

**SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT
RONALD REAGAN BOARD OF TRUSTEES ROOM-RM 145
HEALTH SCIENCES/DISTRICT OFFICES BLDG., SADDLEBACK COLLEGE**

**MINUTES OF THE BOARD OF TRUSTEES' MEETING
April 30, 2018**

PRESENT

Members of the Board of Trustees:

Timothy Jemal, President
Marcia Milchiker, Vice President
T.J. Prendergast, III, Clerk
Barbara J. Jay, Member
David B. Lang, Member
Terri Whitt, Member
James R. Wright, Member
Jordan J. Larson, Student Member

Administrative Officers:

Thomas M. Fallo, Interim Chancellor
Robert Bramucci, Vice Chancellor, Technology and Learning Services
Ann-Marie Gabel, Vice Chancellor, Business Services
Cindy Vyskocil, Vice Chancellor, Human Resources
Jim Buysse, Acting President Saddleback College
Glenn Roquemore, President Irvine Valley College

CALL TO ORDER: 4:00 P.M.

1.0 PROCEDURAL MATTERS

1.1 Call to Order

1.2 Public Comments

Members of the public may address the Board on items listed to be discussed in closed session. If you wish to address the board on a closed session item, please complete a yellow form entitled, "Request to Speak" and submit it to the board's Executive Assistant. These forms are available outside the board room. Speakers are limited to two minutes each.

RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

1.3 Public Employee Employment, Evaluation of Performance, Discipline, Dismissal, Release (Government Code Section 54957(b).) (7 matters)

- A. Public Employee Discipline, Dismissal, Release (Government Code Section 54957(b).) (4 matters)
- B. Public Employee Employment (Government Code Section 54957(b).) (2 matters)
 - 1. Chancellor Recruitment Update
 - 2. Chancellor
- C. Public Employee Performance Evaluation (Government Code Section 54957(b).) (1 matter)
 - 1. Interim Chancellor

1.4 Conference with Labor Negotiators (GC Section 54957.6)

- A. Unrepresented Employees
Agency Designated Representatives: Thomas M. Fallo, Interim Chancellor and Tim Jemal, President of the Board
- B. Faculty Association
Agency Designated Negotiator: Dr. Cindy Vyskocil, Vice Chancellor of Human Resources
- C. Classified School Employees Association (CSEA)
Agency Designated Negotiator: Dr. Cindy Vyskocil, Vice Chancellor of Human Resources
- D. Police Officer's Association (POA)
Agency Designated Negotiator: Dr. Cindy Vyskocil, Vice Chancellor of Human Resources

1.5 Conference with Real Property Negotiators (GC Section 54956.8)

- A. Agency Designated Negotiator: South Orange County Community College District - Ann-Marie Gabel, CPA, Vice Chancellor, Business Services (Seller); and Gregory Gotthardt, FTI Consulting, Inc. (District Real Estate Advisor)

Lease of Property by District: Portion of Saddleback College site, 28032 Marguerite Parkway, Mission Viejo (Property) also known as ReNew at the Shops

Negotiating Parties: Bel Canto Real Estate Partners VIII, LLC (Assignee / Purchaser), and FPA4 Promenade, LLC, (Current Lessee)

Under Negotiation: Instructions to designated negotiators will concern price and terms of payment for the ground lease of the identified Property.

- B. Agency Designated Negotiator: South Orange County Community College District - Ann-Marie Gabel, CPA, Vice Chancellor, Business Services (Seller); and Gregory Gotthardt, FTI Consulting, Inc. (District Real Estate Advisor)

Lease of Property by District: Approximately 24.4 acres of real property located at 1600, 1610, 1620 and 1630 Valencia Ave. and 1602 and 1606 Victory Road, Tustin, CA 92782 (Property) also known as the Advanced Technology & Education Park (ATEP site)

Negotiating Parties: KPC Healthcare, Edwards Lifesciences, ACS Development, and Star Harbor Space Training Academy (Prospective Lessees)

Under Negotiation: Instructions to designated negotiators will concern price and terms of payment for the ground lease of the identified Property.

1.6 Conference with Legal Counsel (Government Code Section 54956.9)

- A. Anticipated Litigation (Government Code Section 54956.9(d)(2), (e)(1) (2 potential cases)
- B. Pending Litigation (54956.9 (a), (d)(2), and (e)(3) (1 case)

RECONVENE OPEN SESSION: 6:30 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

On a 7 to 0 vote, the board approved a settlement agreement and y-rating in lieu of a lay-off for a classified manager.

2.2 Invocation **Led by Trustee Terri Whitt**

2.3 Pledge of Allegiance **Led by Trustee James Wright**

2.4 Public Comments

Members of the public may address the Board on any item on the agenda at this time or during consideration of the item. Items not on the agenda that are within the subject matter jurisdiction of the Board may also be addressed at this time. If you wish to address the board, please complete a yellow form entitled, "Request to Speak" and submit it to the board's Executive Assistant. These forms are available outside the board room. Speakers are limited to up to two minutes each.

3.0 REPORTS

3.1 Oral Reports: Speakers are limited to up to two minutes each.

A. Board Reports

B. Chancellor's Report

Written Report

C. College Presidents' Reports (Written Reports included in Section 8.0)

Irvine Valley College

Saddleback College

D. Associated Student Government Reports

ASIVC Written Report

E. Board Request(s) for Reports

4.0 DISCUSSION ITEMS

4.1 None

5.0 CONSENT CALENDAR ITEMS

All matters on the consent calendar are routine items and are to be approved in one motion unless a Board member requests separate action on a specific item, and states the compelling reason for separate action.

Trustee Jemal requested to remove item 5.2 and Trustee Whitt requested to remove items 5.5, 5.10, 5.12 and 5.17 for separate discussion and action.

On a motion made by Trustee Jay and seconded by Trustee Lang, the balance of the consent calendar was approved on a 7 - 0 vote.

- 5.1 SOCCCD: Board of Trustees Meeting Minutes
Approve minutes of Regular Meeting held on March 26, 2018.

[Item 5.1](#)
[Exhibit A](#)

[5.2](#) [SOCCCD: Resolutions](#)
[Item 5.2](#)

1. Jordan Larson, Student Trustee

[Resolution](#)

2. Classified Employee Week, May 20th to 26th

[Resolution](#)

3. Ken Lee, Professor of the Year, Saddleback College

[Resolution](#)

4. Dr. Jill R. Faulkner, Associate Professor of the Year, Saddleback College

[Resolution](#)

5. Kara Mahotka Patterson, Emeritus Professor of the Year, Saddleback College

[Resolution](#)

6. Dr. Kari Tucker-McCorkhill, Professor of the Year, Irvine Valley College

[Resolution](#)

7. Nathaniel Cayanan, Associate Professor of the Year, Irvine Valley College

[Resolution](#)

8. Kathryn Burns, Emeritus Professor of the Year, Irvine Valley College

[Resolution](#)

Student Trustee Larson was recognized with a commemorative plaque and resolution for his one year term as a board member. The honorees will accept their board resolutions and will be recognized for their achievement at their respective college campuses.

On a motion made by Trustee Lang and seconded by Trustee Prendergast, this item was approved on a 7 - 0 vote.

- 5.3 Irvine Valley College: Curriculum Revisions for the 2019-2020 Academic Year
Approve curriculum revisions as recommended by the Curriculum Committee in consultation with the Academic Senate for the 2019-2020 academic year, pursuant to Title 5, Section 53200 et seq.

[Item 5.3](#)
[Exhibit A](#)

- 5.4 Irvine Valley College: Community Education, Summer 2018
Approve the Community Education courses, presenters and compensations.

[Item 5.4](#)
[Exhibit A](#)

- 5.5 [SOCCCD: Irvine Valley College Horizontal Drilling for Liberal Arts A-400 Building Recycled Water Project, Award of Bid No. 342, Amtek Construction.](#)
[Award Bid No. 342, Horizontal Drilling for Liberal Arts A-400 Building Recycled Water project and approve the agreement with Amtek Construction, in the amount of \\$85,333.](#)

[Item 5.5](#)
[Exhibit A](#)

On a motion made by Trustee Wright and seconded by Trustee Lang, this item was approved on a 7 - 0 vote.

- 5.6 SOCCCD: Irvine Valley College Monument Signs Replacement Project, Notice of Completion, SS+K Contractors, DBA SS&K Contractors.
Authorize filing the Notice of Completion for the Irvine Valley College Monument Signs Replacement project to SS+K Contractors, DBA SS&K

Contractors for a final contract amount of \$344,500.

[Item 5.6](#)
[Exhibit A](#)

- 5.7 SOCCCD: Irvine Valley College Life Sciences Building First Year Discovery Project, Notice of Completion, Amtek Construction
Authorize filing the Notice of Completion for the Irvine Valley College Life Sciences Building First Year Discovery project to AMTEK Construction for a final contract amount of \$217,361.97.

[Item 5.7](#)
[Exhibit A](#)

- 5.8 Saddleback College and Irvine Valley College: Speakers
Approve general fund honoraria for speakers for events and/or classes at Saddleback College and Irvine Valley College.

[Item 5.8](#)
[Exhibit A](#)

- 5.9 SOCCCD: Saddleback College Baseball Field Bleacher Replacement Project, Notice of Completion, Patriot Contracting and Engineering
Authorize filing the Notice of Completion for the Saddleback College Baseball Field Bleacher Replacement project to Patriot Contracting and Engineering for a final contract amount of \$1,411,662.

[Item 5.9](#)
[Exhibit A](#)

- 5.10 [SOCCCD: Saddleback College Accessible Ramp Project, Award of Bid No. 2072, Amtek Construction](#)
[Award Bid No. 2072, Saddleback College Accessible Ramp project and approve the agreement with Amtek Construction, in the amount of \\$445,333.](#)

[Item 5.10](#)
[Exhibit A](#)

On a motion made by Trustee Lang and seconded by Trustee Jay, this item was approved on a 7 - 0 vote.

- 5.11 Saddleback College: New and Revised Curriculum for the 2018-19 Academic Year
Approve the proposed curriculum changes for the 2018-19 academic year at Saddleback College.

[Item 5.11](#)
[Exhibit A](#)

- 5.12 [SOCCCD: Advanced Technology and Education Park \(ATEP\) IVC First Building Project, Change Order No. 5, McCarthy Building Companies,](#)

Inc.

Approve Board Change Order No. 5 for the ATEP IVC First Building project and authorize staff to execute the corresponding change order with McCarthy Building Companies, Inc., resulting in an increase of \$499,166, for a revised contract total of \$18,410,353.

Item 5.12
Exhibit A

On a motion made by Trustee Jay and seconded by Trustee Lang, this item was approved on a 7 - 0 vote.

- 5.13 SOCCCD: Advanced Technology and Education Park (ATEP) IVC First Building Project, Notice of Completion, McCarthy Building Companies, Inc.
Authorize filing the Notice of Completion for the ATEP IVC First Building project to McCarthy Building Companies, Inc. for a final contract amount of \$18,410,353.

Item 5.13
Exhibit A

- 5.14 SOCCCD: Budget Amendment: Adopt Resolution No. 18-09 to Amend FY 2017-2018 Adopted Budget.
Adopt Resolution No. 18-09 to amend the FY 2017-2018 Adopted Budget as listed.

Item 5.14
Exhibit A

- 5.15 SOCCCD: Transfer of Budget Appropriations.
Ratify the transfer of budget appropriations as listed.

Item 5.15
Exhibit A

- 5.16 SOCCCD: November 2017 – March 2018 Change Orders/ Amendments.
Ratify the change orders and amendments as listed.

Item 5.16
Exhibit A

- 5.17 SOCCCD: Purchase Orders and Checks.
Ratify the purchase orders and checks as listed.

Item 5.17
Exhibit A

On a motion made by Trustee Lang and seconded by Trustee Jay, this item was approved on a 7 - 0 vote.

- 5.18 SOCCCD: March – 2018 Contracts.
Ratify contracts as listed.

[Item 5.18](#)
[Exhibit A](#)

6.0 GENERAL ACTION ITEMS

- 6.1 [SOCCCD: FY 2020 – 2021 Five Year Construction Plan.](#)
[Approve the district's order of priority for the FY 2020– 2021 Five Year Construction Plan.](#)

[Item 6.1](#)
[Exhibit A](#)

On a motion made by Trustee Jay and seconded by Trustee Lang, this item was approved on a 7 - 0 vote.

- 6.2 [SOCCCD: Saddleback College Access Control Project, Design-Build Agreement, Soltek Pacific Construction](#)
[Approve the Saddleback College Access Control project design-build agreement with Soltek Pacific Construction, for a total contract amount of \\$9,900,000.](#)

[Item 6.2](#)
[Exhibit A-D](#)

On a motion made by Trustee Prendergast and seconded by Trustee Lang, this item was approved on a 7 - 0 vote.

- 6.3 [SOCCCD: Adopt Resolution No. 18-07 to Authorize the Purchase of Hewlett Packard \(HP\) Computer Equipment Utilizing the National Association of State Procurement Officials \(NASPO\) under the Western State Contracting Alliance \(WSCA\) Cooperative Purchasing Program, Master Price Agreements Nos. MNWNC-115 and MNNVP-133](#)
[Adopt Resolution No. 18-07 to approve contracting with HP Inc. for the purchase of computers, laptops and tablets, pursuant to the Master Price Agreements Nos. MNNVP-134 and MNNVP-133, awarded by the state of Minnesota and approved for use in the state of California through Participating Addendum No.7-15-70-34-001. Annual expenditures for the term under this agreement will not exceed \\$2,500,000.](#)

[Item 6.3](#)
[Exhibit A](#)

On a motion made by Trustee Lang and seconded by Trustee Whitt, this item was approved on a 7 - 0 vote.

- 6.4 [SOCCCD: Board Policy Revision: BP-5618 Credit by Examination, BP-](#)

[5402 Associated Students' Finance, BP-5640 Service Animals, BP-3401 Animals or Pets on Campus, BP-4003 Anti-Nepotism](#)
[Accept for discussion and approval policies as listed.](#)

[Item 6.4](#)
[Exhibit A-E](#)

On a motion made by Trustee Whitt and seconded by Trustee Jay, this item was approved on a 7 - 0 vote.

[6.5](#) [SOCCCD: Board Policy Revision: BP-103 Board Membership, BP-105 Organization of the Governing Board, BP-162 Communications Among Board Members, BP-1510 Native American Graves and Repatriation Act, BP-3101.6 Real Property Management, BP-4000.4 Equal Employment Opportunity, BP-4345 Catastrophic Leave](#)
[Accept for review and study policies as listed.](#)

[Item 6.5](#)
[Exhibit A-H](#)

On a motion made by Trustee Wright and seconded by Trustee Jay, this item was approved on a 7 - 0 vote.

[6.6](#) [SOCCCD: Academic Employee and Classified Administrator Personnel Actions – Regular Items](#)
[Ratify New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Resignation/Retirement/Conclusion of Employment, Workload Banking, Revisions/Edits/Additions.](#)

[Item 6.6](#)
[Exhibit A-B](#)

A motion was made by Trustee Milchiker and seconded by Trustee Wright, to divide the item and separate B.1 and B.2 from the rest of the agenda item. The motion was approved on a 7 - 0 vote.

On a motion made by Trustee Prendergast and seconded by Trustee Whitt, the balance of agenda item 6.6 was approved on a 7 - 0 vote.

On a motion made by Trustee Prendergast and seconded by Trustee Whitt, section B.1 and B.2 was approved on a 6 - 1 vote with Trustee Lang casting a negative vote.

[6.7](#) [SOCCCD: Classified Personnel Actions – Regular Items](#)
[Ratify New Personnel Appointments, Authorization to Eliminate Classified Positions and/or Position Numbers, Authorization to Establish and Announce a Classified Position, Reorganization, Change of Status, Out of Class Assignments, Resignation/Retirement/Conclusion of Employment, Volunteers.](#)

[Item 6.7](#)
[Exhibit A](#)

On a motion made by Trustee Milchiker and seconded by Trustee Jay, this item was approved on a 7 - 0 vote.

- 6.8 [SOCCCD: Revised IVC Tenure Track Hiring Authorization](#)
[Approve the revised 2018 – 2019 faculty hiring list for Irvine Valley College.](#)

[Item 6.8](#)
[Exhibit A](#)

On a motion made by Trustee Prendergast and seconded by Trustee Milchiker, this item was approved on a 7 - 0 vote.

- 6.9 [SOCCCD: Annual Report on Fourth Year Probationary Faculty Recommended for Tenure](#)
[Approve tenure for full-time faculty members who have completed the four-year tenure-track plan.](#)

[Item 6.9](#)
[Exhibit A](#)

Administration requested to pull agenda item 6.9 from the general action calendar. The item will be submitted for approval in May.

- 6.10 [SOCCCD: Employment Agreement - Kathleen F. Burke, Chancellor](#)
[Adopt Agreement for Employment of Dr. Kathleen F. Burke as Chancellor, South Orange County Community College District, effective July 1, 2018 through June 30, 2021.](#)

[Item 6.10](#)
[Exhibit A](#)

On a motion made by Trustee Milchiker and seconded by Trustee Wright, this item was approved on a 7 - 0 vote.

7.0 REPORTS

- 7.1 [SOCCCD: Staff Response to Public Comments from Previous Board Meeting](#)
_____ [None](#)

[Item 7.1](#)

- 7.2 [Saddleback College and Irvine Valley College: Speakers](#)
_____ [A listing of speakers for events and/or classes at Saddleback College and Irvine Valley College.](#)

Item 7.2
Exhibit A

- 7.3 Saddleback College and Irvine Valley College: Guided Pathways Work Plan

Saddleback College and Irvine Valley College Guided Pathways Work Plans, which outline the colleges' next steps and expected scale of adoption for each of the 14 key elements of the college's Guided Pathways Self-Assessment.

Item 7.3
Exhibit A-C

- 7.4 SOCCCD: Facilities Plan Status Report.

Status of current construction projects.

Item 7.4
Exhibit A

- 7.5 SOCCCD: Monthly Financial Status Report.

The reports display the adopted budget, revised budget and transactions through March 31, 2018.

Item 7.5
Exhibit A

- 7.6 SOCCCD: Quarterly Investment Report

Report for period ending March 31, 2018.

Item 7.6

- 7.7 SOCCCD: Quarterly Financial Status Report

Report for period ending March 31, 2018.

Item 7.7
Exhibit A

- 7.8 SOCCCD: Pension Stabilization Trust Fund

Report for period ending March 31, 2018.

Item 7.8
Exhibit A

- 7.9 Retiree (OPEB) Trust Fund.

Report for period ending February 28, 2018 and March 31, 2018.

Item 7.9
Exhibit A

- 7.10 Basic Aid Report

Report for period ending March 31, 2018.

Item 7.10
Exhibit A

8.0 REPORTS FROM ADMINISTRATION AND GOVERNANCE GROUPS

Item 8.0

- A. [Saddleback College Academic Senate](#)
- B. [Faculty Association](#)

Written Report

- C. [Irvine Valley College Academic Senate](#)
- D. [Vice Chancellor, Technology and Learning Services](#)
- E. [Vice Chancellor, Human Resources](#)
- F. [Vice Chancellor, Business Services](#)
- G. [Irvine Valley College Classified Senate](#)
- H. [California School Employees Association](#)
- I. [Saddleback College Classified Senate](#)
- J. Police Officers Association

9.0 ADDITIONAL ITEMS

ADJOURNMENT (or continuation of closed session if required): 9:00 P.M.

Meeting was adjourned at 8:18 p.m. in memory of Professor Terry Thorpe, retired faculty member at Irvine Valley College.



Thomas M. Fallo
Secretary, Board of Trustees