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 16, 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 Rydell, Member Martha Uriarte, Student Member

ABSENT

Administrative Officers:

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

CALL TO ORDER: 4:30 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 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:

There were no public comments.

- 1.3 <u>Public Employee Employment, Evaluation of Performance, Discipline, Dismissal, Release (Government Code Section 54957(b) and 594954.5(e).)</u>
 - A. Public Employee Discipline, Dismissal, Release (Government Code Section 54957(b).)
- 1.4 Conference with Labor Negotiators (Government Code Section 54957.6)
 - A. Faculty Association (FA)

Agency Designated Negotiator: Dr. Cindy Vyskocil, Acting President - IVC

B. Classified School Employees Association (CSEA)

<u>Agency Designated Negotiator: Dr. Cindy Vyskocil, Acting President - IVC</u>
C. Police Officers Association (POA)

Agency Designated Negotiator: Dr. Cindy Vyskocil, Acting President - IVC

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), 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 14.4 acres of real property located at 1610 Valencia Ave. and 1602 and 1606 Victory Road Tustin, CA 92782 (Property) also known as the Advanced Technology & Education Park (ATEP site)

Negotiating Parties: Spring Education Group, Advantech Corporation, and Pacific Academy

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

- 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: 3 potential cases

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

1 case

RECONVENE OPEN SESSION: 6:30 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

There were no actions taken in closed session.

2.2 Invocation

Led by Trustee Tim Jemal

2.3 Pledge of Allegiance

Led by Trustee David Lang

2.4 <u>Annual Organizational Meeting</u>

A. Election of Officers

On a motion made by Trustee Milchiker and seconded by Trustee Lang, Trustee Prendergast was re-elected Board President. The motion passed on a 7-0 vote

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

On a motion made by Trustee Milchiker and seconded by Trustee Lang, Trustee Wright was re-elected Clerk of the Board of Trustees. The motion passed on a 6-0 vote with Trustee Wright abstaining.

B. Appointment of Secretary and Assistant Secretary

On a motion made by Trustee Milchiker and seconded by Trustee Jay, Chancellor Burke was appointed Secretary and Vice Chancellor Ann-Marie Gabel was appointed Assistant Secretary. The motion passed on a 7 - 0 vote.

C. Appointment of Trustee Representative

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

On a motion made by Trustee Lang and seconded by Trustee Jemal, 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 7-0 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 Whitt Rydell was appointed representative to the Orange County School Boards Association. The motion passed on a 6-0 vote with Trustee Whitt Rydell abstaining.

Representative to the Orange County Legislative Task Force:

On a motion made by Trustee Jay and seconded by Trustee Jemal, 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 abstaining.

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 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 4-0 vote with Trustees Lang, Whitt Rydell and Wright abstaining.

Representatives to Saddleback College and Irvine Valley College Foundation:

On a motion made by Trustee Lang and seconded by Trustee Milchiker, Trustee Whitt Rydell 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 Whitt Rydell 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 5-0 vote with Trustees Jay and Jemal abstaining.

D. Establishment of Regular Meeting Dates

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

E. Establishment of Agenda Planning Calendar

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

F. Approval of Agenda Format

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

The motion was amended by Trustee Jemal and seconded by Trustee Lang to list Saddleback College and Irvine Valley College Academic Senates and Classified Senates after each other under item 8.0, Reports. The motion passed on a 7-0 vote.

2.5 Public Comments

There were 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 two minutes each.

3.0 REPORTS

- 3.1 Oral Reports: Speakers are limited to two minutes each.
 - A. Board Reports
 - B. Chancellor's Report

Written Report

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

Saddleback College Written Report

Irvine Valley College Written Report

- D. Associated Student Government Reports
- E. Board Request(s) for Reports
 - Trustee Whitt Rydell has requested a report on the future academic use of the Advanced Technology and Education Park (ATEP).

Board of Trustees Request for Report

Board members unanimously agreed that the Request for Report will be presented in the near future as a special meeting instead of an information item. On a motion made by Trustee Jemal and seconded by Trustee Jay, this item was approved on a 7 - 0 vote.

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 Whitt Rydell requested to remove item 5.1, Trustee Lang requested to remove item 5.3, Trustee Wright requested to remove item 5.4 and item 5.6, and Trustee Jemal requested to remove item 5.15 from the consent calendar for separate discussion and action.

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

5.1 SOCCCD: Board of Trustees Meeting Minutes

Trustee Jemal made a motion to reconsider agenda item 6.4 from the November board minutes. The motion was not seconded, therefore the motion was not considered.

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

Item 5.1 Exhibit A

5.2 Irvine Valley College: Curriculum Revisions for the 2020-2021 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.

Item 5.2 Exhibit A

5.3 SOCCCD: Irvine Valley College Access Control & Security Systems and Hardware Project, Security Cameras Scope, Notice of Completion, Blue Violet Networks, LLC

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

Authorize filing the Notice of Completion for the Irvine Valley College Access Control & Security Systems and Hardware project, Security Cameras scope to Blue Violet Networks, LLC, for a final contract amount of \$620,098.73.

Item 5.3 Exhibit A

5.4 Irvine Valley College: 2020 Speech and Debate Team Competition in the International Forensic Association Tournament in Narita, Japan from March 6 - 13, 2020

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

Approve Irvine Valley College Speech and Debate Team travel to the 2020 International Forensics Association Speech Tournament in Narita, Japan from March 6, 2020 to March 13, 2020, at a total budget not to exceed \$17,192.

Item 5.4 Exhibit A

5.5 Saddleback College and Irvine Valley College: Revised 2020-2021 Instructional Material/Laboratory Fees

Approve revised instructional material and laboratory fees for 2020-2021.

Item 5.5 Exhibits A-B

5.6 Saddleback College and Irvine Valley College: Speakers

A correction was made to the January 24 date on Exhibit A, page 1. The year was corrected to read 2020 instead of 2019.

On a motion made by Trustee Lang and seconded by Trustee Jay, this item was approved on a 6-0 vote with Trustee Whitt Rydell abstaining.

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

Item 5.6 Exhibit A

5.7 Saddleback College: New, Revised, and Deleted Curriculum for the

2020-21 Academic Year

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

Item 5.7 Exhibits A-D

5.8 SOCCCD: Student Out of State Travel

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

Item 5.8 Exhibit A

5.9 SOCCCD: Adopt Resolution No. 19-32 for Local Agency Investment Fund

Adopt Resolution No. 19-32 to update the LAIF account information with current position titles and personnel.

Item 5.9 Exhibits A-B

5.10 SOCCCD: Trustees' Requests for Attending Conferences Approve trustees' requests for attending conference(s).

Item 5.10 Exhibit A

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

Item 5.11 Exhibit A

5.12 SOCCCD: Budget Amendment: Adopt Resolution No. 19-33 to Amend FY 2019-2020 Adopted Budget

Adopt Resolution No. 19-33 to amend the FY 2019-2020 Adopted Budget.

Item 5.12 Exhibit A

5.13 SOCCCD: October 2019 Amendments

Ratify the amendments as listed.

Item 5.13 Exhibits A-B

5.14 SOCCCD: Purchase Orders and Checks

Ratify the purchase orders and checks as listed.

Item 5.14 Exhibits A-C

5.15 SOCCCD: Contracts

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

Ratify contracts as listed.

Item 5.15 Exhibits A-C

6.0 GENERAL ACTION ITEMS

6.1 SOCCCD: Irvine Valley College Direct Access, Energy Services Provider Agreement, Constellation NewEnergy, Inc.

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

Approve the use of the performa Master Retail Electricity Supply agreement and associated Transaction Confirmation with Constellation NewEnergy, Inc. and authorize the Vice Chancellor of Business Services or designee to finalize negotiations and execute agreement.

Item 6.1 Exhibits A-B

6.2 SOCCCD: Saddleback College IT IDF Room ePower Project, Award of Bid No. 2087, Inter-Pacific, Inc.

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

Approve award of Bid No. 2087, IT IDF Room ePower Project, and approve the agreement with Inter-Pacific, Inc., in the amount of \$399,000.

Item 6.2 Exhibits A-B

6.3 SOCCCD: Saddleback College Public Relations/Advertising Consulting Services for Orange County Regional Strong Workforce Program, Amendment No. 04, Interact Communications, Inc.

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

Approve Interact Communications, Inc. Amendment No. 04 for Saddleback College Public Relations/ Advertising Consulting Services for Orange County Strong Workforce Program to increase the total contract amount by \$1,215,400 for a new total contract value not to exceed \$3,605,650 and exercise the option to extend the term for an additional one year from January 1, 2020 through December 31, 2020.

Item 6.3 Exhibits A-B

6.4 SOCCCD: Saddleback College Stadium and Site Improvement Project, Material Testing and Inspection Services Amendment No. 03, C.E.M. Lab Corp.

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

Approve Amendment No. 03 to the Saddleback College Stadium and Site Improvement project, Material Testing and Inspection Services agreement with C.E.M. Lab Corp., increasing the contract amount by \$797,691, for a not to exceed amount of \$1,846,579.

Item 6.4 Exhibit A

6.5 SOCCCD: Dual Enrollment SOCCCD (Saddleback College) - Capistrano Unified School District, College and Career Access Pathways Partnership Agreement, 2020

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

Approve the Dual Enrollment, SOCCCD (Saddleback College) - Capistrano Unified School District College and Career Access Pathways Partnership Agreement, for the term of January 1, 2020 to December 31, 2021.

Item 6.5 Exhibit A

6.6 SOCCCD: Dual Enrollment, SOCCCD (Saddleback College) - Saddleback Valley Unified School District, College and Career Access Pathways Partnership Agreement, 2020

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

Approve the Dual Enrollment, SOCCCD (Saddleback College) - Saddleback Valley Unified School District College & Career Access Pathways Partnership Agreement for January 1, 2020 to December 31, 2021.

Item 6.6 Exhibit A

6.7 SOCCCD: District-wide Standards, Professional Services Agreement, Perkins Eastman Dougherty

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

Approve the Professional Services Agreement with Perkins Eastman Dougherty, for District-wide Standards project, in the amount of \$499,690 from December 17, 2019 to June 16, 2021.

Item 6.7 Exhibits A-B

6.8 SOCCCD: Agreement for Comprehensive Construction Management Services for District-wide Capital Construction Projects, Bernards

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

Approve the Construction Management Services agreement with Bernards for five years, from December 17, 2019 to December 16, 2024, for comprehensive construction management services for District-wide capital construction projects in the amount of \$8,861,186 plus approved reimbursable expenses.

Item 6.8 Exhibits A-B

6.9 SOCCCD: Board Policy Revision: BP-106 Board Elections, BP-3508 Public Safety Camera System, BP-4207 Payroll Period for Personnel

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

Accept for review and study the board policies as listed.

Item 6.9 Exhibits A-C

Extend Meeting until 9:30 p.m.

At 8:52 p.m., a motion was made by Trustee Lang and seconded by Trustee Milchiker, to extend the meeting to 9:30 p.m. The motion was approved on a 7 - 0 vote.

6.10 SOCCCD: Board Policy Revision: BP-4091 Administrator Retreat Rights, BP-4113 Parental Leave for Management Personnel, BP-4201 Change in Position of Personnel Into or Within Management, BP-4220 Substitute Classified Employees, BP-6125 Field Trips, Excursions, and Field Study Courses, BP-6150 Study Abroad Programs

On a motion made by Trustee Jemal and seconded by Trustee Wright, the item was approved on a 6-0 vote with Trustee Whitt Rydell abstaining.

Approve the board policies as listed.

Item 6.10 Exhibits A-F

6.11 SOCCCD: District Initial Proposal to California School Employees Association (CSEA)

The board president 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 SOCCCD California School Employee Association. Hearing no public comments, the Public Hearing was closed and the regular Board of Trustees meeting was reconvened.

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

Item 6.11 Exhibit A

6.12 SOCCCD: Adoption of SOCCCD District Initial Proposal to California School Employees Association (CSEA)

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

Approve the District's initial proposal to the California School Employees Association for Article 8.6.3.

Item 6.12

Exhibit A

6.13 SOCCCD: District Initial Proposal to Police Officers Association (POA)

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

The board president 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 SOCCCD Police Officers Association. Hearing no public comments, the Public Hearing was closed and the regular Board of Trustees meeting was reconvened.

Item 6.13 Exhibit A

6.14 SOCCCD: Adoption of SOCCCD District Initial Proposal to Police Officers Association (POA)

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

Approve the District's initial proposal to the Police Officers Association for Article 6.1.2.

Item 6.14 Exhibit A

6.15 SOCCCD: Academic Employee and Classified Administrator Personnel Actions - Regular Items

An amendment was made to Exhibit C, page 10. Board interviews of finalist candidates will be scheduled after the second week of April. "Board discussion regarding finalist candidates; Board provided in-depth background check information," scheduled during the April 20 board meeting will be moved to the board meeting in May.

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

Ratify New Personnel Appointments, Authorization to Establish and Announce Positions, Additional Compensation: Categorical/Non-General Fund, Authorization to Increase/Decrease Hours Per Week and/or Months per year, Resignation/Retirement/Conclusion of Employment.

Item 6.15 Exhibits A-C

6.16 SOCCCD: Faculty Conversion to Canvas One - Time Stipends

On a motion made by Trustee Jay and seconded by Trustee Whitt Rydell, this item was approved on a 6 - 1 vote with Trustee Lang casting a negative vote.

Ratify Additional Compensation: Canvas Conversion-General Fund.

Item 6.16 Exhibit A

6.17 SOCCCD: Classified Personnel Actions - Regular Items

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

Ratify New Personnel Appointments, Authorization to Establish and Announce Classified Positions, Reorganization/Reclassification, Authorization to Increase/Decrease Hours per week and/or Months per year on 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.

Item 6.17 Exhibit A

6.18 SOCCCD: Non-Bargaining Unit Personnel Action - 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, Volunteers, Authorization to Revise the Classified Temporary Non-Bargaining Unit Salary Schedules.

Item 6.18 Exhibits A-B

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: List of Board Requested Reports

Status of board requested reports from the South Orange County Community College District Board of Trustees.

Item 7.2 Exhibit A

7.3 SOCCCD: Staff Response to Public Comments from Previous Board Meeting

None

Item 7.3

7.4 SOCCCD: Facilities Plan Status Report.

Report on the status of major capital projects.

Item 7.4 Exhibit A

7.5 SOCCCD: Monthly Financial Status Report.

The reports display the adopted budget, revised budget and transactions through November 30, 2019.

Item 7.5 Exhibit A

7.6 SOCCCD: Retiree (OPEB) Trust Fund.

Report for period ending October 31, 2019.

Item 7.6 Exhibit A

8.0 REPORTS FROM ADMINISTRATION AND GOVERNANCE GROUPS

Reports by the following individuals and groups may be written and submitted through the docket process prior to distribution of the Board agenda packet. Speakers are limited to two minutes each.

- 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 9:19 p.m.

Kathleen F. Burke

Secretary, Board of Trustees