



GOVERNING BOARD MEETING MINUTES

South Bay Regional Public Safety Training Consortium

Thursday, September 20, 2018
10:00 a.m. – South Bay Regional Public Safety Training

Room #D103

I. Call to Order

Dr. Walter Tribley called the meeting to order at 10:07 a.m.

Present:	Dr. Walter Tribley	Monterey Peninsula College
	Dr. Gari Browning	Ohlone College
	Dr. Kathleen Rose	Gavilan College
	Mr. Fred Harris	Gavilan College
	Mr. Eric Ramones	Gavilan College
	Ms. Michelle Schneider	College of San Mateo
	Ms. Gerlinde Brady	Cabrillo College
	Mr. Benjamin Figueroa	Hartnell College
	Mr. Jeff DeFranco	Lake Tahoe Community College
	Ms. Catherine Webb	Monterey Peninsula College
	Mr. David Martin	Monterey Peninsula College
	Mr. Ernie Smedlund	SBRPSTC
	Ms. Linda Vaughn	SBRPSTC
	Mr. Michael Lombardo	SBRPSTC
	Mr. Michael Manning	SBRPSTC

Absent:	Mr. Brad Deeds	Lake Tahoe Community College
	Dr. Michael Claire	College of San Mateo
	Dr. Willard Lewallen	Hartnell College
	Mr. Daniel Peck	Mission College
	Dr. Min-Hoa Ta	Ohlone College
	Dr. Kathleen Welch	Cabrillo College

a. Approval of Agenda (A)

Dr. Tribley requested a motion to remove the Closed Session item IV, which would also remove item V. a. (report on closed session). In addition, he requested we discuss item V. g. at the beginning of the agenda.

Motion: Mr. Ben Figueroa 2nd: Ms. Michelle Schneider

Motion approved unanimously.

II. Approval of Minutes

- a. June 21, 2018 Meeting

Motion: Dr. Kathleen Rose 2nd: Mr. Ben Figueroa

Motion approved unanimously.

- b. July 19, 2018 Special Meeting

Motion: Ms. Michelle Schneider 2nd: Dr. Kathleen Rose

Motion approved unanimously.

III. Public Comment

No public members present.

IV. Closed Session

Removed.

V. Business

- a. **Report on Closed Session (A)**

None

- b. **Strategic Plan (previously item g-moved up)**

Ms. Vaughn detailed the preparation for the Strategic Plan that began in January with two work sessions, during which we explained how the Academy operates. The first work session included college staff and industry partners, such as State Fire and Commission on POST. We brainstormed on areas of possible improvement and set a goal to implement these ideas over the next three to five years. In the second session with the JPA Board, we outlined specific goals and objectives. Ms. Webb, South Bay staff and Ms. Vaughn then created the Strategic Plan Draft. The Strategic Plan was emailed to JPA Members at the end of July for their review and input. Mr. Figueroa provided feedback, which is included in the Draft document provided and we will be updating the implementation dates that he has suggested, if approved. Please note that many of the objectives are already in progress as the timeline was originally set to begin July 2018.

Dr. Tribley reminded the board that Strategic Plans are living documents and that we needed to make decisions on the plan today.

Mr. Figueroa referenced his edits regarding the Funding Formula and pathways but stated that in the end, South Bay needs to make those decisions. He also noted that the New Funding Formula will affect all colleges and asked the Board to be a resource to South Bay.

Dr. Rose recommended shortening the mission statement to, "The Academy's mission is to meet the educational training needs of public safety students within the areas represented by the participating community college district." She also recommended updating the terminology "Regional and Joint Ventures" in the vision statement. She suggested convening for an exercise to develop a vision statement. Dr. Tribley agreed that we should update the wording in the first sentence of the Mission Statement and remove everything else. Dr. Tribley also recommended updating the vision statement to include how South Bay impacts the community. He confirmed that the Board would be adopting this Strategic Plan with Ben Figueroa's edits.

Dr. Rose requested a six month bench mark to revisit the objectives of the Strategic Plan and its progression. This will be culture building for the Academy and will require Board support and review. There will be fiscal reasons to review the budget mid-year as well.

Mr. DeFranco wanted to make sure that South Bay prioritizes these items by importance. Vital changes that should occur in a timely manner are the following: the restructure of the New Funding Model and A & R issues. Other items such as launching a new website, etcetera, are less important and can be completed over time.

Ms. Vaughn reassured the Board that the Strategic Plan includes assembling a work group with the colleges to discuss the New Funding Model and how we will meet the colleges' needs.

Dr. Tribley reminded the Board that the staff will have the freedom to prioritize the order of the goals. The focus groups need to convene as soon as possible to help with the success of this Strategic Plan. Our Board should be less engaged in operations and more focused on reviewing progress of the Strategic Plan. Dr. Tribley reiterated that South Bay will check in on the new mission statement and will work on a vision statement. Dr. Tribley and Ms. Vaughn thanked everyone for their assistance.

Motion: Ms. Gerlinde Brady

2nd: Mr. Jeff DeFranco

Motion approved unanimously.

c. Presentation of FY 2018-19 Consortium Final Budget (A)

Ms. Vaughn announced that Page 2 of the Final Budget Report should say "Purposed Budget" and should be dated September 20th. The Proposed Budget includes the modifications and suggestions discussed at the last meeting; i.e. broke down the independent contractors into instructional and other contractors, and miscellaneous costs were itemized with a contingency expense line.

Mr. Figueroa commented that the fund balances to operations are very healthy and asked if we have plans for that fund balance. Ms. Vaughn explained that we ended the year healthier than expected primarily due to salary savings. We had the reduction and position change from VP to Director. Our income and revenue stream was within \$20,000 to \$30,000 of estimates. The New Funding Model and new FTES value could negatively impact our budget by up to 2.2 million dollars; therefore, we intentionally moved funds to our reserve to supplement our budget, as we have done in the past during lean years. Dr. Tribley confirmed that several Colleges are affected by the New Funding Model. He agreed with the preservations of those funds.

Mr. Figueroa stated that we should distinguish the difference between base dollars and one time dollars because our fund balances tend to be one time dollars. These funds will help short term, but once we consume these one-time dollars they are gone. Perhaps South Bay should consider how we are using the fund balance and the future plans. Mr. DeFranco thanked South Bay for the Final Budget and its layout, which details income and fund allocation.

Dr. Tribley agreed that although we should not use one time monies for ongoing revenue needs, they can provide a buffer when needed. He recommended that the work groups that emerge from the New Funding Model should discuss how we can conform to this new funding model by: curriculum that adds appropriate certificates and increasing the amount of students that apply for financial aid/ Pell Grants.

Motion approved unanimously.

d. Audit Report (A)

Mr. Smedlund announced that we successfully passed the audit at the end of August. We sent letters to confirm amounts with colleges and vendors in our accounts receivable and accounts payable. We are doing well financially and tracking our finances.

Mr. DeFranco asked if we booked a receivable for the 52 FTES shortfall to Lake Tahoe: representing \$170,000 of revenue to South Bay. Mr. Smedlund and Ms. Vaughn shared that FTES shortfalls and overages are reconciled prior to the close of the fiscal year and colleges were issued checks or invoiced based upon the final figures. The Audit shows the actual FTES generated for each college. We have instituted additional procedures to ensure unexpected shortfalls do not happen or are minimized in the future.

Mr. Harris asked if Foothill's departure from JPA was shown in the audit. Ms. Vaughn answered that Foothill was shown as a receivable in the audit because Foothill was still a member on June 30th. Foothill separated from the JPA on July 1st. Mr. Harris asked how South Bay anticipates showing Foothill's departure in next year's audit. Ms. Vaughn reminded the Board that we are prepared to discuss this in item F, unless they would like to discuss it now. The Board opted to wait for item F.

Motion: Mr. Ben Figueroa 2nd: Ms. Gerlinde Brady

Motion approved unanimously.

e. Organizational Reorganization of Management Position (A)

Ms. Vaughn reminded the Board that Mr. Lombardo is retiring at the end of November. Mr. Lombardo's retirement has provided an opportunity to review the need for a second Vice President's position. Some of the Vice President's duties are being overseen by a Director, and the Executive team thought it would be appropriate to have a Director of Student Services, Director of Business Services, and Director of IT Services. The Director of Student Services would assist with financial aid, curriculum and Title 5. Mr. Smedlund's position, the Director of Business Services will be in charge of Human Resources, finances and contracts. Mr. Manning, our Director of IT Services will also oversee facilities. Mr. Lombardo reminded the board that these positions were originally Director Positions that changed to Vice President Positions due to the fact that Ms. Vaughn and Mr. Lombardo had Master Degrees.

Dr. Rose asked if we modeled our job description for the Director of Student Services after the Director of Student Services position offered by community colleges. Ms. Vaughn explained that the job description created for this position was based on the needs of South Bay and does not mirror the community college job description for Director of Student Services. Dr. Rose did inform South Bay that using the same title may result in applicants that would apply to "Director of Student Services" positions at community colleges and suggested changing the title. Ms. Vaughn said we could change the name to Director of Program Services or Director of Administrative Services.

Dr. Tribley also recommended that we update the experience requirement to include fiscal and human resource experience versus teaching experience.

Motion: Dr. Kathleen Rose 2nd: Ms. Gerlinde Brady

Motion approved unanimously.

f. Follow-up re: Foothill College withdrawal from the JPA (D)

Ms. Vaughn began the conversation referencing the conference call on August 28th where Foothill asked for clarification regarding whether Gavilan was the employer of record or South Bay; Foothill noted that South Bay was on the contract. Foothill asked for forgiveness of their remaining \$32,179 balance for FTES generated funds. Foothill thanked us and acknowledged that we had fulfilled their requirements. The Consortium ceased enrollment of courses with Foothill College upon receipt of their withdrawal letter (April 2018), and rescheduled future classes when possible with other member colleges. We amicably parted ways with the potential for future re-engagement between Foothill College and the Consortium.

Dr. Tribley notified the Board that during the phone call the Consortium made it clear that we are working on a solution and thanked them for the input. The decision to forgive the remaining balance was within Ms. Vaughn's power and we did part ways in a positive manner.

Mr. Harris asked if the \$32,179 will be noted in the future Budget Report. Ms. Vaughn answered that it will be reported in the future Budget Report and we will be seeking our accountant's advice on how it should be reported. Mr. DeFranco agreed that our forgiveness of Foothill's fees and exit from the JPA Board was very reasonable.

Mr. Figueroa asked if Foothill's FTES were unclaimed the past year. Ms. Vaughn clarified that Foothill had 15 FTES of their 150 FTES remaining that were not produced at the time of their exit. Their total FTES were adjusted to 135. Ms. Vaughn further explained that they had an outstanding balance of \$32,179, inclusive of Capital Projects Fund monies.

Mr. Harris asked if we are all paying for their FTES. Mr. DeFranco asked what happened to the FTES that were allocated to Foothill? Ms. Vaughn explained that those FTES were reallocated to other member colleges where possible.

Dr. Tribley reminded the Board that this is related to action item I. The intention for this item was to make it clear to the Board that there was an exit letter and a conference call that resulted in forgiveness of the debt with no animosity.

g. FTES Update (D)

Mr. Smedlund referenced the FTES spreadsheet and the actual FTES column, which includes classes that have been booked with colleges. We are already at 80% of our total FTES. Both Mr. Smedlund and Ms. Vaughn informed the Board that we are trying to remain conservative with the amount of FTES college commitments until we know how the New Funding Model is going to affect the Colleges and South Bay. We have a tentative plan, but that plan may need to adapt to meet the requirements of the New Funding Model. We will inform the Board of our plan as soon as we know more.

Mr. DeFranco reminded the Board that while we may be "held harmless," if we do not continue to grow, we are in danger. He also recommended reviewing the FTES on a multiple year basis instead of yearly, which would align with the Funding Formula's three year span. Lake Tahoe's loss of 52 FTES in July will continue to impact Lake Tahoe for the next three years. Mr. Figueroa agreed that we should consider reviewing the FTES more often since it does go hand in hand with the New Funding Model.

Dr. Tribley requested that we move into item h and recommended South Bay consider the input from the Board. Dr. Tribley agreed with Ms. Vaughn that we need to wait on additional FTES until we know how the New Funding Model will impact us. After we know more about the New Funding Model we will work on a multi-year view that is consistent with the three year Funding Formula.

h. Future Funding Model (D)

Ms. Vaughn provided an example of how this Future Funding Model will impact our Basic Police Academy. Per Penal Code, 15% of our Basic Academy must be self-sponsored students. When agencies are hiring, 85% of our Basic Academy consists of agency sponsored students and 15% self-sponsored students. When agencies are not hiring, 15% of our Basic Academy consists of agency sponsored students and 85% self-sponsored students. Since agency sponsored students are employed, they are not eligible for: financial aid, the California College Promise Grant (formally known as the BOG Waiver) or the Pell Grant. This means that in a class of 50 students, we will have a loss of \$650 for 46 students. However, all of our Basic Academy graduates receive a certificate of achievement.

In order to provide an example, we created an excel spreadsheet for one Basic Academy Student using the 2017-2018 Funding Model with FTES value at \$5150.92. A self-sponsored student completing the course with 100% attendance generates \$8,712. Under the New Funding Model for that same self-sponsored student we will receive the base FTES, the certificate of achievement dollars, the 9 plus units of CTE dollars, as well as the living wage (as long as documentation is complete). In comparison, a sponsored student with 100% attendance generates \$8,063, which is approximately \$650 less than a self-sponsored student.

We will need to track all of this information. We do know that all Instructional Services Agreements will be impacted by this New Funding Model, but we have no answers at this time. We will be working extensively with JPA College Curriculum committees as we find out more details. We have reviewed the education code under career development courses and have noted that these courses are grandfathered into the higher funding rate of \$5,457 per FTES. Additionally, these courses result in local certificates of competency. We will be looking into the process of how these courses are approved. There are many courses that should fit into this area, but we will need to create the certificates of competency.

Our perishable skills courses through local agencies and continued professional training courses, which include OSHA and Title 22 for Fire departments, are recertification courses and will not fit into that grandfathered group of courses. These courses are going to be at the lower funding model and preclude add-ons.

Dr. Tribley proposed considering adding certificates at the college campuses for prep or basic skills courses. We are not going to get around

the financial issue of the sponsored students. Ms. Vaughn reminded the Board that we will be working with the JPA staff to develop and articulate these guided pathways for initial employment and promotion through public safety career paths.

Mr. Harris suggested trying to track and match the student equity and student success to the Funding Formula in order to receive the full budgeted FTES. He also referenced reviewing a PowerPoint from the August workshop by Chris Yatooma that breaks down the metrics. Ms. Vaughn agreed, stated that was the intent of the excel spreadsheet, advised South Bay had reviewed the PowerPoint from the August workshop, and attended the September workshop.

Mr. Smedlund reminded the Board that there are pending invoices for the colleges and opened a discussion regarding the base rate of the invoices under the New Funding Model. Mr. DeFranco recommended creating a new contract that used a flat rate instead of referencing the P2 rate. He also suggested that South Bay make decisions on the three year model versus the one year model. He requested that South Bay build FTES commitments from actual commitments versus original commitments that are not being met. Perhaps we should offer FTES to colleges that were unable to reach their original commitment, so that they can catch up. Dr. Tribley believes this approach is logical. Ms. Vaughn advised we would be creating and sending new contracts that include a flat rate. She also agreed that we will work on making decisions on a three year model and build FTES commitments from actual FTES generated versus original commitments.

Mr. Figueroa mentioned that while the Funding and predictability of FTES needs improvement, the New Funding Model will result in unpredictable changes and South Bay should be held harmless for this year. In the past, the funding split was 60% for South Bay and 40% for the Colleges. However, colleges are not receiving 40%. How do we get that other 20% without the guided pathway completion? How much can South Bay sacrifice of that 60%? Mr. Figueroa expressed his concern over the potential diminished value of Consortium participation based upon the new funding model. He also recommended updating our mission statement and ensuring that we are supporting the students who need financial aid and assistance, which is the basis of the New Funding Model.

Ms. Vaughn agreed and reiterated that we have many questions and are waiting on answers at this time. South Bay will conduct research and data collection, as well as discuss the New Funding Model with curriculum specialists to determine where and how we are generating FTES. We will

then review equity base, student success and how these courses fit in the New Funding Model.

Dr. Rose recommended inviting Alice Perez from Academic Affairs and someone from Finance Affairs to our next Board Meeting. Ms. Vaughn confirmed that she would be extending an invite to the Chancellor's Office.

i. ISA Instructor Contract (A)

Foothill brought up the concern regarding the employer of record. This agenda item is being provided as a possible solution. The current agreement has been reviewed by legal counsel John Shupe and confirmed by Mr. Fred Harris. The context includes the Education Code, the Title 5 code references and goes into additional details. We are in agreement and asking the Board for a review of the template for adoption as the ISA Instructor contract. We will be implementing this new contract as soon as approved.

Mr. Eric Ramos explained that we created this updated contract for two reasons: 1) to be in compliance with Title 5 and 2) to comply with the JPA Agreement, which says the district should be named on the instructor agreement. Ms. Vaughn further explained to the Board that according to JPA agreement, an instructor must be employed by one college and meet minimum qualifications. Ms. Vaughn stated that South Bay will continue to do some of the work detailed in this new practice to avoid a greater burden on Gavilan.

Dr. Tribley announced that Gavilan has already experienced a fiscal burden and may not have the staffing available to take this on. While each college could consider taking this on it would involve greater risk and the JPA becomes vulnerable. Dr. Tribley recommended this be coordinated with Gavilan and South Bay.

Mr. Figueroa asked if Foothill will be returning to the JPA after this change. Both Ms. Vaughn and Dr. Tribley said that they do not know.

Dr. Rose explained that Gavilan would be willing to assist with this HR function, but would need staff support on site and compensation. Gavilan has already taken on legal counsel, development of documents and processes, the review and now making sure that it works for the benefit for the JPA. Gavilan's district and South Bay staff could negotiate this and bring another discussion to the Board.

Mr. Figueroa thanked the Board and South Bay for creating this item and following the JPA Model. Dr. Rose thinks this may also help encourage additional college participation in the JPA. Dr. Rose thanked Mr. Ramos and Mr. Harris for their assistance. Ms. Schneider thanked the Board for creating a standardized procedure. Dr. Tribley thanked Gavilan, JPA Staff and South Bay.

Mr. DeFranco asked for clarification: Will instructors' minimum qualification be vetted through the Gavilan process? Will this be sufficient for them to teach with any of the JPA partners? Ms. Vaughn confirmed that instructors' minimum qualifications will be verified through the Gavilan process and they will be qualified to teach at any JPA college.

Motion approved unanimously.

j. Selection of Board Chair (A)

Dr. Tribley nominated Dr. Gari Browning for Board Chair.

Motion: Dr. Walter Tribley 2nd: Mr. Ben Figueroa

Motion approved unanimously.

k. Selection of Board Vice-Chair (A)

Mr. DeFranco nominated Dr. Rose.

Motion: Mr. Jeff DeFranco 2nd: Mr. Ben Figueroa.

Motion approved unanimously.

l. Change in roles of JPA Board representatives from MPC (A)

Dr. Tribley announced that he will no longer be the Primary Representative for Monterey Peninsula College. Mr. David Martin will be the Primary Representative for Monterey Peninsula College.

Motion: Mr. Ben Figueroa 2nd: Ms. Michelle Schneider

Motion approved unanimously.

VI. Announcements

There were no announcements.

VII. Adjournment

**Next JPA Board meeting will be on November 15, 2018 at 10:00am*