

**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 14, 2020

PRESENT

Members of the Board of Trustees:

Marcia Milchiker, President
Timothy Jemal, Vice President
Terri Whitt Rydell, Clerk
Carolyn Inmon, Member
Barbara J. Jay, Member
T.J. Prendergast, III, Member
James R. Wright, Member
Ethan Manafi, Student 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
Elliot Stern, President Saddleback College
John Hernandez, President Irvine Valley College

CALL TO ORDER: 4:30 P.M.

In an effort to control the spread of COVID-19, this meeting will not be physically open to the public. All members of the public may participate in the meeting via Zoom Videoconference. Upon entry into the meeting; all computers and telephones except for the Board of Trustees shall be muted. The December 14, 2020 Board Meeting will be conducted telephonically.

The closed session and regular session meeting will consist of two locations. The South Orange County Community College District Board of Trustees will participate via teleconference pursuant to Executive Order N-29-20 and N-35-20 issued by Governor Newsom on March 12 and March 21, 2020 respectively.

In compliance with the Executive Order, Board Members, interested parties, and members of the public will be able to call or sign-in to the meeting at 3:30 p.m. on Monday, December 14, 2020.

Primary Location: Saddleback College, Health Sciences/District Offices Building, Chancellor's Conference Room, HS 324, 28000 Marguerite Parkway, Mission Viejo, CA 92692.

Teleconferencing Location: via Zoom Videoconferencing at <https://socccd.zoom.us/j/95031945578?pwd=ZTBGcjdLV3dlYVBjeE1CTWY5MWh6Zz09>

Meeting ID: 950 3194 5578

Meeting Passcode: 865720

This agenda is available on the SOCCCD website at www.socccd.edu

Consistent with the provisions of the Executive Order N-29-20 and N-35-20, the above-noticed meeting of the Board of Trustees shall take place as follows:

1. Members of the Board of Trustees may participate remotely via Zoom Videoconferencing. If members choose to participate remotely, their locations will not be noticed nor will public access be available at their locations.
2. Members of the public may participate via Zoom Videoconferencing using the link above or by **calling in to the meeting at (888) 788-0099 (Toll Free) or (877) 853-5247 (Toll Free) Meeting ID: 950 3194 5578, Passcode: 865720**
3. Members of the public wishing to comment on an agenda item or another topic within the jurisdiction of the Board of Trustees will be given the opportunity to ask questions by submitting public comments via email to the Board of Trustees Liaison, Grace Garcia, at: ggarcia@socccd.edu. All public comments will be accepted via email. Submissions must be received by 3:30 p.m. on the day of the meeting. Please include in the subject line of the email: **COMMENTS FOR THE MEETING OF DECEMBER 14, 2020**. Please indicate if you are addressing a specific agenda item, or are making "Public Comment." Submissions will be read aloud at the meeting and must comply with the 2 minute time limit.

American with Disabilities Act (ADA)

It is the policy of the SOCCCD to fully comply with the requirements of the Americans with Disabilities Act. Consistent with that policy, the facilities where this event will be held are wheelchair accessible. Upon request, this announcement and the agenda or program for the event and any related materials, will be provided in alternative formats (such as large print, braille or accessible electronic text). If you need such materials or other disability accommodations (such as a translator) or more information, please contact the Office of the Chancellor at (949) 582-4840 at least 48 hours before the scheduled event.

1.0 PROCEDURAL MATTERS

1.1 Call to Order

1.2 Roll Call – Establishment of Quorum

Trustee T.J. Prendergast, Board President
Trustee Tim Jemal, Vice President
Trustee James Wright, Clerk of the Board
Trustee Carolyn Inmon, Member
Trustee Barbara Jay, Member
Trustee Marcia Milchiker, Member
Trustee Terri Whitt Rydell, Member
Student Trustee Ethan Manafi

1.3 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 submit your request via email by 3:30 p.m. on the day of the board meeting. Speakers are limited to two minutes each.

There were no public comments.

RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

1.4 Public Employee Employment, Evaluation of Performance, Discipline, Dismissal, Release (Government Code Section 54957)

A. Public Employee Discipline, Dismissal, Release (Government Code Section 54957(b)(1))

1.5 Conference with Labor Negotiators (Government Code Section 54957.6)

A. Faculty Association (FA)

Agency Designated Negotiator: Dr. Cindy Vyskocil, Vice Chancellor - HR

B. Classified School Employees Association (CSEA)

Agency Designated Negotiator: Dr. Cindy Vyskocil, Vice Chancellor - HR

C. Police Officers Association (POA)

Agency Designated Negotiator: Dr. Cindy Vyskocil, Vice Chancellor – HR

1.6 Conference with Real Property Negotiators (Government Code 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), Andrew Bernstein, Jackson Tidus (District Real Estate Legal Counsel), and Gregory G. Gotthardt, FTI Consulting, LLC (District Real Estate Consultant)

Lease of Property by District: Approximately 30.97 acres of real property located at 1610 Valencia Ave., 1693 Victory Road, and 1602 Victory Road Tustin, CA 92782 (Property) also known as the Advanced Technology & Education Park (ATEP site)

Negotiating Parties: The City of Tustin, Advantech, and 7Diamonds Clothing Co. Inc.

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. Anticipated Litigation (Government Code Section 54956.9(d)(2))

Significant exposure to litigation: 1 potential case

 1. Daelani Griffin, Claim #588705
 - B. Existing Litigation (Government Code Section 54956.9(d)(2))

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 roll-call vote, regarding claim #588705, the board in closed session, voted to issue a Notice of Rejection of Claim, pursuant to Government Code section 913. The Governing Board further authorizes the Chancellor or her designee to issue any appropriate notices.

2.2 Invocation

Led by Trustee Milchiker

2.3 Pledge of Allegiance

Led by Trustee Prendergast

2.4 Administration of Oath of Office to New and Re-Elected Trustees

To be administered by Trustee Prendergast

Trustee Prendergast administered the Oath of Office to Trustees Carolyn Inmon, Barbara Jay, Tim Jemal and Jim Wright.

2.5 Presentation of Board of Trustees Service Pins

To be presented by Trustee Prendergast

Trustee Prendergast presented service pins to Trustee Marcia Milchiker for her 35 years of service, Trustee Jay for her 5 years of service, and Trustee Whitt Rydell for her 5 years of service. Trustee Prendergast received a 10

year service pin and a commemorative gift for his service as board president in 2020.

2.6 **Annual Organizational Meeting**

A. Election of Officers

On a motion made by Trustee Jemal and seconded by Trustee Jay, Trustee Milchiker was elected Board President. The motion passed on a 6-0 roll-call vote with Trustee Milchiker abstaining.

On a motion made by Trustee Whitt Rydell and seconded by Trustee Jay, Trustee Jemal was re-elected Vice President of the Board of Trustees. The motion passed on a 6-0 roll-call vote with Trustee Jemal abstaining.

On a motion made by Trustee Jay and seconded by Trustee Milchiker, Trustee Whitt Rydell was elected Clerk of the Board of Trustees. The motion passed on a 6-0 roll-call vote with Trustee Whitt Rydell abstaining.

B. Appointment of Secretary and Assistant Secretary

On a motion made by Trustee Jemal and seconded by Trustee Wright, Chancellor Burke was appointed Secretary and Vice Chancellor Ann-Marie Gabel was appointed Assistant Secretary. The motion passed on a unanimous roll-call vote.

C. Appointment of Trustee Representatives

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

On a motion made by Trustee Jemal and seconded by Trustee Milchiker, Trustee Prendergast was appointed chair to the SOCCCD Audit Committee, Trustee Jemal was appointed as representative #1 and Trustee Wright was appointed as representative #2. The motion passed on a 4-0 roll-call vote with Trustees Prendergast, Jemal and Wright abstaining.

Representative to the Orange County Legislative Task Force:

On a motion made by Trustee Jemal and seconded by Trustee Milchiker, Trustee Inmon was appointed representative to the Orange County Legislative Task Force and Trustee Milchiker was appointed alternate representative. The motion passed on a 5-0 roll-call vote with Trustees Inmon and Milchiker abstaining.

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

On a motion made by Trustee Jemal and seconded by Trustee

Milchiker, 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 unanimous roll-call vote.

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

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

Representatives to Saddleback College and Irvine Valley College Foundations:

On a motion made by Trustee Milchiker and seconded by Trustee Jemal, Trustee Whitt Rydel was appointed representative to the Saddleback College Foundation and Trustee Jay was appointed representative to the Irvine Valley College Foundation. The motion was passed on a 5-0 roll-call vote with Trustees Whitt Rydell and Jay abstaining.

Representatives to Board Policy Subcommittee:

On a motion made by Trustee Milchiker and seconded by Trustee Wright, Trustee Jemal was appointed chair to the Board Policy Subcommittee, Trustee Whitt Rydell was appointed as representative #1 and Trustee Jay was appointed representative #2. The motion passed on a 4-0 roll-call vote with Trustees Jemal, Jay and Whitt Rydell abstaining.

D. Establishment of Regular Meeting Dates

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

E. Establishment of Agenda Planning Calendar

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

F. Approval of Agenda Format

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

2.7 **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 submit your request via email by 4 p.m. on the day of the board meeting. Speakers are limited to two minutes each.

There were 20 public comments regarding the Saddleback College gaucho mascot.

3.0 REPORTS

- 3.1 Oral Reports: ***Speakers are limited to two minutes each.***
- A. Board Reports
 - B. Student Trustee
 - C. Associated Student Government Reports
 - D. Saddleback College Academic Senate
 - E. Irvine Valley College Academic Senate
 - F. Faculty Association
 - G. Irvine Valley College Classified Senate
 - H. Saddleback College Classified Senate
 - I. California School Employees Association
 - J. Police Officers Association
 - K. Board Request(s) for Reports

4.0 DISCUSSION ITEMS

- 4.1 **Saddleback College Athletics and Irvine Valley College Athletics CCCAA Opt-In/Out Presentation**
The Chancellor and College Presidents will discuss the data and factors guiding recommendations for athletic competition in Spring 2021.

At 8:52 p.m., a motion was made by Trustee Wright and seconded by Trustee Jay, to extend the meeting to 10:00 p.m., with a 10 minute break. The time extension was approved on a 7 - 0 roll-call vote.

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 Wright requested to remove item 5.9 from the consent calendar for separate discussion and action.

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

- 5.1 **SOCCCD: Board of Trustees Meeting Minutes**
Approve minutes of a Regular Meeting held on November 16, 2020.
- 5.2 **Irvine Valley College: Curriculum Revisions for the 2021-2022 Academic Year**
Approve curriculum revisions as recommended by the Curriculum Committee in consultation with the Academic Senate for the 2020-2021 academic year, pursuant to Title 5, Section 53200 et seq.
- 5.3 **Saddleback College and Irvine Valley College: Revised 2021-2022 Instructional Material/Laboratory Fees**
Approve revised instructional material and laboratory fees for 2021-2022.
- 5.4 **Saddleback College, Irvine Valley College, and District Services: Speakers**
Approve general fund honoraria for speakers for events and/or classes at Saddleback College, Irvine Valley College, and District Services.
- 5.5 **Saddleback College: Online Addenda for Summer/Fall 2020 courses; New, Revised, and Deleted Curriculum for the 2021-22 Academic Year**
Approve the online addenda for the Summer and Fall 2020 terms and the proposed curriculum changes for the 2021-22 academic year at Saddleback College.
- 5.6 **SOCCCD: ATEP and Irvine Valley College, Notices of Completion, Various Projects**
Authorize filing the Notice of Completion for the Phase 1 Campus Site Signage project at ATEP to New Dynasty Construction Co., for a contract total of \$1,762,349.00 and for the Access Control & Security Systems and Hardware project #P197970 at Irvine Valley College to Blue Violet Networks, LLC, for a contract total of \$369,607.42. It is also recommended that the Board of Trustees authorize the release of retention 35 days after filing.
- 5.7 **SOCCCD: Trustees' Requests for Attending Conferences**
Approve trustees' requests for attending conference(s).
- 5.8 **SOCCCD: Authorize the Purchase of Amazon Web Services Virtual Private Cloud Services, DLT Solutions, LLC**
Approve California Multiple Award Schedule Contract No. 3-16-70-1047B and all future approved supplements and/or amendments as awarded to DLT Solutions, LLC for the purchase of Amazon Web Services virtual private cloud services.
- 5.9 **SOCCCD: Award of Professional Services Agreements for Work Orders for Marketing Consultant Services, Collier.Simon, Full Capacity Marketing, Inc., Interact Communications, Inc., Graduate**

Communications, Inc., and Glacier Communications, Inc.

Approve the Professional Services Agreements for Work Orders for marketing consultant services with Collier.Simon, Full Capacity Marketing, Inc., Interact Communications, Inc., Graduate Communications, Inc., and Glacier Communications, Inc., and authorize the Vice Chancellor of Business Services, or designee, to execute the Agreements.

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

5.10 SOCCCD: Authorization to Utilize Foundation for California Community Colleges (FCCC) Contract

Approve the use of the above identified FCCC contract to purchase video captioning services.

5.11 SOCCCD: Budget Amendment: Adopt Resolution No. 20-31 to Amend FY 2020-21 Adopted Budget

Adopt Resolution No. 20-31 to amend the FY 2020-21 Adopted Budget as listed.

5.12 SOCCCD: Transfer of Budget Appropriations: Adopt Resolution No. 20-32 to Approve FY 2020-21 Budget Transfers

Adopt Resolution No. 20-32 to approve the transfer of budget appropriations as listed.

5.13 SOCCCD: October – November 2020 Change Orders/Amendments

Ratify the change order and amendments as listed.

5.14 SOCCCD: Purchase Orders and Checks

Ratify the purchase orders and checks as listed.

5.15 SOCCCD: Contracts

Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

6.1 SOCCCD: Saddleback College Advanced Technology and Applied Science (ATAS) Building Project, Geotechnical Investigation & Material Testing and Special Inspection Services Amendment No. 1, C.E.M. Lab Corporation

Approve Amendment No. 1 to the Saddleback College Advanced Technology and Applied Science Building, Geotechnical Investigation & Material Testing and Special Inspection Services agreement with C.E.M. Lab Corporation, to increase the contract amount by \$406,248, for a new agreement amount of \$806,248, extend the contract duration from December 29, 2021 to June 30, 2022, and authorize the Vice Chancellor of Business Services, or designee, to execute the Amendment.

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

6.2 **SOCCCD: District-wide Standards, Professional Services Agreement Amendment No. 1, Perkins Eastman Dougherty**

Approve Amendment No. 1 to include scope related to the Saddleback College Beautification project with Perkins Eastman Dougherty, for the District-wide Standards project, in the amount of \$446,300, for a not to exceed amount of \$945,990, extend the contract duration from June 16, 2021 to December 16, 2022, approve the consultant's name change to Perkins Eastman Architects, DPC, and authorize the Vice Chancellor of Business Services, or designee, to execute the Amendment.

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

6.3 **SOCCCD: Grant Agreement – Board of Governors, California Community Colleges Chancellor's Office - Building Stronger Mental Health Connections for Student Success**

Approve the agreement from the Board of Governors, California Community Colleges Chancellor's Office, and accept the award for \$500,000 (\$250,000 for Irvine Valley College and \$250,000 for Saddleback College).

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

6.4 **SOCCCD: Grant Agreement, US Department of Education – Developing Hispanic Serving Institutions (DHSI) Program – Title V**

Approve the grant agreement from the US Department of Education for Developing Hispanic Serving Institutions Program – Title V, accept the award of \$3,000,000, and authorize the Vice Chancellor of Business Services, or designee, to execute the grant award agreement.

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

6.5 **SOCCCD: BP-4101.1 Faculty Salary Classification Changes and Initial Classification Placement; BP-5030 Student Fees; BP-5608 Student Fee Refunds; BP-5613 Transcripts; BP-7140 Collective Bargaining; and BP-7165 Enrollment Fee Reimbursement for Eligible Employees**

Approve the board policies as listed.

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

6.6 **SOCCCD: District Initial Proposal to California School Employees Association (CSEA) Chapter 586**

The Board will conduct a public hearing to provide an opportunity for the public

to comment on the District's initial proposal to the SOCCCD California School Employees Association for the purpose of negotiations, pursuant to Government Code Section 3547 (c).

Trustee Prendergast, on behalf of Board President Milchiker, recessed the regular meeting of the Board to a Public Hearing in order to provide the public an opportunity to comment on the District's initial proposal to California School Employees Association (CSEA) Chapter 586. Hearing no public comments, the Public Hearing was closed and the regular Board of Trustees meeting was reconvened.

6.7 SOCCCD: Adoption of District Initial Proposal to California School Employees Association (CSEA) Chapter 586

Approve the District's initial proposal to the California School Employees Association for Articles 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, 17, 18, 21, 22, and 23.

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

6.8 SOCCCD: Academic Employee and Classified Administrator Personnel Actions – Regular Items

Ratify New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Additional Compensation: Restricted Funds, Workload Banking, Reorganization/Reclassification.

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

6.9 SOCCCD: Classified Personnel Actions – Regular Items

Ratify New Personnel Appointments, Authorization to Establish and Announce Classified Positions, Authorization to Increase/Decrease Hours per Week and/or Months per Year for Classified Positions, Change of Status, 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.

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

6.10 SOCCCD: Non-Bargaining Unit Personnel Action – Regular Items

Ratify New Personnel Appointments.

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

7.0 REPORTS

- 7.1 **SOCCCD: List of Board Requested Reports**
Status of board requested reports from the South Orange County Community College District Board of Trustees.
- 7.2 **SOCCCD: Staff Response to Public Comments from Previous Board Meeting**
None
- 7.3 **SOCCCD: Facilities Plan Status Report**
Status report of current construction projects.
- 7.4 **SOCCCD: CARES Act Funding Monthly Summary**
Cumulative summary of the funds awarded and spent as of November 30, 2020 is provided
- 7.5 **SOCCCD: COVID-19 Response Block Grant Monthly Summary**
Cumulative summary of the funds awarded and spent as of November 30, 2020 is provided.
- 7.6 **SOCCCD: Monthly Financial Status Report**
The reports display the adopted budget, revised budget and transactions through November 30, 2020.
- 7.7 **SOCCCD: Retiree (OPEB) Trust Fund**
Report is for the period ending October 31, 2020.

8.0 WRITTEN REPORTS FROM ADMINISTRATION

Reports by the following individuals may be written and submitted through the docket process prior to distribution of the Board agenda packet.

- A. Chancellor
- B. Irvine Valley College President
- C. Saddleback College President

9.0 ADDITIONAL ITEMS

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

The meeting adjourned at 9:46 p.m.



Kathleen F. Burke
Secretary, Board of Trustees