

**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
December 10, 2018**

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
Terri Whitt, Member
Evelyn Hoang, Student Member

ABSENT

Marcia Milchiker, Member

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
Jim Buysse, Interim President Saddleback College
Glenn Roquemore, President Irvine Valley College

CALL TO ORDER: 4:30 P.M.

The closed session meeting will consist of two locations. Trustee Marcia Milchiker will participate via teleconference pursuant to Government Code Section 54953(b).

Primary Location: Saddleback College Health Sciences/District Offices Building, Ronald Reagan Board of Trustees, Room HS 145, 28000 Marguerite Parkway, Mission Viejo, CA 92692.

Teleconferencing Location: Pursuant to Government Code Section 54953(b). This meeting will also be conducted by teleconference at the following location: Hotel Seoul, Chico St., Abacan Street and Aguinaldo Street, Clark Freeport Zone, Philippines, 2023.

Both closed session locations will be accessible to the public. Members of the public wishing to address the Board directly from either location prior to the meeting, will be allowed to do so during the public comment portion of the meeting.

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.

There were no public comments.

RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

1.3 Consideration of Two Student Discipline Matters Pursuant to Education Code Section 72122.

1.4 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).) (4 matters)
- B. Public Employee Performance Evaluation (Government Code Section 54957(b): (7 matters)
 - 1. Assistant Dean of Career and Technical Education
 - 2. Assistant Dean of Community Outreach and Recruitment
 - 3. Vice President of Community Education, Emeritus Institute, and K-12 Partnerships
 - 4. Dean of Enrollment Services
 - 5. Dean of Health Sciences, Kinesiology and Athletics
 - 6. Dean of Kinesiology and Athletics
 - 7. Vice Chancellor of Technology and Learning Services

1.5 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

1.6 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)

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: FPA4 Promenade, LLC

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

1.7 Conference with Legal Counsel (Government Code Section 54956.9)

- A. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (3) of subdivision (e) of Section 54956.9. (2 cases)
 - 1. Claim of V. James DeSimone, Esq. on behalf of Lisa Alvarez. The claim shall be available for public inspection pursuant to Section 54957.5.
- B. Anticipated Litigation (Government Code Section 54956.9(d)(2) or (3).) (2 potential 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 to reject the claim filed by V. James DeSimone, Esq., on behalf of Lisa Alvarez, and directed that the appropriate notice of claim rejection be prepared and served on Mr. DeSimone.

On a 6 to 0 vote, with Trustee Milchiker absent, the board denied the appeal of administrative determination of a retired classified employee.

On a 6 to 0 vote, with Trustee Milchiker absent, the board rejected the appeal of a Title 5 Unlawful Discrimination complaint of a classified employee.

On a 6 to 0 vote, with Trustee Milchiker absent, the board rejected the appeal of a Title 5 Unlawful Discrimination complaint of a classified employee.

On a 6 to 0 vote, with Trustee Milchiker absent, the board voted to approve a separation agreement for an academic administrator at Saddleback College.

[2.2 Invocation](#)
[Led by Trustee Tim Jemal](#)

[2.3 Pledge of Allegiance](#)
[Led by Trustee Dave Lang](#)

[2.4 Administration of Oath of Office to Re-Elected Trustees](#)
[To be administered by Trustee Tim Jemal](#)

[2.5 Annual Organizational Meeting](#)

[A. Election of Officers](#)

On a motion made by Trustee Whitt and seconded by Trustee Wright, Trustee Prendergast was elected Board President. The motion passed on a 5-0 vote with Trustee Prendergast abstaining and Trustee Milchiker absent.

On a motion made by Trustee Wright and seconded by Trustee Prendergast, Trustee Jemal was elected Vice President of the Board of Trustees. The motion passed on a 5-0 vote with Trustee Jemal abstaining and Trustee Milchiker absent.

On a motion made by Trustee Whitt and seconded by Trustee Jay, Trustee Wright was elected Clerk of the Board of Trustees. The motion passed on a 5-0 vote with Trustee Wright abstaining and Trustee Milchiker absent.

[B. Appointment of Secretary and Assistant Secretary](#)

On a motion made by Trustee Lang and seconded by Trustee Prendergast, Chancellor Burke was appointed Secretary and Vice Chancellor Ann-Marie Gabel was appointed Assistant Secretary. The motion passed on a 6 - 0 vote with Trustee Milchiker absent.

[C. Appointment of Trustee Representatives](#)

Representative to the Nominating Committee to the Committee on School District Organization:

On a motion made by Trustee Lang and seconded by Trustee Jay, Trustee Wright was appointed representative to the Nominating Committee to the Committee on School District Organization and Trustee Prendergast was appointed alternate representative. The motion passed on a 6-0 vote with Trustee Milchiker absent.

District's Political Action Representative to Orange County School Boards Association:

On a motion made by Trustee Lang and seconded by Trustee Jay, Trustee Whitt was appointed representative to the Orange County School Boards Association. The motion passed on a 6-0 vote with Trustee Milchiker absent.

Representative to the Orange County Legislative Task Force:

On a motion made by Trustee Lang and seconded by Trustee Wright, Trustee Milchiker was appointed representative to the Orange County Legislative Task Force and Trustee Lang was appointed alternate representative. The motion passed on a 6-0 vote with Trustee Milchiker absent.

Representatives to the SOCCCD Audit Committee to serve on the Pre-Audit and Exit Meetings

On a motion made by Trustee Jay and seconded by Trustee Whitt, Trustee Lang was appointed chair to the SOCCCD Audit Committee, Trustee Wright was appointed as representative #1 and Trustee Prendergast was appointed as representative #2. The motion passed on a 6-0 vote with Trustee Milchiker absent.

Representatives to Saddleback College and Irvine Valley College Foundation

On a motion made by Trustee Lang and seconded by Trustee Prendergast, Trustee Whitt was appointed as the representative to the Saddleback College Foundation and Trustee Jay was appointed as the representative to the Irvine Valley College Foundation. The motion passed on a 6-0 vote with Trustee Milchiker absent.

Representatives to Board Policy Subcommittee

On a motion made by Trustee Lang and seconded by Trustee Prendergast, Trustee Jemal was appointed chair to the Board Policy Subcommittee, Trustee Whitt was appointed as representative #1 and Trustee Jay was appointed representative #2. The motion passed on a 6-0 vote with Trustee Milchiker absent.

D. [Establishment of Regular Meeting Dates](#)

On a motion made by Trustee Lang and seconded by Trustee Wright, the regular board meeting dates were approved on a 6 - 0 vote with Trustee Milchiker absent.

E. [Establishment of Agenda Planning Calendar](#)

On a motion made by Trustee Lang and seconded by Trustee Wright, the agenda planning calendar was approved on a 6 - 0 vote with Trustee Milchiker absent.

F. [Approval of Agenda Format](#)

On a motion made by Trustee Lang and seconded by Trustee Jay, the agenda format was approved on a 6 - 0 vote with Trustee Milchiker absent.

[Item 2.5](#)
[Exhibits A-F](#)

[2.6 A Public Comments](#)
[Members of the public may address the Board on any item on the](#)