



Santa Monica Community College District  
**District Planning and Advisory Council**  
MEETING -JANUARY 9, 2008  
MINUTES

A meeting of the Santa Monica Community College District Planning and Advisory Council (DPAC) was held on Wednesday, **January 9, 2008** at Santa Monica College, Drescher Hall Room 300-E (the Loft), 1900 Pico Boulevard. Santa Monica, California.

I. Call to Order: 3:07 p.m.

II. Members Present

Randal Lawson, Administrative, Chair Designee  
Jeff Shimizu, Administration  
Richard Tahvilidaran-Jesswein, Academic Senate President  
Lesley Kawaguchi, Academic Senate Representative  
Kathy Sucher, Faculty Association Representative  
Kiersten Elliott, Management Association Representative  
Leroy Lauer, CSEA Representative  
Trena Johnson, CSEA Representative  
Judy Smolker, Associated Students Representative

Others Present

Pat Brown  
Georgia Lorenz  
Judy Penchansky  
Lee Peterson  
Teresita Rodriguez  
Christine Schultz  
Charlie Yen

DPAC Staff Support

Lisa Rose

III. Review of Minutes: December 12, 2007. The minutes were accepted with corrections to the subcommittee planning meetings as follows:

Facilities: Third Wednesday of the month at 12 noon  
Human Resources: Library Room 193

IV. Reports

A. Strategic Planning Task Force: An update summarizing the activities and accomplishments of the Strategic Planning Task Force since Fall, 2006 was distributed college-wide on January 8, 2008. At its last meeting, the SPTF reviewed and revised the Mission, Vision and Goals document and the Strategic Initiatives. The Mission, Vision and Goals document will be submitted to DPAC at the next meeting on January 23, 2008. DPAC members will be asked to present the draft document to their respective constituencies for input. The Strategic Initiatives will be presented to the campus community on flex day, March 4<sup>th</sup>. Kathy Sucher and Katharine Muller will facilitate a session and encourage input from interested parties.

- B. Unfunded Retiree Health Benefits/GASB 45 Task Force: The Task Force continues to review and discuss funding sources and investment options. Meetings are scheduled every Thursday during January. Presenters at the next meeting will be from CalPers and CCLC. Most likely, any recommendation forthcoming from this Task Force will focus on the \$1.4 million in the JPA rather than the \$2 million in Designated Reserves. A new actuarial study is underway.
- C. Superintendent/President - Response to DPAC Recommendation(s): None

V. Agenda

Public Comments - None

A. Planning Subcommittees

- DPAC Planning Subcommittees are subject to the Brown Act  
A legal opinion was requested to address the question raised at the last meeting regarding DPAC Planning Subcommittee being subject to the Brown Act\*. Following is the legal opinion received:

*Based on the understanding that DPAC is a "standing committee" with a "continuing subject matter jurisdiction," and that it was created by formal action of the Board, I agree that DPAC is subject to the Brown Act. Because DPAC is a standing committee of the Board with a continuing subject matter jurisdiction, then DPAC is a "legislative body" within the meaning of the Brown Act, as defined in Section 54952(b) of the Government Code.*

*Because DPAC is a "legislative body," then subcommittees of DPAC are potentially subject to the Brown Act. The general principle is that all DPAC subcommittees are subject to the Brown Act. The exception to this principle is that "advisory" (as opposed to "decision-making") subcommittees of DPAC which are composed solely of less than a quorum of DPAC members are not subject to the Brown Act, although "standing subcommittees" of DPAC which have either a continuing subject matter jurisdiction or a meeting schedule fixed by formal action of DPAC are subject to the Brown Act.*

*Of course, to the extent that the DPAC subcommittees are subject to the Brown Act, then the various provisions of the Brown Act, such as pertaining to posting agendas and public comments, are applicable.*

*\*The last page of these minutes is a summary of guidelines for Brown Act compliance*

- A quorum for planning subcommittees was determined to be a simple majority of subcommittee members.
- The DPAC Charter was revised to reflect Brown Act and quorum issues, and other revisions were suggested to bring it up to date.

- B. Enrollment Report: Teresita Rodriguez presented a positive report (attached) stating that enrollment is up for winter and spring 2008. On-line enrollment is increasing dramatically and currently represents 21 percent of total enrollment. International student enrollment is strong with over 2,000.

VI. Adjournment

Meeting schedule through June, 2008 (second and fourth  
Wednesdays each month at 3 p.m.)

January 23, 2008

February 13, 27

March 12, 26

April 9 (faculty flex day - spring break), April 23

May 14, 28

June 11, 25

VII. Council of Presidents Meeting

The Council of Presidents set the agenda for the January 23, 2008 DPAC meeting.

- Planning Subcommittee Reports
- Vision, Mission and Goals
- DPAC Charter

Recommendations from DPAC Planning Subcommittees to be included on  
agenda  
for consideration by DPAC need to be submitted to Lisa Rose one week  
before the meeting.

## **Brown Act Guidelines to be followed for Planning Subcommittee Meetings**

The Brown Act requires all aspects of the decision-making process by legislative bodies, including discussion, debate and acquisition of information, to be conducted in public. All meetings must be open and public and must be freely accessible to the public (except for closed sessions). The Brown Act now covers virtually every type of local government body, elected or appointed, decision-making or advisory, permanent or temporary.

### Agenda/Meeting Notices

Agendas for regularly scheduled planning subcommittee meetings shall be posted at least 72 hours prior to the regular meeting. It is required that agendas be posted in a location "freely accessible to members of the public." Therefore, it is recommended that agendas be posted electronically on the SMC website and hard copy in the mailroom and library in addition to the distribution to the members of the planning subcommittee.

Items to be discussed at the meeting must be indicated on the agenda with a brief general description on each item to be discussed or transacted at the meeting. The purpose is to inform interested members of the public about the subject matter under consideration. The Brown Act generally prohibits any action or discussion of items not on the posted agenda. There are three specific exceptions (an emergency situation is determined, a need is determined by two-thirds of the members, or the item is continued from a meeting held no more than five days earlier).

### Public Testimony

Every agenda for a regular meeting must allow members of the public to speak on any item of interest that is within the subject matter jurisdiction of the planning subcommittee. Cards for members of the public requesting to speak should be made available at every meeting.

### Public Records

Materials provided to a majority of the planning subcommittee which are not exempt from disclosure under the Public Records Act must be provided, upon request, to members of the public without delay.

### Summary:

- Agendas need to include a brief general description of items to be discussed or transacted (*use DPAC agenda as a template*)
- Agendas for regular meetings need to be posted at least 72 hours prior to the meeting.
- Agendas should be posted electronically on the SMC website and a hard copy in the mailroom and library (*if needed, call Lisa for posting assistance*).
- Agendas must allow for members of the public to speak (*speaker cards will be forwarded to Co-Chairs*)