



The **ACADEMY**

South Bay Regional Public Safety Training Consortium
3095 Yerba Buena Road, San Jose, CA 95135 ♦ Phone (408) 270-6458 ♦ Fax (408) 238-0286

Thursday, July 25, 2013

**10:00 am – South Bay Regional Public Safety Training
Room 103**

I. Call to Order

Dr. Steve Kinsella called the meeting to order at 10:05 am.

Present:	Dr. Steve Kinsella	Gavilan College
	Mr. Henry Yong	San Jose/Evergreen
	Mr. John Mummert	Foothill College
	Mr. Alfred Muñoz	Hartnell College
	Mr. Rick Bennett	Mission College
	Dr. Walter Tribley	Monterey Peninsula College
	Dr. Celine Pinet	Monterey Peninsula College
	Mr. John Shupe	Lynch and Shupe, LCC
	Mr. Steve Cushing	SBRPSTC
	Ms. Linda Vaughn	SBRPSTC
	Mr. Gregg Giusiana	SBRPSTC
	Ms. Marti Rogers	SBRPSTC

Absent:	Dr. Ron Travenick	Ohlone College
	Mr. Mike Claire	College of San Mateo
	Mr. Bret Watson	DeAnza College
	Mr. Mike Lombardo	SBRPSTC

II. Approval of Minutes from March 28, 2013 (A)

Motion to approve the meeting minutes by Mr. Henry Yong and seconded by Mr. Alfred Muñoz. Minutes approved.

III. Public Comment

None.

IV. Closed Session

- Conference with Legal Counsel-Anticipated Litigation and discussion of DRAFT response to Chancellor's Inquiry.

V. Business

a. De Anza Audit (A)

In early July, President Steve Cushing received a letter of complaint from De Anza College Vice-President, expressing their displeasure that the positive attendance records from our POST approved BAM course had not been submitted in its complete form. After the completion of Phase 1 and 2 of their district's 2012-13 annual financial audit, it was determined that 1300 hours (24 FTES) was incomplete and apportionment could not be accounted for.

The Basic Academy Modular is a POST course with the same certification as the full-time POST Basic Academy; however it is divided into 3 segments and offered in the evening and on weekends for students needing to maintain their day-time employment and/or attend college classes during the day. This particular POST Modular Academy completed in the Fall of 2012 which was also the last BAM course South Bay offered. Though this was a robust and well attended program, it was costly to run. With Board Approval, South Bay discontinued offering the BAM course as one of many cost cutting measures.

The BAM Academy was under the supervision and direction of Paul Bradshaw. Director Bradshaw's position was also discontinued once the BAM course was no longer being offered by the Consortium. Most likely unintentional, the attendance tracking for the students somehow disappeared or may have been mistakenly purged. Since April of 2013, it was realized the positive attendance records were no longer with the course files. Linda Vaughn and fellow staff members searched tirelessly for the attendance records. An attempt was also initiated to contact Paul Bradshaw, though unsuccessful.

This represents a loss of approximately \$59,000 for South Bay. Gregg Giusiana emphasized to Board Members that an updated 3-step procedure to further secure retention of records is now in place to ensure this will not occur again.

At De Anza's own discretion, it was decided, not to select further POST positive classes for audit at the risk of failure to likewise to show compliance requirements.

Furthermore, De Anza Administration intended to remove the entire 153 FTES commitment for 2012-13 if positive attendance records could not be provided for the other courses registered through the college.

President Steve Cushing provided response to De Anza College's Vice-President requesting that the following facts be considered:

- Entering FY 2013-14 De Anza agreed to a commitment of 153 FTES to the Consortium.
- On March 21, 2013, De Anza administrators advised they had not completed their internal update process for much of the public safety curriculum, which had been updated and delivered to them in early 2010. South Bay had offered to input the updates, given De Anza's staffing shortage. De Anza Administration chose to cancel and return 43 FTES to South Bay and reduce their commitment to 110 FTES. Fortunately for the Consortium, MPC agreed to accept the 43 FTES declined by De Anza and the courses were moved.
- Absent the 24 FTES, all committed FTES were produced by the Consortium for De Anza.

President Cushing concluded by sharing with Board Members that South Bay reimbursed the overage De Anza paid to South Bay, approximately \$44,000.00, which included removal of the FTES generated by the BAM class.

It was equally shared amongst Board Members that Steve Cushing made the correct move in his response.

Motion to approve by, Mr. Alfred Muñoz, 2nd by Dr. Walter Tribley.

b. Firing Range Lead Abatement-update (D)

Steve Cushing provided an update regarding the firing range cleanup bid process. It is anticipated that the bid will be awarded next week on Mike Lombardo's returns from vacation. Certifications are being reviewed and it is reasonable to expect that the clean-up will be complete in late August.

c. SJECCD Lease (D)

Further discussions took place regarding San Jose/EVC District and resultant loss of FTES with their move to Basic Aid. The proposed increased of lease cost is moving the momentum to find a new location for our main Academy. Remaining at Evergreen does not look likely for very much longer. With that, Dr. Kinsella requested for Board Members create a sub-committee in seeking an alternate location(s). Rick Bennett advised a portion of Mission College's main building would be vacant in the next 3-6 months and might offer an opportunity for temporary housing; 1-2 years. Mr. Bennett did not have details and would research the buildings availability and potential costs. Al Munoz, Walter Tribley and John Mummert agreed to work as a sub-committee in this endeavor.

d. Preliminary Proposed FY 2013-14 Budget (A)

A proposed budget was presented to the Board even though some partner colleges have not yet signed their commitment letters. The budget included two assumptions: Foothill College would commit to 100 FTES and Mission College would commit to 50 FTES to be generated during Spring 2014. A final budget, with updated and more accurate data will be provided to the Board at the September Board Meeting. Delay of FTE numbers by some of our colleges rests on the questions raised by the State Chancellor's Office. Colleges are waiting for the approval from the State before they proceed with their commitments. Linda and Dr. Vic Krimsley submitted their report to the State for review and guidance on key issues regarding how South Bay was formed and our authority to conduct business as a JPA.

It was emphasized that this is only the Preliminary Proposed Budget and an updated and more accurate one will be agenzized at the September Board Meeting.

Motion to approve by, Dr. Walter Tribley, 2nd by Mr. John Mummert.

**Next meeting scheduled for September 19, 2013.*