

**SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT
CHANCELLOR'S CONFERENCE ROOM, HS 324
HEALTH SCIENCES/DISTRICT OFFICES BLDG., SADDLEBACK COLLEGE
AND VIA ZOOM VIDEOCONFERENCE**

**MINUTES OF THE BOARD OF TRUSTEES' MEETING
March 23, 2020**

PRESENT VIA ZOOM

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, Acting Vice Chancellor, Human Resources
Elliot Stern, President Saddleback College
Cindy Vyskocil, Acting President, Irvine Valley College

CALL TO ORDER: 5:00 P.M.

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 signed by Governor Newsom on March 17, 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/709939642>**

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

Consistent with the provisions of the Executive Order N-29-20, 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 (877) 853-5247 US Toll-free or (888) 788- 0099 US Toll-free, Meeting ID: 709 939 642.**
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 via Zoom through the chat feature or may submit questions via email to the Board of Trustees Liaison, Grace Garcia, at: ggarcia@socccd.edu. All public comments will be accepted via teleconference or email. Submissions must be received prior to the posted start time of the meeting. Please include in the subject line of the email: **COMMENTS FOR THE MEETING OF MARCH 23, 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 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 Barbara Jay, Member

Trustee David Lang, Member
Trustee Marcia Milchiker, Member
Trustee Terri Whitt Rydell, Member
Student Trustee Martha Uriarte

A roll call of the board took place and quorum was established.

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 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.

There were no public comments made.

RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

1.4 Student Discipline (Education Code Section 72122) (1 matter)

A. Student Discipline

1.5 Public Employee Employment, Evaluation of Performance, Discipline, Dismissal, Release (Government Code Section 54957 and 594954.5)

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

1.6 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)

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

C. Police Officers Association (POA)

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

1.7 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 21.5 acres of real property located at 1610 Valencia Ave. and 1602 Victory Road Tustin, CA 92782 (Property) also known as the Advanced Technology & Education Park (ATEP site)

Negotiating Parties: Advantech Corporation, The Goddard School, Southern California University of Health Sciences, and Edwards Lifesciences

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

1.8 Conference with Legal Counsel (Government Code Section 54956.9)

- A. Anticipated Litigation (Government Code Section 54956.9(d)(2).)
Significant exposure to litigation: 2 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

The Board took action in closed session at its meeting on February 24, 2020, not to renew the employment of a probationary faculty member. The administrative remedies of the faculty member have subsequently been exhausted.

2.2 Invocation
Led by Trustee James Wright

2.3 Pledge of Allegiance
Led by Trustee Barbara Jay

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 prior to the beginning of open session. These forms are available outside the board room. Speakers are limited to two minutes each.

A public comment was made expressing gratitude to administration and staff for their successful efforts in responding to the current COVID-19 pandemic.

3.0 REPORTS

- 3.1 Oral Reports: Speakers are limited to two minutes each.
 - A. Board Reports

- B. Associated Student Government Reports
- C. Board Request(s) for Reports

There were no oral reports.

4.0 DISCUSSION ITEMS

- 4.1 SOCCCD: District Response to COVID-19
Representatives from Irvine Valley College and Saddleback College will present the district's response to Corona Virus Disease 2019 (COVID-19)

Dr. Elliot Stern, President, Saddleback College and Dr. Cindy Vyskocil, Acting President, Irvine Valley College, presented the SOCCCD response to COVID-19.

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

Trustee Prendergast requested to remove item 5.2, and Trustee Jay requested to remove item 5.3 and 5.8 for separate discussion and action.

On a motion made by Trustee Jemal and seconded by Trustee Lang, the balance of the consent calendar was approved on a unanimous 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.

- 5.1 SOCCCD: Board of Trustees Meeting Minutes
Approve minutes of a Regular Meeting held on February 24, 2020 and a Special Meeting held on February 26, 2020.

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

- 5.2 SOCCCD: Resolutions

- 1. Declaring State of Emergency and delegating authority to the Chancellor to close District Centers, Campuses, and Offices, and to otherwise respond to the Novel Coronavirus (COVID -19) if necessary

On a motion made by Trustee Jay and seconded by Trustee Whitt Rydell, the resolution was approved on a unanimous roll call vote.

- 2. April is Community College Awareness Month

On a motion made by Trustee Jay and seconded by Trustee Whitt Rydell, the resolution was approved on a unanimous roll call vote.

3. Day of Remembrance: Armenian Genocide

On a motion made by Trustee Jemal and seconded by Trustee Whitt Rydell, the resolution was approved on a unanimous roll call vote.

4. Denim Day: Sexual Assault Awareness

On a motion made by Trustee Wright and seconded by Trustee Milchiker, the resolution was approved on a unanimous roll call vote.

5. Earth Day

On a motion made by Trustee Wright and seconded by Trustee Jay, the resolution was approved on a unanimous roll call vote.

[Item 5.2](#)

[Resolution 1](#)

[Resolution 2](#)

[Resolution 3](#)

[Resolution 4](#)

[Resolution 5](#)

- 5.3 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

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

[Item 5.3](#)

[Exhibits A-B](#)

- 5.4 SOCCCD: Saddleback College and Irvine Valley College, Notices of Completion, Various Projects
Authorize filing the Notices of Completion for the Saddleback College, Health Sciences Building Floor Installation project to Signature Floors, for a contract total of \$23,137, for the Saddleback College AGB Wall Replacement project to GDL Best Contractors, Inc., for a contract total of \$48,350, for the Saddleback College Health Sciences Building Roof Repair project to C.I. Services, Inc. for a contract total of \$91,700, for the Saddleback College CDC Interior Painting project to US National Corp.,

for a contract total of \$46,900, for the Saddleback College Sciences Building HVAC Roof Leak project to Enviser, for a contract total of \$48,388, and for Irvine Valley College Phase 2 Access Control LA-A400 project to Blue Violet Networks, LLC, for a contract total of \$273,006.09.

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

- 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 was pulled from the consent calendar.

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

- 5.6 SOCCCD: Transfer of Budget Appropriations: Adopt Resolution No. 20-07 to Approve FY 2019-2020 Budget Transfers
Adopt Resolution No. 20-07 to approve the transfer of budget appropriation as listed.

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

- 5.7 SOCCCD: Budget Amendment: Adopt Resolution No. 20-06 to Amend FY 2019-2020 Adopted Budget.
Adopt Resolution No. 20-06 to amend the FY 2019-2020 Adopted Budget as listed.

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

- 5.8 SOCCCD: January – February 2020 Change Orders/ Amendments
Ratify the change orders and amendments as listed.

On a motion made by Trustee Lang and seconded by Trustee Milchiker, this item was approved on a unanimous roll call vote.

[Item 5.8](#)
[Exhibits A-D](#)

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

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

- 5.10 SOCCCD: Contracts
Ratify contracts as listed.

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

- 5.11 SOCCCD: Retiree OPEB Trust Actuarial Report and Recommended Funding.
Accept Nyhart's 2020 actuarial report and approve the allocation of \$5,225,816 to fund the normal cost for FY 2020-2021.

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

6.0 GENERAL ACTION ITEMS

- 6.1 SOCCCD: CCCT Board of Directors Election 2020
Recommendation for SOCCCD board members to nominate up to nine candidates to the CCCT Board of Directors.

The SOCCCD Board of Trustees nominated nine candidates for the CCCT Board of Directors. The names of the nominees are: Andra Hoffman, Los Angeles CCD, Pam Haynes, Los Rios CCD, Barbara Dunsheath, North Orange CCD, Barbara Jean Calhoun, Compton CCD, Thomas J. Prendergast, III, South Orange CCD, Marisa Perez, Cerritos CCD, Larry Kennedy, Ventura CCD, Barry Snell, Santa Monica CCD, Loren Steck, Monterey Peninsula CCD.

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

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

- 6.2 SOCCCD: OCSBA Maureen DiMarco Award Nomination
Recommendation for SOCCCD board members to make a nomination for the Maureen DiMarco Award.

A recommendation was made to submit former nominee, Robert Flournoy, Irvine Valley College Custodian, for the Maureen DiMarco Award.

On a motion made by Trustee Lang and seconded by Trustee Jemal, this item was approved on a unanimous roll call vote.

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

- 6.3 SOCCCD: Board of Governors 2020 Classified Employee of the Year Award
Endorse nomination for transmittal to the California Community College Chancellor's Office.

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

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

- 6.4 SOCCCD: Regional Strong Workforce Program Participation Agreement for FY 2019-2020 between Rancho Santiago Community College District and SOCCCD
Approve the Regional Strong Workforce Program participation agreement in the amount of \$1,845,411, extend the term to December 31, 2021, and authorize the Vice Chancellor, Business Services or designee to sign the agreement and amendment.

On a motion made by Trustee Lang and seconded by Trustee Jay, this item was approved on a unanimous roll call vote.

[Item 6.4](#)
[Exhibits A-B](#)

- 6.5 SOCCCD: HVAC and Roofing for 5 Buildings and Central Plant at Irvine Valley College, Architectural Services, Westberg + White, Inc.
Approve the Architectural Services agreement with Westberg + White, Inc. for the HVAC and Roofing for 5 Buildings and Central Plant at IVC, in the amount of \$550,000.

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

[Item 6.5](#)
[Exhibits A-B](#)

- 6.6 SOCCCD: Subaward Application Approval - Hazard Mitigation Grant Program
Approve and accept this subaward from Cal OES in the amount of \$125,000.37, the District's share of \$45,040.63, and authorize the Vice Chancellor of Business Services, or designee, to execute the agreement.

On a motion made by Trustee Jay and seconded by Trustee Lang, this item was approved on a unanimous roll call vote.

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

- 6.7 SOCCCD: Board Policy Revision: BP-3280 Grants and Sponsored Projects, BP-4016 Drug Free Environment and Drug and Alcohol Abuse Prevention Program
Approve the board policies as listed.

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

[Item 6.7](#)
[Exhibits A-B](#)

- 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, Workload Banking, Authorization to Eliminate Position and/or Position Numbers, Reorganization/Reclassification, Resignation/Retirement/Conclusion of Employment.

On a motion made by Trustee Whitt Rydell and seconded by Trustee Jay, this item was approved on a unanimous roll call vote.

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

- 6.9 SOCCCD: Faculty Conversion to Canvas One – Time Stipends
Ratify Additional Compensation: Canvas Conversion-General Fund.

On a motion made by Trustee Jay and seconded by Trustee Milchiker, this item was approved on a 6-1 roll call vote with Trustees Prendergast, Jemal, Wright, Milchiker, Whitt Rydell and Jay voting aye, and Trustee Lang voting nay.

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

- 6.10 SOCCCD: Classified Personnel Actions – Regular Items
Ratify New Personnel Appointments, Reorganization/Reclassification, Authorization to Increase/Decrease Hours per week and/or Months per year for Classified Positions, Change of Status, Classified Bilingual Stipend, Additional Compensation, Resignation/Retirement/Conclusion of Employment.

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

[Item 6.10](#)

[Exhibit A](#)

- 6.11 SOCCCD: Non-Bargaining Unit Personnel Action – Regular Items
Ratify New Personnel Appointments, Volunteers.

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

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

- 6.12 SOCCCD: Adjustment to the California School Employees Association (CSEA) Salary Schedule
Approve the increase to the CSEA salary schedule for 2019 – 2020 and 2020 – 2021.

On a motion made by Trustee Milchiker and seconded by Trustee Jemal, this item was approved on a unanimous roll call vote.

[Item 6.12](#)
[Exhibits A-B](#)

- 6.13 SOCCCD: Final Action in Public Session – Saddleback College Student Discipline
Approve Student Discipline Hearing Panel’s recommendation for expulsion.

On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved on a unanimous roll call vote.

[Item 6.13](#)

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
Public comment from Board of Trustees meeting February 24, 2020 will be addressed.

[Item 7.2](#)
[Exhibit A](#)

- 7.3 SOCCCD: Facilities Plan Status Report
Status of current construction projects.

[Item 7.3](#)
[Exhibit A](#)

- 7.4 SOCCCD: Monthly Financial Status Report
The reports display the adopted budget, revised budget and transactions through February 29, 2020.

[Item 7.4](#)
[Exhibit A](#)

- 7.5 SOCCCD: Retiree (OPEB) Trust Fund.
Report for period ending January 31, 2020.

[Item 7.5](#)
[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. Irvine Valley College Academic Senate
- C. Faculty Association
- D. Irvine Valley College Classified Senate
- E. Saddleback College Classified Senate
- F. California School Employees Association
- G. Police Officers Association

[Item 8.0](#)

[Chancellor's Written Report](#)

[Irvine Valley College Written Report](#)

[Saddleback College Written Report](#)

9.0 ADDITIONAL ITEMS

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

The meeting adjourned at 8:09 p.m.

A handwritten signature in blue ink, appearing to read "Kathleen F. Burke", written over a horizontal line.

Kathleen F. Burke
Secretary, Board of Trustees