

**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  
August 26, 2019**

**PRESENT**

Members of the Board of Trustees:

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

**ABSENT**

**Administrative Officers:**

Kathleen F. Burke, Chancellor  
Robert Bramucci, Vice Chancellor, Technology and Learning Services  
Ann-Marie Gabel, Vice Chancellor, Business Services  
Cindy Vyskocil, Vice Chancellor, Human Resources  
Elliot Stern, President Saddleback College  
Glenn Roquemore, President Irvine Valley College

**CALL TO ORDER: 4:30 P.M.**

**1.0 PROCEDURAL MATTERS**

- 1.1 Call to Order
- 1.2 Public Comments

No 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 prior to the start of closed session. 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).)  
A. Public Employee Discipline, Dismissal, Release (Government Code Section 54957(b).) (6 matters)

- 1.4** Conference with Labor Negotiators (Government Code Section 54957.6)

- A. Faculty Association (FA)

Agency Designated Negotiator: Dr. Cindy Vyskocil, Vice Chancellor of Human Resources

- B. Classified School Employees Association (CSEA)

Agency Designated Negotiator: Dr. Cindy Vyskocil, Vice Chancellor of Human Resources

- C. Police Officers 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. Exchange of Property

Agency Designated Negotiators: South Orange County Community College District - Ann-Marie Gabel, CPA, Vice Chancellor, Business Services (Seller), Sally Enriquez, Jackson Tidus, (District Real Estate Legal Counsel) and Gregory G. Gotthardt, FTI Consulting, LLC (District Real Estate Consultant).

Lease of Property by District: Approximately 10 acres of real property located at 1602 Valencia Ave. Tustin, CA 92782 (Property) also known as the Advanced Technology & Education Park (ATEP site)

Negotiating Parties: Spring Education Group and Advantech Corporation

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).)

Significant exposure to litigation: 1 potential case

- B. Existing Litigation (Government Code Section 54956.9 (d)(1).)  
(3 cases)

## 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 took action, in closed session, to approve the settlement of Cybele Rowe vs. South Orange County Community College District, an unlawful discrimination claim alleging retaliation and discrimination and harassment based on age, sex and national origin. The District agrees to pay the sum of \$17,500 in exchange for dismissal of plaintiff's claims with prejudice and a release and waiver of all known and unknown claims.

On a 7 to 0 vote, the board took action, in closed session, to approve the settlement of Omar Yunes vs. South Orange County Community College District, an unlawful discrimination claim alleging discrimination and harassment based on age and national origin. The District agrees to pay the sum of \$20,000.00 in exchange for dismissal of plaintiff's claims with prejudice and a release and waiver for all known and unknown claims.

#### 2.2 [Invocation](#)

**Led by Trustee Marcia Milchiker**

#### 2.3 [Pledge of Allegiance](#)

**Led by Trustee T.J. Prendergast**

#### 2.4 [Public Comments](#)

No 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 prior to the beginning of open session. 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 Written Report](#)

[Saddleback College Written Report](#)

[D. Associated Student Government Reports](#)

[E. Board Request\(s\) for Reports](#)

**[4.0 DISCUSSION ITEMS](#)**

[4.1 SOCCCD: FY 2019-2020 District Adopted Budget](#)

**The FY 2019-2020 Adopted Budget will be presented by district and college staff.**

[Item 4.1](#)  
[Exhibit A](#)

Vice Chancellor of Business Services Ann-Marie Gabel, Saddleback College President Elliot Stern, and Irvine Valley College President Glenn Roquemore presented the adopted budgets for FY 2019-2020.

[4.2 SOCCCD: Irvine Valley College and Saddleback College: FY 2019-2020 Adopted Student Government Budgets](#)

**The ASIVC and SC ASG adopted budgets for FY 2019-2020 will be presented by college student government representatives and college staff.**

[Item 4.2](#)  
[Exhibits A-B](#)

Saddleback College Associated Student Government President Jake Rybczyk and Irvine Valley College Associated Student Government President Feras Khatib presented the adopted budgets for FY 2019-2020.

**[Extend Meeting until 9:30 p.m.](#)**

At 8:53 p.m. a motion was made by Trustee Jemal and seconded by Trustee Lang to extend the meeting to 9:30 p.m. The motion was approved on a 7 - 0 vote.

## **5.0 CONSENT CALENDAR ITEMS**

On a motion made by Trustee Wright and second by Trustee Whitt, the consent calendar was approved on a 7-0 vote.

5.1 SOCCCD: Board of Trustees Meeting Minutes

**Approve minutes of a Regular Meeting held on July 15, 2019 and a Special Meeting held on July 16, 2019.**

[Item 5.1](#)  
[Exhibits A-B](#)

5.2 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 5.2](#)  
[Exhibit A](#)

5.3 SOCCCD: Irvine Valley College Parking Lot 10 Resurfacing Project, Notice of Completion, Arrow Parking Lot Service, Inc.

**Authorize filing the Notice of Completion for the Irvine Valley College Parking Lot 10 Resurfacing project to Arrow Parking Lot Service, Inc., for a final contract amount of \$77,900.**

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

5.4 Saddleback College: Revised Curriculum for the 2020-21 Academic Year

**Approve the proposed curriculum changes for the 2020-21 academic years at Saddleback College.**

[Item 5.4](#)  
[Exhibits A-B](#)

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

5.6 SOCCCD: Student Out of State Travel

**Approve the college student out of state travel for the participants, dates, locations and costs.**

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

5.7 SOCCCD: Transfer of Budget Appropriations

**Ratify the transfer of budget appropriations as listed.**

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

5.8 SOCCCD: Budget Amendment: Adopt Resolution No. 19-19 to Amend FY 2018-2019 Adopted Budget

**Adopt Resolution No. 19-19 to amend the FY 2018-2019 Adopted Budget.**

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

5.9 SOCCCD: June and July 2019 Change Orders / Amendments

**Ratify the change orders and amendments as listed.**

[Item 5.9](#)  
[Exhibits A-H](#)

5.10 SOCCCD: Purchase Orders and Checks

**Ratify the purchase orders and checks as listed.**

[Item 5.10](#)  
[Exhibits A-C](#)

5.11 SOCCCD: Contracts

**Ratify contracts as listed.**

[Item 5.11](#)  
[Exhibits A-C](#)

## **6.0 GENERAL ACTION ITEMS**

[6.1](#) [SOCCCD: Conduct a Public Hearing - Proposed Budget of the District for FY 2019-2020](#)

Board President Prendergast called for a Public Hearing in order to provide the public an opportunity to express opinions about the proposed 2019-2020 budget. Hearing no public comments, the Public Hearing was closed and the regular Board of Trustees meeting was reconvened.

**The Board of Trustees will conduct a public hearing on the Proposed Budget for FY 2019-2020.**

[Item 6.1](#)

[6.2](#)     [SOCCCD: Adopted Budget for Fiscal Year 2019-2020](#)

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

**Approve the FY 2019-2020 Adopted Budget and the EPA spending plan as presented.**

[Item 6.2](#)

[Exhibit A](#)

[6.3](#)     [SOCCCD: ATEP - Enter into a Grant of Easement to Irvine Ranch Water District \(IRWD\)](#)

Board President Prendergast called for a Public Hearing in order to determine if the terms of the Grant of Easement to Irvine Ranch Water District are in the best interest of the District. Hearing no public comments, the Public Hearing was closed and the regular Board of Trustees meeting was reconvened.

**The Board of Trustees will conduct a public hearing in order to determine if the terms of the Grant of Easement to Irvine Ranch Water District are in the best interest of the District.**

[Item 6.3](#)

[6.4](#)     [SOCCCD: ATEP Phase 1 Site - Adopt Resolution No.19-17 and Enter into a Grant of Easement to Irvine Ranch Water District \(IRWD\)](#)

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

**Adopt Resolution No. 19-17 to authorize entering into a Grant of Easement to Irvine Ranch Water District (IRWD) over portions of the Advanced Technology and Education Park (ATEP) Phase 1 Site for utility purposes.**

[Item 6.4](#)

[Exhibits A-B](#)

[6.5](#) [SOCCCD: Conduct a Public Hearing - Certification of Addendum No. 02 to the Program Environmental Impact Report for the 2011 Facilities Master Plan for Saddleback College and Irvine Valley College Pursuant to the California Environmental Quality Act](#)

Board President Prendergast called for a Public Hearing on the certification of Addendum No. 2 to the Program Environmental Impact Report for the 2011 Facilities Master Plan for Saddleback and Irvine Valley College. Hearing no public comments, the Public Hearing was closed and the regular Board of Trustees meeting was reconvened.

**The Board of Trustees will conduct a public hearing on the certification of Addendum No. 02 to the Program Environmental Impact Report for the 2011 Facilities Master Plan for Saddleback College and Irvine Valley College.**

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

[6.6](#) [SOCCCD: Saddleback College ATAS Building Project, Adopt Resolution No. 19-18, Certification of Addendum No. 02 to the Program Environmental Impact Report for the 2011 Facilities Master Plan for Saddleback College and Irvine Valley College Pursuant to the California Environmental Quality Act](#)

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

**Adopt Resolution No. 19-18, certification of Addendum No. 02 dated July 2019, to the Program Environmental Impact Report for the 2011 Facilities Master Plan for Saddleback College and Irvine Valley College, pursuant to the California Environmental Quality Act**

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

[6.7](#) [SOCCCD: Saddleback College Advanced Technology and Applied Sciences \(ATAS\) Building Design-Build Project, Change Order No. 1, McCarthy Building Companies, Inc.](#)

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

**Approve Change Order No. 1 for the Saddleback College Advanced Technology and Applied Sciences (ATAS) Building project and authorize staff to execute the corresponding change order with McCarthy Building Companies, Inc., resulting in an increase of \$4,126,442, for a revised contract total of \$53,013,487.**

[Item 6.7](#)



[Exhibit A](#)

- [6.8](#) [SOCCCD: Irvine Valley College Fine Arts Building Project, Architectural Services, DLR Group, Inc.](#)

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

**Approve the Architectural Services agreement with DLR Group, Inc. for the Irvine Valley College Fine Arts Building project, in the amount of \$2,750,000.**

[Item 6.8](#)  
[Exhibits A-B](#)

- [6.9](#) [SOCCCD: Irvine Valley College Student Services Center Renovation Project, Architectural Services, M. Arthur Gensler DBA Gensler](#)

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

**Approve the Architectural Services agreement with M. Arthur Gensler DBA Gensler for the Irvine Valley College Student Services Center Renovation project, in the amount of \$1,870,000.**

[Item 6.9](#)  
[Exhibits A-B](#)

- [6.10](#) [Irvine Valley College: International Student Travel, 2020 International Choral Program Tour, Netherlands & Belgium](#)

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

**Approve IVC 2020 International Choral Program Tour to the Netherlands and Belgium at a cost of \$3,679.80 per person, from July 13, 2020 to July 20, 2020.**

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

- [6.11](#) [SOCCCD: Saddleback College Stadium and Site Improvement Project, Construction Management Services Amendment No. 01, APSI Construction Management](#)

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

**Extend the Meeting until 10:00 p.m.**

At 9:24 p.m. a motion was made by Trustee Jemal and seconded by Trustee Lang to extend the meeting to 10 p.m. The motion was approved on a 7 - 0 vote.

**Approve Amendment No. 01 to the Construction Management Services agreement with APSI Construction Management, increasing the contract amount by \$538,334 and a contract extension through July 31, 2020, for the Saddleback College Stadium and Site Improvement project, for a not to exceed amount of \$1,647,852.**

[Item 6.11](#)  
[Exhibit A](#)

[6.12](#) [SOCCCD: Saddleback College Stadium and Site Improvement Project, Material Testing and Inspection Services Amendment No. 02, C.E.M. Lab Corp.](#)

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

**Approve Amendment No. 02 to the Material Testing and Inspection Services agreement with C.E.M. Lab Corp. increasing the contract amount by \$311,835, and extending the contract through July 31, 2020, for the Saddleback College Stadium and Site Improvement project, for a not to exceed amount of \$1,048,888.**

[Item 6.12](#)  
[Exhibit A](#)

[6.13](#) [SOCCCD: Saddleback College Gateway Building Project, Architectural Services, Harley Ellis Devereaux \(HED\)](#)

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

**Approve the Architectural Services agreement with HED for the Saddleback College Gateway Building project, in the amount of \$2,970,000.**

[Item 6.13](#)  
[Exhibits A-B](#)

[6.14](#) [SOCCCD: Dual Enrollment SOCCCD \(Saddleback College\) - Capistrano Unified School District, College and Career Access Pathways Partnership Agreement, 2019- Amendment](#)

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

**Approve amendment to the Dual Enrollment, SOCCCD (Saddleback College) - Capistrano Unified School District College & Career Access Pathways Partnership Agreement for the fall 2019 term.**

[Item 6.14](#)  
[Exhibit A](#)

[6.15](#) [SOCCCD: Grant Acceptance - Irvine Valley College Innovation and Effectiveness Grant Agreement](#)

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

**Approve the Innovation and Effectiveness Grant Agreement and accept this award for one-time funds in the amount of \$200,000 from the Santa Clarita Community College District for a term of twelve months.**

[Item 6.15](#)  
[Exhibits A-C](#)

[6.16](#) [SOCCCD: Agreement for Software Development Services, Neudesic, LLC](#)

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

**Approve the work order with Neudesic, LLC for an amount not to exceed \$785,000 for the term of September 1, 2019 through December 31, 2019.**

[Item 6.16](#)  
[Exhibit A](#)

[6.17](#) [SOCCCD: Award of Contract for Consultancy Services for the District and Colleges' Facilities Master Plan Development, M. Arthur Gensler DBA Gensler](#)

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

**Approve award of the contract to M. Arthur Gensler DBA Gensler to provide consultancy services for the District and Colleges' Facilities Master Plan Development, for a cost not to exceed \$677,000 for a contract period of August 27, 2019 through December 31, 2020.**

[Item 6.17](#)  
[Exhibits A-B](#)

[6.18 SOCCCD: Award of Contract for Vending and Pouring Rights for Beverage Products District-wide, Bottling Group, LLC, DBA Pepsi Beverages Company](#)

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

**Approve award of the contract to Bottling Group, LLC, DBA Pepsi Beverages Company to provide vending and pouring rights for beverage products District-wide, at no cost to the District, for a contract period of July 1, 2019 through June 30, 2024.**

[Item 6.18](#)  
[Exhibits A-B](#)

[6.19 SOCCCD: Conduct a Public Hearing - District Initial Proposal to Faculty Association \(FA\)](#)

**The Board will conduct a public hearing to provide an opportunity for the public to comment on the District's initial proposal to SOCCCD Faculty Association for the purpose of negotiations, pursuant to Government Code Section 3547 (c).**

[Item 6.19](#)

[6.20 SOCCCD: Adoption of SOCCCD District Initial Proposal to Faculty Association \(FA\)](#)

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

**Approve the District's initial proposal to the Faculty Association for Article 30.8.**

[Item 6.20](#)  
[Exhibit A](#)

[6.21 SOCCCD: Academic Employee and Classified Administrator Personnel Actions - Regular Items](#)

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

**Ratify New Personnel Appointments, Additional Compensation: General Fund,**  
**Additional Compensation: Categorical/Non-General Fund, Resignation**

**/Retirement/Conclusion of Employment.**

[Item 6.21](#)  
[Exhibit A](#)

**6.22 SOCCCD: Faculty Conversion to Canvas One - Time Stipends**

On a motion made by Trustee Jay and seconded by Trustee Wright, this item was approved on a 6 - 1 vote.

**Ratify Additional Compensation: Canvas Conversion-General Fund.**

[Item 6.22](#)  
[Exhibit A](#)

**6.23 SOCCCD: Classified Personnel Actions - Regular Items**

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

**Ratify New Personnel Appointments, Authorization to Eliminate (A) Classified Position(S) and/or position Number(s), Authorization to Establish and Announce (A) Classified Position, Reorganization/Reclassification, Out of Class Assignments - for positions that are vacant during recruitment for permanent appointments (limited to 960 hours per fiscal year), Out of Class Assignments - for positions that are temporarily available due to leaves of absence, etc., Resignation/Retirement/Conclusion of Employment.**

[Item 6.23](#)  
[Exhibit A](#)

**6.24 SOCCCD: Non-Bargaining Unit Personnel Action - Regular Items**

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

**Ratify New Personnel Appointments, Volunteers.**

[Item 6.24](#)  
[Exhibit A](#)

**7.0 REPORTS**

**7.1 Saddleback College and Irvine Valley College: Speakers**

**A listing of speakers for events and/or classes at Saddleback College and Irvine Valley College.**

[Item 7.1](#)  
[Exhibit A](#)

[7.2](#) [SOCCCD: Staff Response to Public Comments from Previous Board Meeting](#)

**None**

[Item 7.2](#)

[7.3](#) [SOCCCD: Facilities Plan Status Report.](#)

**Report on the status of major capital projects.**

[Item 7.3](#)

[Exhibit A](#)

[7.4](#) [SOCCCD: Quarterly Investment Report.](#)

**Report for period June 30, 2019.**

[Item 7.4](#)

[7.5](#) [SOCCCD: Basic Aid.](#)

**Report for period ending July 31, 2019.**

[Item 7.5](#)

[Exhibit A](#)

[7.6](#) [SOCCCD: Retiree \(OPEB\) Trust Fund.](#)

**Report for period ending June 30, 2019.**

[Item 7.6](#)

[Exhibit A](#)

[7.7](#) [SOCCCD: Pension Stabilization Trust Fund.](#)

**Report for period ending June 30, 2019.**

[Item 7.7](#)

[Exhibit A](#)

## **8.0** **REPORTS FROM ADMINISTRATION AND GOVERNANCE GROUPS**


- A. Saddleback College Academic Senate
- B. Faculty Association
- 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.**

The meeting adjourned at 9:36 p.m.



Kathleen F. Burke  
Secretary, Board of Trustees