getting master craftsmen or journeymen craftsmen, Mr. Colt replied that Building 1800 B was a public works project and not bid under the Project Labor Agreement (PLA); therefore, workers are paid the prevailing wage. Mr. Colt assured the Board that work is under the daily inspection of a licensed California State Inspector.

7. CONSENT AGENDA – ACTION ITEMS

   Superintendent-President

(a) Minutes for the Meeting of February 1, 2006

   Human Resources

(b) Employment 2005-06; Approval of Class Specifications; Gratuitous Services

   Administrative and Business Services

(c) Warrant Listings

(d) Authorization to Increase General Fund Budget, Resolution 05/06-28

(e) Ratification of Budget Appropriation Transfers between Major Object Codes, Resolution No. 05/06-29
Field Observation Report

Job Name: Bundatkm
Job #: J3198W Date: 6/18/2005
Job Location: Solano College, 4000 Suisun Valley Road, Fairfield, CA
Rep: Brad Quon
Weather: Overcast, cool

Preparation of the bathroom building pad subgrade was performed on June 10 and 13, 2005. Compaction testing was performed by CTS on 6/13/05. Although compaction test results exceeded minimum project requirements of at least 95%, the in-situ moisture contents as tested by the nuclear gauge were on the order of about 1 to 3 percent below optimum moisture. These test results were reported via fax to members of the project team on 6/14/05 when the compaction curve was completed.

During my visit today, I observed some minor shrinkage cracks at the surface of the slab. An exposed trench nearly parallel north of the building revealed some vertical shrinkage cracks up to about 1/8" wide extending from the surface to a depth of about 2 to 3 feet below the existing site grade. The potential for slab cracking or foundation heaving exists. It was reported that the slab and foundations would be poured monolithically in about 1.5 weeks.

Some options are available for mitigation of the adverse effects from expansive soils. These options are based on the level of risk the Client is willing to accept and generally include: 1. Rescuff, moisture condition to over optimum moisture conditions, and compact to a lesser degree of compaction (i.e. 88 to 90 percent based on the ASTM D 1557 test method); 2. Flood the pad periodically and check to see if the moisture is consistently uniform in the upper 10 to 12 inches of the pad prior to placing concrete. This may also be achieved with sprinklers. Because the clay is currently compacted to a relatively high standard, the amount of water infiltrating the pad subgrade will take longer since the clay would be have a lower infiltration rate (low permeability). Therefore, if Option 2 is used, the slab subgrade should be checked more frequently to evaluate the saturation of the slab.

RECEIVED
JUN 16 2005
KITCHELL CEM

Inspector Signature: Brad Quon
Date: 6/18/05
10. NON-CONSENT AGENDA ITEMS – ACTION ITEMS

Administrative & Business Services

(a) Bid #07-001, Authorization to Award Contract to K & L Grading and Paving, Inc., for the Barrier Removal Project, (Phase II ADA) of Main Campus Parking Lots

Vice President Mazie Brewington and Director of Facilities Frank Kitchen presented this item to the Governing Board recommending that the District award Bid #07-001 to K&L Grading and Paving, Inc., for the barrier removal project in the main campus parking lot for $288,977.00.

As background information, VP Brewington stated that the company selected for this project is not a Project Labor Agreement (PLA) company. According to our PLA Agreement, the Board agreed back in August of 2004 that four large projects here at Solano would actually fall under the PLA agreement, and they are the Vacaville Center, the Vallejo Center, Building 400 (Student Services) and Building 100. We had 26 bidders on this paving project, both Union and Non-Union, and it is well under the threshold that we agreed to, not only as an institution but also as a Board, in our PLA. We sent bid applications out to 26 companies. We actually received 3 bid awards back. The second company is coming in about $109,000 less than the initial bid. We followed the Board Policy and institutional process of awarding this contract.

Moved by Trustee Honeychurch and seconded by Vice President Keith for approval of Bid #07-001, Authorization to Award Contract to K & L Grading and Paving, Inc., for the Barrier Removal Project, (Phase II ADA) of Main Campus Parking Lots. Trustee Ubalde abstained from the voting. The motion passed 4 ayes and 1 abstention.

Vice President Keith asked Dr. Ubalde the reason for his abstention, and Dr. Ubalde replied that he felt it was important that we have as much support for the PLA agreement as possible and inquired as to whether or not the Napa/Solano Council had been asked to oversee this project to make sure the work being done was adequate and at the level we expect for our projects. Vice President Keith stated that we are in line with our PLA Agreement and within the contract that we made with the unions. Secondly, she stated that the Napa/Solano Council has no purview over any projects on this campus whether or not it is a Union or Non-Union shop. They are not consulted about whether work is being done correctly. That is not their job. We have supervisors on our campus, as well as with Kitchell, that are doing that. It would be inappropriate to bring in the building trade and have them approve or disapprove work that is being done.

Dr. Perfumo confirmed Vice President Keith’s statement and said it was important to remember that this is the agreement we had for our Project Labor Agreement – the four largest projects would be bid under the PLA with the smaller projects, such as this one for $288,000, being open to any bidder. She went on to state that according to California Contract Law, unless there is some sort of lien or breach of some former contract with a bidder, we are required to give our bids to the lowest bidder or they can file a lawsuit against the District. Dr. Perfumo reiterated that we are following all of our Board Policies, our processes and the agreement we made when we signed our PLA.
Dr. Ubalde advised the Board that he has not been pleased with some of the non-PLA work done on the campus and stated that is why he is abstaining from this particular vote.

Vice President Keith commented that an abstention could only take place if there was a conflict of interest in the matter, and she told Dr. Ubalde that he had to vote either “yes” or “no” on the project. Dr. Ubalde stated he would differ to the Chair and that he can abstain for the reason he specifically stated. Dr. Perfumo said that, in the case of an abstention, for quorum purposes, it does count towards a quorum vote. Vice President Keith requested Superintendent/President Perfumo research the rules regarding this question and report back to the Board. Trustee Honeychurch stated that Trustee Claffey, Trustee McCaffery, Vice President Keith and he voted for this project and believed the Board needed to take action, saying the Board had agreed the four main projects would be PLA projects and the smaller ones would be open to any bidder. He did not think it was appropriate to suggest, nor legally possible, that we give away almost $100,000 to the next bidder. It is not appropriate use of public funds. He reiterated that this is what the Board agreed to do two years ago.

Vice President Keith confirmed that the vote on this issue was 4 ayes and 1 abstention and stated that the motion carried.