



## GOVERNING BOARD MEETING AGENDA

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*South Bay Regional Public Safety Training Consortium*

**Thursday, October 23, 2014**  
**10:00 am – South Bay Regional Public Safety Training**  
**Room #103**

### **I. Call to Order**

Dr. Steve Kinsella called the meeting to order at 10:02 a.m.

Present:	Dr. Steve Kinsella	Gavilan College
	Dr. Walter Tribley	Monterey Peninsula College
	Mr. Al Muñoz	Hartnell College
	Dr. Ron Travenick	Ohlone College
	Mr. Rick Bennett	Mission College
	Mr. Peter Fitzsimmons	Evergreen Valley College
	Dr. Nanette Solvason	Foothill College
	Dr. Kindred Murillo	Lake Tahoe Community College
	Ms. Michelle Schneider	College of San Mateo
	Mr. Steve Cushing	SBRPSTC
	Ms. Linda Vaughn	SBRPSTC
	Mr. Michael Lombardo	SBRPSTC
	Mr. Gregg Giusianna	SBRPSTC
	Ms. Marti Rogers	SBRPSTC

Absent:	Mr. John Mummert	Foothill College
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### **II. Approval of Minutes from May 7, 2014 (A)**

Motion to approve by Mr. Al Muñoz and 2<sup>nd</sup> by Dr. Walt Tribley. Mr. Peter Fitzsimmons abstained since he was not in attendance at the July 31<sup>st</sup> Board Meeting.

Mr. Fitzsimmons referenced item c. (second paragraph):

“The lease agreement with San Jose Evergreen Community College District has not yet been finalized.”

Peter Fitzsimmons confirmed the lease agreement for South Bay was finalized at a July 8<sup>th</sup> meeting at his college. Steve Cushing thanked Mr. Fitzsimmons clarification on this so the meeting minutes can reflect accordingly.

### **III. Public Comment**

None

### **IV. Closed Session**

- a. Police Academy – Notice of Student Discrimination Claim
- b. Personnel Action – Update to the Board of an Employee Investigation

#### **Business**

##### **a. Final Budget (A)**

The Final FY 2014-15 Budget was presented to the Board for approval.

This year's projected deficit is mainly driven by increasing business developments. It is estimated that expenditures will exceed revenues by approximately (\$462,976). Based on this proposed budget an Ending Fund Balance of \$350,200 is projected going into the next fiscal year.

Al Muñoz asked if Consortium Administration felt comfortable the budget would be above the 5% level by June 30, 2015.

Steve Cushing said that it would be about \$100,000.00 above the 5% level. Additionally, the 2% adjustment would assist in balancing the budget quickly. Though the initial 1% has already been accounted for in the budget; the remaining 1% would be projected toward the later part of the fiscal year.

Motion to approve by Dr. Kindred Murillo and 2<sup>nd</sup> by Dr. Walter Tribley.

##### **b. Audit Report (A)**

The Consortium conducts their annual independent audit of the Consortium's financial statements. The Final Report was provided for Board review and approval.

The agency's "Findings and Recommendations" reflect that all financial documents fairly and accurately presented the financial position of the governmental activities of each of the Consortium's major funds. The auditor found no deficiencies in internal controls and no instances of noncompliance or other reporting requirements under Government Auditing Standards.

Motion to approve by Dr. Walter Tribley and 2<sup>nd</sup> by Dr. Ron Travenick.

##### **c. Consortium Business Model (A)**

It was agreed at the time of the July 2014 JPA Board meeting, to increase the percentage of the apportionment revenue share to the Consortium by an initial 2%, effective January 2015.

Upon approval, South Bay's revenue share portion would be 57% instead of 55%. The Colleges will absorb a 2% adjustment over the next 2 years.

Motion to approve by Dr. Kindred Murillo and 2<sup>nd</sup> by Dr. Walter Tribley.

**d. FTES Update (D)**

South Bay and the JPA member college partners established FTES commitment levels for the 2014-15 fiscal year totaling 2248 FTES, 60 of which is in lieu of rent. South Bay provides periodic updates as to its progress toward meeting those commitments.

President Cushing shared with the Board that the Consortium had been contacted by Shasta College with interest in joining the Consortium. Further discussion and review of curriculum will be had to determine the feasibility of that partnership.

**e. FPPC re: Alternate Representation (D)**

JPA Board representatives of the Consortium are required by FPPC (Fair Political Practices Commission) regulations to complete and submit annual "Conflict-of-Interest filings. Several JPA member colleges have expressed the desire to identify "alternate representatives" to the JPA Board by a "position" within their respective college rather than identifying a specific individual from the college.

Michael Lombardo contacted FPPC (Fair Political Practices Commission) for clarification of filing regulations. It was confirmed that FPPC regulations do permit the identification for required 700 Form Conflict-of-Interest filers by position and not by specific name. However, if and when an authorized alternate representative attends and votes on a board action, they then have the responsibility and obligation under the regulation to complete an annual Conflict-of-Interest filing as well as the "Assuming Office" notice.

**f. Coyote Site-SJPD EOD Partnership (D)**

It was reported at the July JPA Board Meeting that the permit approval was for the Baily Road location was near.

Dr. Kinsella submitted the required Habitat Plan Reporting Form Package to Habitat Agency. The Habitat Plan is a 50-year regional plan to protect endangered species and natural resources while allowing for future development in Santa Clara County. In 2013 the Habitat Plan was adopted by all local participating agencies and permits were issued from the US Fish and Wildlife Service and California Department of Fish and Wildlife.

Department of Habitat has said the 55 acres of land allotted for the new South Bay location is comprised of 2% wetlands. Because of the unanticipated issues, Dr. Kinsella did not approach the EOD Partnership idea with Habitat Agency. Further mitigation will be required.

Dr. Kinsella said there will be a meeting in November to further discuss options in regards to the Habitat Conservation.

This item was initially placed on the agenda as an *Action Item*. Due to the need for further discussions, it has been modified to *Discussion Item*.

*\*Next JPA Board meeting will be January 15, 2015 at 10:00 a.m.*