



# AGENDA

SANTA MONICA COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES  
REGULAR MEETING

**TUESDAY, AUGUST 4, 2020**

Via Zoom Webinar

The complete agenda may be accessed on the  
Santa Monica College website:

<http://www.smc.edu/admin/trustees/meetings/>

- |        |                                  |
|--------|----------------------------------|
| 5 p.m. | Public Meeting Convenes          |
|        | Board Adjourns to Closed Session |
| 6 p.m. | Public Meeting Reconvenes        |

Written requests for disability-related modifications or accommodations, including for auxiliary aids or services that are needed in order to participate in the Board meeting are to be directed to the Office of the Superintendent/President as soon in advance of the meeting as possible.

## PUBLIC PARTICIPATION

### ADDRESSING THE BOARD OF TRUSTEES DURING A ZOOM WEBINAR

During the COVID-19 (Coronavirus) Global Pandemic, the Board of Trustees will be conducting virtual meetings using Zoom Webinar.

Virtual meetings have been authorized by Executive Order N-25-20 issued by Governor Gavin Newsom and dated March 12, 2020, to reduce and minimize the risk of infection by “limiting attendance at public assemblies, conferences, or other mass events.” Zoom meetings will ensure public participation while at the same time complying with Governor’s Stay at Home executive order and Los Angeles County’s Safer at Home order.

Public participation can occur in one of two ways. Members of the public can submit written comments to be read during the public meeting or they may speak during the Zoom meeting. All public comments will be subject to the general rules set forth below.

#### **PUBLIC COMMENTS**

##### Instructions for Submitting Written Comments

Individuals wishing to submit written comments to be read at the Board of Trustees meeting shall send an email to Recording Secretary ([Rose\\_Lisa@smc.edu](mailto:Rose_Lisa@smc.edu)) by 4:30 p.m. for the Closed Session starting at 5 p.m. or by 5:30 p.m. for the regular session starting at 6:00 p.m. The email should contain the following information:

- Name
- Address
- Name of organization (if applicable)
- Topic or Item (Item V for general comments or Consent Agenda (Item VIII)); for other items indicate the topic or specific item number
- Comment to be read

##### Instructions for Participating in Public Meetings by Zoom Webinar

Individuals wishing to speak at a Board of Trustees meeting shall send an email to Recording Secretary ([Rose\\_Lisa@smc.edu](mailto:Rose_Lisa@smc.edu)) by 4:30 p.m. for the Closed Session beginning at 5 p.m. or by 5:30 p.m. for the regular session starting at 6:00 p.m. The email should contain the subject line “Board Meeting Written Comments” and include the following information in the body of the email:

- Name
- Address
- Name of organization (if applicable)
- Topic or Item (Item V for general comments or Consent Agenda (Item VIII)); for other items indicate the topic or specific item number

When it is time for the speakers to address the board, their name will be called and the microphone on their Zoom account will be activated. A speaker’s Zoom Profile should match their real name to expedite this process.

After the comment has been given, the microphone for the speaker’s Zoom profile will be muted.

##### General Public Comment Rules

- Generally, each speaker may be allowed a maximum of three minutes per topic. If there are more than four speakers on any topic or item, the Board reserves the option of limiting the time for each speaker. A speaker’s time may not be transferred to another speaker.

- Each speaker is limited to one presentation per specific agenda item before the Board, and to one presentation per Board meeting on non-agenda items.
- Any person who disrupts, disturbs, or otherwise impedes the orderly conduct of any meeting of the Board of Trustees by uttering loud, threatening, or abusive language or engaging in disorderly conduct shall, at the discretion of the presiding officer or majority of the Board, be requested to be orderly and silent and/or removed from the meeting.

#### General Public Comments and Consent Agenda

- Generally, each speaker may be allowed a maximum of three minutes per topic for general public comments or per item in the Consent Agenda. The speaker must adhere to the topic. Individuals wishing to speak during Public Comments or on a specific item on the Consent Agenda will be called upon during Public Comments.

#### Major Items of Business

- Generally, each speaker may be allowed a maximum of three minutes per topic in Major Items of Business. The speaker must adhere to the topic. Individuals wishing to speak on a specific item in Major Items of Business will be called upon at the time that the Board reaches that item in the agenda.

Exceptions: Time limits do not apply to individuals who address the Board at the invitation or request of the Board or the Superintendent.

No action may be taken on items of business not appearing on the agenda.

Reference: Board Policy Section 2350  
Education Code Section 72121.5  
Government Code Sections 54950 et seq

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	August 4, 2020

## AGENDA

A meeting of the Board of Trustees of the Santa Monica Community College District will be held on Tuesday, August 4, 2020. The meeting will be conducted via Zoom Webinar.

5 p.m.

### I. ORGANIZATIONAL FUNCTIONS

- CALL TO ORDER  
 Dr. Nancy Greenstein, Chair  
 Dr. Susan Aminoff, Vice-Chair  
 Dr. Louise Jaffe  
 Dr. Margaret Quiñones-Perez  
 Rob Rader  
 Dr. Sion Roy  
 Barry A. Snell  
 Joshua Elizondo, Student Trustee

The public may participate in the Zoom Webinar with the following information:

Please click the link below to join the webinar:

<https://cccconfer.zoom.us/j/92799817256?pwd=cEpCSElHOXNza3FDaUNvQ1RrY21OUT09>

Passcode: 601156

Or iPhone one-tap :

US: +16699006833,,92799817256# or +12532158782,,92799817256#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592

Webinar ID: 927 9981 7256

In the event participation in the Board of Trustees meeting reaches Zoom Webinar capacity, the meeting will be streamed live on the SMC Youtube channel

at: <https://www.youtube.com/user/4SantaMonicaCollege/videos>

- PUBLIC COMMENTS ON CLOSED SESSION ITEMS

### II. CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

Agency designated representatives: Sherri Lee-Lewis, Vice-President, Human Resources

Robert Myers, Campus Counsel

Employee Organizations:

SMC Faculty Association

CSEA Chapter 36

SMC Police Officers Association

CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION (Government Code Section 54956.9)

Rahni vs. SMCCD, Los Angeles Superior Court Case # 19STCV04338

II. **CLOSED SESSION** (*continued*)

EMPLOYEE APPOINTMENT/DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

Agency designated representative: Nancy Greenstein, Board Chair

Unrepresented Employee: Superintendent/President

**6 p.m.**

III. **PUBLIC SESSION –ORGANIZATIONAL FUNCTIONS**

- PLEDGE OF ALLEGIANCE
- CLOSED SESSION REPORT (if any)
- REVISIONS/SUPPLEMENTAL STAFF REPORTS: A two-thirds vote of the members present is required to include revisions and/or supplemental staff reports in the agenda as submitted. These are items received after posting of the agenda and require action before the next regular meeting. (Government Code Section 54954.b.2)

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY:

AYES:

NOES:

IV. **SUPERINTENDENT'S REPORT**

Updates

- COVID-19
- Enrollment
- SMC Website
- Distance Education Training Activities
- Virtual Welcome Week, August 24-28, 2020
- Virtual Opening Day, August 27, 2020

V. **PUBLIC COMMENTS**

VI. **ACADEMIC SENATE REPORT**

VII. **REPORTS FROM DPAC CONSTITUENCIES**

- Associated Students
- CSEA
- Faculty Association
- Management Association

VIII. **CONSENT AGENDA**

Any recommendation pulled from the Consent Agenda will be held and discussed in Section IX, Consent Agenda – Pulled Recommendations

Approval of Minutes

#1 Approval of Minutes: July 7, 2020 (Regular Meeting)

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## Contracts and Consultants

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## **IX. CONSENT AGENDA – Pulled Recommendations**

*Recommendations pulled from the Section VIII. Consent Agenda to be discussed and voted separately. Depending on time constraints, these items might be carried over to another meeting.*

## **X. MAJOR ITEMS OF BUSINESS**

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#21	Adoption of Education Protection Account (EPA) Expenditure Plan	32
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## **XI. BOARD COMMENTS AND REQUESTS**

## **XII. ADJOURNMENT**

There will be a special meeting/closed session of the Santa Monica Community College District Board of Trustees on Tuesday, August 18, 2020 at 5 p.m. to conduct the annual evaluation of the Superintendent/President. The meeting will be conducted via Zoom Conference.

The next regular meeting of the Santa Monica Community College District Board of Trustees will be held on Tuesday, September 1, 2020 at 6 p.m. (5 p.m. if there is a closed session). The meeting will be conducted via Zoom Webinar.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	August 4, 2020

**VIII. CONSENT AGENDA**

Any recommendation pulled from the Consent Agenda will be held and discussed in Section IX, Consent Agenda – Pulled Recommendations

**RECOMMENDATION:**

The Board of Trustees take the action requested on Consent Agenda Recommendations #1-#17.

Recommendations pulled for separate action and discussed in Section VIII, Consent Agenda – Pulled Recommendations:

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY:

AYES:

NOES:

**IX. CONSENT AGENDA – Pulled Recommendations**

Recommendations pulled from the Section VII, Consent Agenda to be discussed and voted on separately. Depending on time constraints, these items might be carried over to another meeting.

**RECOMMENDATION NO. 1 APPROVAL OF MINUTES**

Approval of the minutes of the following meetings of the Santa Monica Community College District Board of Trustees:

July 7, 2020 (Regular Board of Trustees Meeting)

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	August 4, 2020

CONSENT AGENDA: CONTRACTS AND CONSULTANTS

RECOMMENDATION NO. 2 CONTRACTS AND CONSULTANTS

2-A APPROVAL OF CONTRACTS AND CONSULTANTS

The following contract is greater than the amount specified in Public Contract Code Section 20651, and is presented to the Board of Trustees for approval.

➤ AMENDMENT TO CURRENT CONTRACT

Provider/Contract	Term/Amount	Service	Funding Source
1 Collier Simon	<p><b>Extension of term of contract only</b></p> <p>June 1, 2020 – August 31, 2021 (originally approved for the period June 1, 2020 – June 30, 2021)</p> <p>Not to exceed \$1,250,000 (no change from previously approved amount)</p>	<p>This contract was previously approved by the Board of Trustees on June 2, 2020. This is a request for extension of time to the contract due to current environment and to ensure contract activities are able to impact Spring, Summer, and Fall 2021 admissions cycles.</p> <p>Previous contract description: In an effort to drive greater awareness of Career Education and increase enrollments in these programs at Santa Monica College, Collier Simon (CoSi) will architect a comprehensive social content strategy, execute, and produce content creation and manage all paid social media.</p>	Strong Workforce Program (SWP) Local Funds
<p><i>Requested by: Patricia G. Ramos, Dean - Workforce &amp; Economic Development</i> <i>Approved by: Jennifer Merlic, Vice President, Academic Affairs</i></p>			



BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	August 4, 2020

CONSENT AGENDA: CONTRACTS AND CONSULTANTS

RECOMMENDATION NO. 2 CONTRACTS AND CONSULTANTS

2-B RATIFICATION OF CONTRACTS AND CONSULTANTS

The following contracts are less than the amount specified in Public Contract Code Section 20651, have been entered into by the Superintendent/President and are presented to the Board of Trustees for ratification.

*Authorization: Board Policy Section 6340, Bids and Contracts*

*Approved by Board of Trustees: 9/8/2008; revised 12/4/2018*

*Reference Education Code Sections 71028, 81641 et seq, 81655, 81656; Public Contract Code Sections 201650 et seq, and 10115*

➤ NEW CONTRACTS AND CONSULTANTS SUBMITTED FOR RATIFICATION

Provider/Contract	Term/Amount	Service	Funding Source	
1	(1) Ms. Marlene Ruiz  (2) Mr. Yevgeniy (Eugene) Kogosov	September 2020 through July 2021. 40 hours per week  Not to exceed \$37,500 each	Ms. Marlene Ruiz and Mr. Yevgeniy (Eugene) Kogosov will both serve as full-time Post Graduate Interns to assist the Center for Wellness & Wellbeing staff in working with individual students, conducting group workshops, and providing training and consultation to faculty and staff. Ms. Ruiz graduated with a master's degree in counseling psychology program from Loyola Marymount University, and Mr. Kogosov graduated with a doctoral degree in clinical psychology from the California School of Professional Psychology (Alliant), Los Angeles.	Student Health Fees
<p><i>Requested by: Susan Fila, Director of Health and Wellbeing</i>  <i>Approved by: Mike Tuitasi, Vice-President, Student Affairs</i></p>				

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	August 4, 2020

CONSENT AGENDA: CONTRACTS AND CONSULTANTS

**RECOMMENDATION NO. 3**      **FIRST AMENDMENT TO CHARITABLE GIFT AGREEMENT**

It is recommended that the Board of Trustees authorize the SMC Superintendent/ President to execute a First Amendment to a Charitable Gift Agreement between Santa Monica Community College District, Madison Project, and The Broad Foundation.

COMMENT. At its March 6, 2008 meeting, the Board of Trustees approved a Charitable Gift Agreement between Santa Monica Community College District, the Madison Project, and The Broad Foundation concerning the naming of the Stage and Second Space at the Santa Monica College Performing Arts Center. The parties to the agreement now wish to enter into a First Amendment to the Gift Agreement, to reaffirm their commitment to the provisions of the partnership described in the Gift Agreement as a foundation for future gifts.

BOARD OF TRUSTEES Santa Monica Community College District	ACTION August 4, 2020
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CONSENT AGENDA: HUMAN RESOURCES

**RECOMMENDATION NO. 4**      **ACADEMIC PERSONNEL**

*Requested Action:*    *Approval/Ratification*  
*Reviewed by:*        *Tre'Shawn Hall-Baker, Dean, Human Resources*  
*Approved by:*        *Sherri Lee- Lewis, Vice President, Human Resources*

ELECTIONS

ADJUNCT FACULTY

Approval/ratification of the hiring of adjunct faculty (List on file in the Office of Human Resources).

ABOLISH

Director, of Disabled Student Programs and Services

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CONSENT AGENDA: HUMAN RESOURCES

**RECOMMENDATION NO. 5 CLASSIFIED PERSONNEL - REGULAR**

*Requested Action: Approval/Ratification*  
*Reviewed by: Tre'Shawn Hall-Baker, Dean, Human Resources*  
*Approved by: Sherri Lee- Lewis, Vice President, Human Resources*

All personnel assigned into authorized positions will be elected to employment (merit system) in accordance with district policies and salary schedules.

<u>ESTABLISH NEW CLASS CLASSIFICATION</u>	<u>EFFECTIVE DATE</u>
Disabled Student Programs and Services (DSPS) Manager	08/05/2020

<u>WORKING OUT OF CLASSIFICATION (LIMITED TERM)</u>	
Bice, Jonathan	07/01/2020 - 12/31/2020
From: Mail Services Worker I	
To: Receiving, Stockroom, and Delivery Worker	
Percentage: More than 50%	

Phillips, Daniel	08/03/2020 - 01/29/2021
From: Assistant Director of Safety and Risk Management	
To: Director of Safety and Risk Management	
Percentage: More than 50%	
Comment: The Director, Safety and Risk Management is not a new position. It was established on March 7, 2018. Mr. Phillips is performing the duties at the Director level.	

<u>WORKING OUT OF CLASSIFICATION (PROVISIONAL)</u>	
Brooke, Alanna	07/01/2020 - 11/05/2020
From: Administrative Assistant I, Counseling	
To: Administrative Assistant II	

Chambers, Nicholas	07/1/2020 - 08/31/2020
From: Student Services Clerk, Admissions and Records	
To: Academic Records Evaluator, Admissions and Records	

Henninger, Denise	07/16/2020 - 11/20/2020
From: Deaf and Hard of Hearing Supervisor	
To: DSPS Manager	

Neal, Stacy	07/01/2020 - 11/5/2020
From: Financial Aid Supervisor	
To: Director of Financial Aid and Scholarships	

<u>TEMPORARY SHIFT CHANGE</u>	
Okonoboh, Barry	03/17/2020 – 07/31/2020
From: Instructional Assistant-Math, Math Department, 11 months, 40 hours, Day	
To: Instructional Assistant-Math, Math Department, 11 months, 40 hours, VH-I	

<u>RESIGNATION</u>	<u>LAST DAY OF PAID SERVICE</u>
Suzuki, Marcus, Instructional Assistant - Math, Math Dept.	07/30/2020
Sy, Dan, Associate Director, SMC Foundation	09/04/2020

BOARD OF TRUSTEES	Action
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CONSENT AGENDA: HUMAN RESOURCES

**RECOMMENDATION NO. 6 CLASSIFIED PERSONNEL – LIMITED DURATION**

*Requested Action: Approval/Ratification*  
*Reviewed by: Tre’Shawn Hall-Baker, Dean, Human Resources*  
*Approved by: Sherri Lee- Lewis, Vice President, Human Resources*

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

LIMITED TERM: Positions established to perform duties not expected to exceed 6 months in one fiscal year or positions established to replace temporarily absent employees; all appointments are made from eligibility lists or former employees in good standing.

Beck, Micheal, Customer Service Assistant, Bookstore	08/24/2020-09/11/2020
Berent, Richard, Accompanist – Performance, Music	08/15/2020-12/31/2020
Berent, Richard, Accompanist – Voice, Music	
Carter, Ashlie, Customer Service Assistant, Bookstore	08/24/2020-09/11/2020
Chan, Oliver, Accompanist – Performance, Music	08/15/2020-12/31/2020
English, Kara, Customer Service Assistant, Bookstore	08/24/2020-09/11/2020
Exum, Ellen, Customer Service Assistant, Cashier’s Office	07/20/2020-12/22/2020
Garcia, Lucy, Bookstore Clerk/Cashier, Bookstore	08/24/2020-09/11/2020
Gerhold, Thomas, Accompanist – Performance, Music	08/15/2020-12/31/2020
Gerhold, Thomas, Accompanist – Voice, Music	
Lopez, Jose C., Bookstore Clerk/Cashier, Bookstore	08/24/2020-09/11/2020
Miles, Erik, Bookstore Clerk/Cashier, Bookstore	08/24/2020-09/11/2020
Nesteruk, Gary, Accompanist – Performance, Music	08/15/2020-12/31/2020
Nwonwu, Vergie, Customer Service Assistant, Bookstore	08/24/2020-09/11/2020
Pacheco, Wendy, Bookstore Clerk/Cashier, Bookstore	08/24/2020-09/11/2020
Thielking, Alan, Bookstore Clerk/Cashier, Bookstore	08/24/2020-09/11/2020

**RECOMMENDATION NO. 7 CLASSIFIED PERSONNEL – NON MERIT**

*Requested Action: Approval/Ratification*  
*Reviewed by: Tre’Shawn Hall-Baker, Dean, Human Resources*  
*Approved by: Sherri Lee- Lewis, Vice President, Human Resources*

All personnel assigned will be elected on a temporary basis to be used as needed in accordance with District policies and salary schedules.

SPECIAL SERVICE

Art Model, \$30.00/hour	5
Art Model w/ Costume, \$30.00/hour	16
Community Services Specialist II, \$50.00/hour	3

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 8 FACILITIES**

*Requested by: Charlie Yen, Director of Facilities Planning  
 Devin Starnes, Director of Facilities Management*  
*Approved by: Christopher Bonvenuto, Vice-President, Business/Administration*  
*Requested Action: Approval/Ratification*

-A CHANGE ORDER NO. 1 – SMC MALIBU CAMPUS/SHERIFF SUBSTATION NEW WATER MAIN SERVICE PROJECT

Change Order No. 1 – ICON WEST INC., on the SMC MALIBU CAMPUS / SHERIFF SUBSTATION– New Water Main Service, -\$31,228.

Original Contract Amount	\$1,191,562
Change Order No. 1	\$ -31,228
Revised Contract Amount	\$1,160,334

Total Change Orders represents -2.6% of the original contract.

FUNDING SOURCE: Measure S and V

COMMENT: An allowance was included in the base bid as an estimate for work that would be completed under the base construction contract, but for which the exact cost or scope could not be defined at the time of the bid such as agency permits, unknown high water table condition, existing utility conditions, and soil remediation in existing utility alignment. The unused portion of the allowance is generated as a Credit Change Order towards the Contract. All conditions were encountered but not to the extent as anticipated and were successfully resolved.

-B PROJECT CLOSE OUT – SMC MALIBU CAMPUS/SHERIFF SUBSTATION NEW WATER MAIN SERVICE PROJECT

Subject to completion of punch list items by ICON WEST, INC., authorize the District Representative without further action of the Board of Trustees, to accept the project described as SMC MALIBU CAMPUS / SHERIFF SUBSTATION NEW WATER MAIN SERVICE PROJECT as being complete. Upon completion of punch list items by ICON WEST, INC., the District Representative shall determine the date of Final Completion and Final Acceptance. Subject to the foregoing and in strict accordance with all applicable provisions and requirements of the contract documents relating thereto, upon determination of Final Completion and Final Acceptance disbursement of the final payment is authorized.

-C AWARD OF CONSULTING CONTRACT FOR WHOLE BUILDING COMMISSIONING AND RETRO COMMISSIONING RELATED TO ENERGY EFFICIENCY AND LEED CERTIFICATION

Consulting contract with Empowered Solutions to provide Commissioning (WBCx) and Retro Commissioning (RCx) related to energy efficiency and LEED certification in the amount of \$150 to \$235 per hour plus reimbursable and test reports for the period July 1, 2020 through June 30, 2022.

Funding Source: Measure V and District Capital Outlay Fund

Comment: Commissioning is the systematic quality control and assurance process involving reviewing, verifying and testing of facility systems and subsystems. Whole Building Commissioning (WBCx) occurs during the construction of new buildings and modernization projects to ensure all systems work as intended when the project is completed. Retro Commissioning (RCx) occurs on an existing buildings or facility systems. The commissioning of the energy efficiency systems for the Malibu Campus, Math & Science Building, and Art Complex Replacement project to obtain LEED certification will be included in this agreement.

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CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 8**      **FACILITIES** *(continued)*

-D CHANGE ORDER NO. 2- SCIENCE AIR HANDLING EQUIPMENT PROJECT

Change Order No. 2- ANDERSON BARKER ARCHITECTS on the SCIENCE AIR HANDLING EQUIPMENT project in the amount of \$720,000.

Original Contract Amount	\$12,426.30
Change Order No. 1	\$4,474.30
Change Order No. 2	<u>\$16,715.00</u>
Revised Contract Amount	\$33,615.60

Project Schedule: This change order does not add any time extension to the contract length.  
 Funding Source: Scheduled Maintenance/Physical Plant Block Grant  
 Comment: Change Order No. 2 includes the following:

- Provide professional architectural and engineering services for contract administration, site visits and final project closeout.

-E AWARD OF BID – HVAC AND DUCT INSULATION REPLACEMENT PROJECT

Award of bid for duct insulation replacement with AC Pros, Inc., in the amount of \$1,045,850 for the period August 17, 2020 through November 30, 2020.

Base Bid:	\$997,300
Add Alternate	\$57,750
Deduct Alternate	\$9,200

Funding Source: Duct Insulation Replacement: Proposition 39 Funds \$235,490  
 HVAC Replacement: Physical Plant and Instructional Equipment Grant \$810,360  
 Other Bidders: 14 contractors attended the mandatory job walk. Five additional bids were received from:

Bon Air, Inc	\$1,069,000
Masters Contracting	\$1,593,000
Murray Plumbing & Heating	\$1,700,333
Allison Mechanical	\$2,070,220
H.C. Olsen Construction	\$2,128,936

Comment: This project is for HVAC Replacement at 1510 Pico, Emeritus Campus, 2714 Pico and Duct Insulation Replacement at Main Campus Science Building.

BOARD OF TRUSTEES	ACTION
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CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 9-A ACCEPTANCE OF GRANTS AND BUDGET AUGMENTATION**

*Requested Action: Approval/Ratification*

*Reviewed by: Kim Tran, Chief Director, Business Services*

*Approved by: Christopher M. Bonvenuto, Vice President, Business and Administration*

Title of Grant: Higher Education Emergency Relief Fund – Minority Serving Institutions  
 Granting Agency: United States Department of Education  
 Augmentation Amount: \$803,053  
 Matching Funds: Not Applicable  
 Performance Period: June 1, 2020 - May 31, 2021  
 Summary: The CARES Act establishes the Higher Education Emergency Relief Fund (HEERF) which includes funding to institutions of higher education to help cover any costs associated with the coronavirus.

Section 18004(a)(2) of the CARES Act authorizes the Secretary of Education to make additional awards, to address needs directly related to the coronavirus. This award is in addition to awards made in Section 18004(a)(1) of the CARES Act. This award may be use to defray expenses incurred by the district, including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff training and payroll. The district also may use this award for grants to students for any component of the student’s cost of attendance, as defined under Section 472 of the Higher Education Act, including food, housing, course materials, technology, health care, and child care.

Budget Augmentation:	Restrict Fund 01.3	
	Revenue	
	8100 Higher Education Act	\$803,053
	Expenditure	
	1000 Academic Salaries	0
	2000 Non-Academic Salaries	0
	3000 Employee Benefits	0
	4000 Supplies & Materials	\$503,053
	5000 Other Operating Expenditures	\$200,000
	6000 Capital Outlay	\$100,000
	7000 Other Outgo	0
	Total	\$803,053



BOARD OF TRUSTEES	ACTION
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CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 9-B ACCEPTANCE OF GRANTS AND BUDGET AUGMENTATION**

*Requested Action: Approval/Ratification*  
*Requested by: Teresita Rodriguez, Vice President, Enrollment Development*  
*Reviewed by: Kim Tran, Chief Director, Business Services*  
*Approved by: Christopher M. Bonvenuto, Vice President, Business and Administration*

Title of Grant: Federal Work-Study (FWS)  
Granting Agency: Department of Education  
Augmentation Amount: \$124,416 (Amended allocation \$686,137)  
Matching Funds: NA  
Performance Period: July 1, 2019 – June 30, 2020

Summary: The Federal Work-Study Program funded by the Department of Education provides undergraduate and graduate students with self-help aid through part-time employment, where the earnings from these part-time jobs assists to meet the cost of postsecondary education.

The Department of Education, Campus Base Program allows for available fiscal year 2018-19 Federal Work-Study allocation to be carried- forward and spent with the 2019-20 Federal Work Study allocation. The Department of Education Campus Base Program guideline also allows for fiscal year 2019-20 SEOG funding to be transferred and spent under the fiscal year 2019-20 Federal Work-Study funding. This agenda submission increases FWS budget transferred in from SEOG funds, as well as to account for fiscal year 2018-19 carryforward FWS budget not previously submitted to the Board for approval in order to cover an increase in FWS hours worked in fiscal year 2019-20.

Budget Augmentation:	Restricted Fund 01.3	
	Revenue	
	8600 State	\$124,416
	Expenditure	
	1000 Academic Salaries	0
	2000 Non-Academic Salaries	0
	3000 Employee Benefits	0
	4000 Supplies & Materials	0
	5000 Other Operating Expenditures	0
	6000 Capital Outlay	0
	7500 Financial Aid	\$124,416
	Total	\$124,416

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 9-C ACCEPTANCE OF GRANTS AND BUDGET DECREASE**

*Requested Action: Approval/Ratification*

*Requestor: Teresita Rodriguez, Vice President, Enrollment Development*

*Reviewed by: Kim Tran, Chief Director, Business Services*

*Approved by: Christopher M. Bonvenuto, Vice President, Business and Administration*

Title of Grant: Federal Supplemental Educational Opportunity Grant (FSEOG)  
 Granting Agency: Department of Education  
 Augmentation Amount: (\$73,462) Amended allocation \$600,033  
 Matching Funds: Not applicable  
 Performance Period: July 1, 2019 – June 30, 2020  
 Summary: The Federal Supplemental Education Opportunity Grant (FSEOG) is a grant provided by the Department of Education to our undergraduate students who have financial need and can be identified as students with the lowest estimated family contributions (EFCs).

The Department of Education, Campus Base Program allows schools to transfer fiscal year 2019-20 SEOG funding to be spent under current fiscal year 2019-20 Federal Work-Study. As allowed by the guidelines, this submission decreases the budget for Fund 74.0 for fiscal year 2019-20 SEOG funds in order to process an increase in Fund 01.3 fiscal year 2019-20 Federal Work-Study to fund increased Federal Work-Study hours in fiscal year 2019-20.

Budget Augmentation:	Restricted Fund 74.0	
	Revenue	
	8600 State	(\$73,462)
	Expenditure	
	1000 Academic Salaries	0
	2000 Non-Academic Salaries	0
	3000 Employee Benefits	0
	4000 Supplies & Materials	0
	5000 Other Operating Expenditures	0
	6000 Capital Outlay	0
	7500 Financial Aid	(\$73,462)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 9-D ACCEPTANCE OF GRANTS AND BUDGET AUGMENTATION** *(continued)*

*Requested Action: Approval/Ratification*

*Requestor: Michael Tuitasi, Vice President, Student Affairs*

*Reviewed by: Kim Tran, Chief Director, Business Services*

*Approved by: Christopher M. Bonvenuto, Vice President, Business and Administration*

Title of Grant: Mental Health Services Program Grant  
 Granting Agency: California Community Colleges Chancellor's Office (CCCCO)  
 Augmentation Amount: \$400,000  
 Matching Funds: Not Applicable  
 Performance Period: May 1, 2020 - December 31, 2021  
 Summary: This new Mental Health Services Program Grant objectives includes three broad categories: first, formal partnership building with county behavioral health departments or community-based organizations; secondly, to direct mental health services to students; and lastly, the prevention, early intervention, suicide prevention, and stigma reduction training activities for faculty, staff, and students.

Santa Monica College will use the funds to achieve the following objectives to ensure mental health support in the form of direct services to students who are at-risk; collaborate closely with the Department of Mental Health and other community providers; and lastly, to provide workshops and trainings to students, faculty, and staff on prevention and early intervention techniques to improve the overall health and wellbeing of our student population.

Budget Augmentation:	Restricted Fund 01.3	
	Revenue	
	8600 State	400,000
	Expenditures	
	1000 Academic Salaries	\$277,000
	2000 Non-Academic Salaries	0
	3000 Employee Benefits	\$ 96,288
	4000 Supplies & Materials	\$ 5,000
	5000 Other Operating Expenditures	\$ 6,328
	6000 Capital Outlay	0
	7300 Other Outgo	\$ 15,384
	7600 Student Aid	0
	Total	\$ 400,000

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 9-E ACCEPTANCE OF GRANTS AND BUDGET AUGMENTATION** *(continued)*

*Requested Action: Approval/Ratification*

*Requestor: Michael Tuitasi, Vice President, Student Affairs*

*Reviewed by: Kim Tran, Chief Director, Business Services*

*Approved by: Christopher M. Bonvenuto, Vice President, Business and Administration*

Title of Grant: School Communications Interoperability Grant Program (SCIGP)  
 Granting Agency: California Governor’s Office of Emergency Services (Cal OES)  
 Augmentation Amount: \$100,000  
 Matching Funds: Not Applicable  
 Performance Period: January 1, 2020 - December 31, 2021  
 Summary: Cal OES is responsible for overseeing and coordinating emergency preparedness, response, recovery and homeland security activities within the state of California. Cal OES Grants Management established the SCIGP which in fiscal year 2019-20 was expected to allot \$1,000,000 in competitive grants to California Community Colleges.

This Cal OES subaward was originally approved by the Board on May 5, 2020. However, due to the COVID-19 Pandemic and anticipated budget shortfalls, the State advised in a letter dated June 18, 2020 that project funding would be pulled until further notice. As a result, the Board approved cancellation of the funding at the July 7, 2020 Board meeting. Now that the State has had the opportunity to review their budget, the college has been advised, in a letter dated July 8, 2020, that funding for the project has been reinstated. Therefore, the subaward is being resubmitted for Board approval. Funding from Cal OES in the amount of \$100,000 will be used by the Campus Police Department to enhance the school’s ability to enable systems of communications to be connected to, and coordinate with, first responders. Funds will be used to purchase hardware such as a dispatch control center, computers and software.

Restricted Fund 01.3

Revenue		
8600	State	\$ 100,000
Expenditures		
1000	Academic Salaries	0
2000	Non-Academic Salaries	0
3000	Employee Benefits	0
4000	Supplies & Materials	0
5000	Other Operating Expenditures	\$ 39,000
6000	Capital Outlay	\$ 61,000
7300	Other Outgo/Indirect	0
7600	Student Aid	0
Total		\$100,000

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

**CONSENT AGENDA: FACILITIES AND FISCAL**

**RECOMMENDATION NO. 10 BUDGET TRANSFERS**

**-A FUND 01.0 – GENERAL FUND - UNRESTRICTED**

Period: June 25, 2020 through June 30, 2020

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	1,597,385
2000	Classified/Student Salaries	-585,503
3000	Benefits	2,494,196
4000	Supplies	-158,197
5000	Contract Services/Operating Exp	-3,261,418
6000	Sites/Buildings/Equipment	0
7100-7699	Other Outgo/Student Payments	-24,469
7900	Contingency Reserve	-61,994
Net Total:		0

**-B FUND 01.3 – GENERAL FUND - RESTRICTED**

Period: June 25, 2020 through June 30, 2020

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	696,144
2000	Classified/Student Salaries	245,925
3000	Benefits	246,002
4000	Supplies	1,390,544
5000	Contract Services/Operating Exp	-269,657
6000	Sites/Buildings/Equipment	153,499
7100/7699	Other Outgo/Student Payments	-851,193
7900	Contingency Reserve	-1,611,264
Net Total:		0

**-C FUND 40.0 – CAPITAL PROJECTS FUND**

Period: June 25, 2020 through June 30, 2020

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	0
2000	Classified/Student Salaries	0
3000	Benefits	0
4000	Supplies	10,128
5000	Contract Services/Operating Exp	25,004
6000	Sites/Buildings/Equipment	-35,132
7100/7699	Other Outgo/Student Payments	0
7900	Contingency Reserve	0
Net Total:		0

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

**CONSENT AGENDA: FACILITIES AND FISCAL**

**RECOMMENDATION NO. 10 BUDGET TRANSFERS (continued)**

-D FUND 42.4 – REVENUE BOND CONSTRUCTION FUND (MEASURE AA)  
 Period: June 25, 2020 through June 30, 2020

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	0
2000	Classified/Student Salaries	0
3000	Benefits	0
4000	Supplies	0
5000	Contract Services/Operating Exp	14,928
6000	Sites/Buildings/Equipment	-14,928
7100/7699	Other Outgo/Student Payments	0
7900	Contingency Reserve	0
Net Total:		0

-E FUND 42.5 – REVENUE BOND CONSTRUCTION FUND (MEASURE V)  
 Period: June 25, 2020 through June 30, 2020

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	0
2000	Classified/Student Salaries	0
3000	Benefits	0
4000	Supplies	1,944
5000	Contract Services/Operating Exp	42,864
6000	Sites/Buildings/Equipment	-44,808
7100/7699	Other Outgo/Student Payments	0
7900	Contingency Reserve	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	August 4, 2020

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 11 COMMERCIAL WARRANT REGISTER**

*Requested Action: Approval/Ratification*  
*Reviewed and approved by: Christopher M. Bonvenuto, Vice President, Business and Administration*

<u>Commercial Warrant Register</u>		
June 2020	8996 through 9038	\$ 8,009,363.97

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

**RECOMMENDATION NO. 12 PAYROLL WARRANT REGISTER**

*Requested Action: Approval/Ratification*  
*Requested by: Ian Fraser, Payroll Manager*  
*Approved by: Christopher M. Bonvenuto, Vice-President, Business/Administration*

<u>Payroll Warrant Register</u>		
June 2020	C1K – C2L	\$13,430,140.37

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

**RECOMMENDATION NO. 13 AUXILIARY PAYMENTS AND PURCHASE ORDERS**

*Requested Action: Approval/Ratification*  
*Requested by: Mitch Heskel, Dean, Educational Enterprise*  
*Approved by: Christopher M. Bonvenuto, Vice-President, Business/Administration*

It is recommended that the following Auxiliary Operations payments and Purchase Orders be ratified.

Auxiliary Operations Payments and Purchase Orders  
 June 2020 Covered by check & voucher numbers: 026115-026277 & 02204-02226

Bookstore Fund Payments	\$ 127,136.74
Other Auxiliary Fund Payments	\$ 37,087.06
Trust and Fiduciary Fund Payments	<u>\$ 558,419.96</u>
	\$ 722,643.76
<u>Purchase Orders issued</u>	
June 2020	\$0

Comment: It is recommended that the following Auxiliary Operations payments and Purchase Orders be ratified. All purchases and payments were made in accordance with Education Code requirements and allocated to approved budgets in the Bookstore, Trust and Auxiliary Funds.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 14 ORGANIZATIONAL MEMBERSHIPS**

Requested Action: Approval/Ratification

Reviewed and approved by: Christopher M. Bonvenuto, Vice President, Business and Administration

<u>Organizational Memberships</u>	<u>Number of Memberships</u>	<u>Amount</u>
August 2020	9	\$56,052.00
Funding Sources: Unrestricted General Fund		

<u>Organizational Memberships</u>	<u>Number of Memberships</u>	<u>Amount</u>
August 2020	5	\$10,833.00
Funding Sources: Restricted Fund 01.3		

Comment: The list of organizational memberships is on file in the Offices of the Superintendent/President and Fiscal Services. The Los Angeles County Office of Education requires monthly approval of the list on file.

**RECOMMENDATION NO. 15 AUTHORIZATION OF SIGNATURE TO APPROVE INVOICES, 2020-2021**

Requested Action: Approval/Ratification

Reviewed and approved by: Christopher M. Bonvenuto, Vice President, Business and Administration

Authorization of signature for the following staff member to approve invoices for 2020-2021:

Name/Title
Deyadra Blye, Project Manager for Student Care Team

Comment: To comply with Education Code Sections 85232 and 85233 and the Los Angeles County Office of Education (LACOE), the Board of Trustees is required to authorize signatures of those persons who approve invoices. The auditing system at LACOE reviews each phase of the payment process including the authorized signatures approved by the Board.



BOARD OF TRUSTEES  Santa Monica Community College District	ACTION  August 4, 2020
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CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 16 PROVIDERS FOR COMMUNITY AND CONTRACT EDUCATION**

*Requested Action: Approval/Ratification*  
*Requested by: Scott Silverman, Associate Dean, Emeritus*  
*Patricia Ramos, Dean, Workforce Development*  
*Approved by: Jennifer Merlic, Vice-President, Academic Affairs*

Authorization of payment for delivery of seminars and courses for SMC Community and Contract Education. The list of providers is on file in the office of Community and Contract Education. Payment per class is authorized as stated on the list on file.

**RECOMMENDATION NO. 17 PURCHASING**

*Requested Action: Approval/Ratification*  
*Requested by: Cynthia Moore, Director of Procurement, Contracts & Logistics*  
*Approved by: Christopher M. Bonvenuto, Vice-President, Business/Administration*

**17-A AWARD OF PURCHASE ORDERS**

Establish purchase orders and authorize payments to all vendors upon delivery and acceptance of services or goods ordered. The amount includes payments related to bond construction projects. 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.

June 2020

\$3,233,209.41

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

MAJOR ITEMS OF BUSINESS

**RECOMMENDATION NO. 18**

**SUBJECT:**                    **RESOLUTION OF SUPPORT: SCHOOLS AND LOCAL COMMUNITIES FUNDING ACT OF 2020**

**SUBMITTED BY:**            Chair, Board of Trustees

**REQUESTED ACTION:**    It is recommended that the Board of Trustees adopt the following resolution to endorse Proposition 15, the California Schools and Local Communities Funding Act of 2020, on the ballot November 3, 2020.

Whereas, for four decades, school districts in California have experienced underinvestment and devastating cuts causing California’s school funding to fall behind and resulting in fewer services and resources for students and teachers;

Whereas, the lack of adequate local funding is the result of an inequitable tax system in which corporations and wealthy investors do not pay their fair share in property taxes;

Whereas, loopholes in California’s property tax system allows a fraction of major commercial and industrial properties to avoid regular reassessment and use schemes to hide change in ownership;

Whereas, these loopholes result in millions of dollars going to corporations and wealthy investors rather than to schools and local communities for essential services;

Whereas, experts estimate that the California Schools and Local Communities Funding Act reclaims \$12 billion in property tax revenue every year to ensure that our schools and communities have the resources to educate all of our children and the services to support all of our families;

Whereas the California Schools and Local Communities Funding Act does not affect property taxes for homeowners or renters because the initiative exempts all residential property;

Whereas, academic researchers at the University of Southern California (USC) have identified that the vast majority of the reclaimed revenue will come from just a fraction of large properties;

Whereas, California schools are falling behind, ranking lowest in the nation with the largest number of students per teacher and the fewest counselors per student;

Whereas, per-pupil funding has declined from the top 10 in the nation to 39th;

Whereas, the top-ranked state spends \$10,259 more per-pupil to educate their children than California spends;

Whereas, the measure invests up to \$4 billion annually for K-14 schools to ensure that our children receive the world-class education they deserve;

Whereas, California should be a leader in innovation by educating the next generation of students to compete in the global economy;

Whereas, the California Schools and Local Communities Funding Act guarantees funding to all school districts, over and above Proposition 98 funding, and following the local control funding formula to all students in need in all districts;

Whereas, the measure also provides billions in funding yearly for cities, counties, and special districts in locally controlled revenues for affordable housing, parks, libraries, emergency responders, health and human services, libraries, public infrastructure, and much more;

Whereas, the measure incentivizes the development of residential units and provides more funding for communities to invest in affordable housing;

Whereas, the measure provides new tax incentives to spur new investment in small businesses by eliminating the business personal property tax on equipment for California's small businesses;

Whereas, the measure also exempts all small business owners whose property is worth \$3 million or less;

Whereas, the measure levels the playing field for businesses that already pay their fair share in our communities;

Whereas, the California Schools and Local Communities Funding Act of 2020 is expected to be on the November 2020 ballot;

Whereas, now more than ever, in light of the national and state economic crisis precipitated by the COVID-19 global pandemic, California's schools and community colleges require additional revenues for the continued provision of services to the children, youth and families of California;

Therefore, be it resolved, that the Santa Monica College District endorses Proposition 15, the California School and Local Communities Funding Act of 2020, on the ballot November 3, 2020.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY:

AYES:

NOES:

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

MAJOR ITEMS OF BUSINESS

**RECOMMENDATION NO.19**

**SUBJECT:** **EQUAL EMPLOYMENT OPPORTUNITY PLAN**

**SUBMITTED BY:** Vice-President, Human Resources

**REQUESTED ACTION:** It is recommended that the Board of Trustees approve the revised Equal Employment Opportunity Plan that reflects suggestions from the State Chancellor’s Office.

**SUMMARY:** The commitment of the Santa Monica Community College District to equal employment opportunity and diversity is articulated in Board Policy 3420, Equal Employment Opportunity.

The Santa Monica Community College District is committed to building an inclusive and diverse environment and maintains a comprehensive program to ensure that practice reflects these principles. Diversity within the college environment provides opportunity to foster mutual awareness, knowledge, and sensitivity, to challenge ingrained stereotypes, and to promote mutual understanding and respect. The District is committed to a work and learning environment conducive to open discussion and the free exchange of ideas. Global awareness and exploration of the diversity of the local communities served by the College are both important components of the commitment of the college to diversity. Embodying, promoting and celebrating diversity inspires innovative ideas, practical solutions, and team-building in the District’s goal of achieving professional and educational excellence.

The commitment of the District to equal employment opportunity and diversity, and to the protections against unlawful discrimination and harassment as defined by federal and state law, is at the core of the SMC mission; the processes and procedures to support this commitment are set out in this Equal Employment Opportunity (EEO) Plan.

Each district shall review its EEO Plan at least once every three years and revise as necessary (California Code of Regulations, Title 5, Section 53003 (b)). This revised Equal Employment Opportunity Plan was reviewed by the District Planning and Advisory Council on July 8, 2020.

Link to: [EEO Plan](#)

MOTION MADE BY:  
 SECONDED BY:  
 STUDENT ADVISORY:  
 AYES:  
 NOES:

BOARD OF TRUSTEES Santa Monica Community College District	ACTION August 4, 2020
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MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 20

**SUBJECT:** **MEMORANDUM OF UNDERSTANDING BETWEEN SMCCD AND CSEA CHAPTER 36**

**SUBMITTED BY:** Vice-President, Human Resources

**REQUESTED ACTION:** It is recommended that the Board of Trustees approve the Memorandum of Understanding (MOU) entered into between the Santa Monica Community College District and the California School Employees Association and its Chapter 36 .to freeze salaries, reduce the work hours by one furlough day per month and not impose any layoffs prior to January 1, 2021. The MOU was ratified by CSEA, Chapter 36 on July 23, 2020.

The complete Memorandum of Understanding is included on the following pages.

- MOTION MADE BY:
- SECONDED BY:
- STUDENT ADVISORY:
- AYES:
- NOES:

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into by and between the Santa Monica Community College District (the "District") and the California School Employees Association and its Chapter 36 (together "CSEA") as of this 9th day of July, 2020.

### RECITALS

- A. On March 17, 2020, the Board of Trustees of the District declared a local emergency because of the effects of the COVID-19 global pandemic.
- B. Throughout the COVID-19 global pandemic, the District has worked collaboratively with CSEA to protect classified employees from adverse impacts caused by major disruptions in the way the District delivers services.
- C. The COVID-19 global pandemic has created a fiscal crisis for state and local governmental entities across the United States.
- D. On June 2, 2020, the Board of Trustees declared a fiscal emergency as a result of economic impacts of COVID-19.
- E. Over 90% of the District's general fund expenditures are for employee salaries and benefits and a reduction in such expenditures is required in order to adopt a budget for fiscal year 2020-21.
- F. To the extent possible given the evolving fiscal crisis faced by the District is in the best interests of the District and CSEA to avoid layoffs.

### AGREEMENT

In consideration of the covenants and agreements herein contained, the parties agree as follows:

1 The rate of pay for all employees covered by the Collective Bargaining Agreement between the parties shall be frozen at the amount in effect on June 30, 2020. During the period from July 1, 2020, through June 30, 2021, no employee covered by this MOU shall receive an increase in the rate of pay, whether by step, column, or longevity increment. Unless this MOU is extended by further agreement between the parties, the salary effective starting on July 1, 2021, shall be the salary that would have been in effect but for this MOU.


2 The restrictions set forth in Paragraph 1 do not prevent any of the following: (a) an increase in pay as a result of the employee being placed at a higher step because of an approved working out of class assignment; (b) an increase in pay as the result of the employee being placed at higher step because the employee is promoted to a new position; or (c) an increase in pay as the result of the employee being entitled to shift differential because of an approved change in hours.

3 Effective August 1, 2020, the work week of all employees covered by this MOU shall be reduced for all employees covered by this MOU by one furlough day (8 hours) per month.

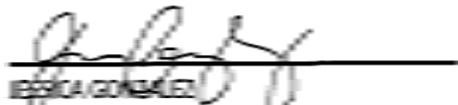
4. The furloughs are subject to the following:
  - a. A furlough day is an unpaid non-working day that is scheduled on a day within the employee's assigned work week. Neither accumulated vacation nor any other paid time off may be used to substitute for the furlough day.
  - b. Furlough days shall be scheduled for the first or last day of an employee's work week. The employee can elect to take four hours during the first pay period of the month and the remaining four hours in the second pay period of the month. For employees with alternative work weeks, irregular schedules or who work part-time, it may be necessary to schedule furlough days over more than two work days per month.
  - c. If a furlough day falls on a paid holiday, the holiday shall be an unpaid holiday.
  - d. For part-time employees, the number of furlough hours shall be pro-rated based on a 40-hour week.
  - e. For 11-month employees, the number of furlough hours shall be reduced by 8.33%. For such employees who work an 8 hour day, the furlough shall be split between two work days.
  - f. Furlough hours shall not be taken into account in determining the amount of leaves of absence under Article 7, the amount of holiday leave under Article 8, the amount of vacation leave under Article 9, longevity under Article 11, health and welfare benefits under Article 12, or seniority under Article 15 of the Collective Bargaining Agreement. All such leaves and benefits shall be based on the employee's work week without deduction of any furlough hours.
  - g. This MOU shall remain in effect until June 30, 2021, unless terminated earlier as set forth below.
  
5. The District agrees not to impose any layoffs prior to January 1, 2021. In the event the District imposes layoffs at any time after December 31, 2020, this MOU shall be of no further force or effect. In the event of early termination of this MOU, the salary effective starting on the date of termination of the MOU shall be the salary that would have been in effect but for this MOU.
  
6. This MOU is subject to ratification by the CSEA membership and the Board of Trustees.

**Michael Roberts**

MICHAEL ROBERTS  
Chapter 36 President



SHERRI LEE LEWIS  
Vice President for Human Resources  
For the District



JESSICA GONZALEZ  
CSEA Labor Representative  
For California School Employees Association

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 21

SUBJECT: ADOPTION OF EDUCATION PROTECTION ACCOUNT (EPA-PROP 55, AN EXTENSION OF PROP 30) EXPENDITURE PLAN

SUBMITTED BY: Vice-President, Business and Administration

REQUESTED ACTION: It is recommended that the Board of Trustees approve the plan to expend the 2019-2020 Education Protection Account (EPA) funds of \$9,980,245 on instructional salaries.

SUMMARY: Proposition 55, The California Children’s Education and Health Care Protection Act of 2016, which was an extension of Proposition 30, temporarily raises the income tax rate for upper-income-earners (over \$250,000 for single filers, over \$500,000 for joint filers, and over \$340,000 for heads of households) through 2030-2031 to fund the State’s Educational Protection Account which provides funding for local school districts and community colleges.

Under Proposition 55, Districts have sole authority to determine how the moneys received from the EPA are spent, provided that the governing board makes these spending determinations in open session of a public meeting of the governing board. Each entity receiving funds must annually publish on its web site an accounting of how much money was received from the EPA and how that money was spent. Additionally, the annual independent financial and compliance audit required of community colleges shall ascertain and verify whether the funds provided by the EPA have been properly disbursed and expended as required by law.

This recommendation is submitted to comply with Proposition 55 provisions requiring the governing board to make the spending determination in an open session of a public meeting of the governing board. The estimated EPA that our District will receive for 2019-2020, as of P2, is \$10,233,502. Accordingly, the amount of EPA funds as of the recalculation of apportionment for 2018-2019 decreased from the P2 amount of \$19,523,072 to \$19,269,815 or a decrease of \$253,257. The entire amount for 2019-2020 less the adjustment in 2018-2019 will be spent on instructional salaries. The EPA funds are NOT additional funds but rather are components of the “computational revenue” calculations and will be offset by a decrease in apportionment funding received by the State.

MOTION MADE BY:  
 SECONDED BY:  
 STUDENT ADVISORY:  
 AYES:  
 NOES:



BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 4, 2020

MAJOR ITEMS OF BUSINESS

**RECOMMENDATION NO. 22**

**SUBJECT:**                    **RATIFICATION OF MUTUAL AID TO ALLAN HANCOCK COMMUNITY COLLEGE DISTRICT**

**SUBMITTED BY:**            Vice President, Business and Administration

**REQUESTED ACTION:**    It is recommended that the Board of Trustees ratify the transfer of 225 Chromebooks to the Allan Hancock Community College District.

**SUMMARY:**                    At the beginning of the COVID-19 pandemic the District proactively procured 4,577 Chromebooks to facilitate the anticipated transition to a complete online learning modality. The main purpose of the procurement was to allow the District to provide technology to students, faculty and staff who experience a digital/technology divide. To date, the District has issued 965 Chromebooks including 640 to students, 235 to faculty/staff and 90 to special programs leaving 3,612 for distribution in 2020-2021.

The Districts proactive procurement of the Chromebooks places the District in a unique position among community colleges as the current worldwide availability of this type of technology is in short supply. The Allan Hancock Community College has approached the District to ask for emergency assistance to provide 225 Chromebooks for their students, faculty and staff who are facing a digital/technology divide. The Allan Hancock Community College District will reimburse Santa Monica Community College District for cost of the Chromebooks.

MOTION MADE BY:  
 SECONDED BY:  
 STUDENT ADVISORY:  
 AYES:  
 NOES:

BOARD OF TRUSTEES	ADJOURNMENT
SANTA MONICA COMMUNITY COLLEGE DISTRICT	August 4, 2020

**XI. BOARD COMMENTS**

**XII. ADJOURNMENT**

The meeting will be adjourned in memory of Civil Rights icon **U.S. Representative John Lewis; Allen Greenstein**, father of Trustee Rob Rader; **Annette Cecelia Howell Jennings**, mother of SMC faculty member Gina Jerry; and **Benjamin Rankin**, brother of Vivian Rankin-Scales, Emeritus Program Coordinator.

There will be a special meeting/closed session of the Santa Monica Community College District Board of Trustees on Tuesday, August 18, 2020 at 5 p.m. to conduct the annual evaluation of the Superintendent/President. The meeting will be conducted via Zoom Conference.

The next regular meeting of the Santa Monica Community College District Board of Trustees will be held on Tuesday, September 1, 2020 at 6 p.m. (5 p.m. if there is a closed session). The meeting will be conducted via Zoom Webinar.