

**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
May 21, 2018**

PRESENT

Members of the Board of Trustees:

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

Administrative Officers:

Ann-Marie Gabel, Interim Chancellor
Robert Bramucci, Vice Chancellor, Technology and Learning Services
Kim McCord, Acting 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: 5:00 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 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 Student Discipline (EC 72122) (1 matter)

1.4 Public Employee Employment, Evaluation of Performance, Discipline, Dismissal, Release (Government Code Section 54957(b).) (4 matters)

- A. Public Employee Discipline, Dismissal, Release (Government Code Section 54957(b).) (3 matters)
- B. Public Employee Performance Evaluation (Government Code Section 54957(b).) (1 matter)
 - 1. Interim Chancellor

1.5 Conference with Labor Negotiators (GC Section 54957.6)

- A. Faculty Association
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 Officer's 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. Exchange of Property:
Agency Designated Negotiator: South Orange County Community College District – Ann-Marie Gabel, CPA, Interim Chancellor
- B. Agency Designated Negotiator: South Orange County Community College District – Ann-Marie Gabel, CPA, Interim Chancellor (Seller); and Gregory Gotthardt, FTI Consulting, Inc. (District Real Estate Advisor)

1.7 Conference with Legal Counsel (Government Code Section 54956.9)

- A. Anticipated Litigation (Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9)
(3 potential cases)

RECONVENE OPEN SESSION: 6:30 P.M.

Open session was reconvened at 7:15 p.m.

2.0 PROCEDURAL MATTERS

2.1 [Actions Taken in Closed Session](#)

On a 7 to 0 vote, the board denied an academic employee's appeal of an administrative determination alleging discrimination.

On a motion made by Trustee Lang and seconded by Trustee Prendergast, the board approved the expulsion, in open session, of a Saddleback College student (ID# 598978) pursuant to Education Code 72122. The motion passed on a 7 to 0 vote with Student Trustee Hoang abstaining.

2.2 [Invocation](#) [Led by Trustee Barbara Jay](#)

2.3 [Pledge of Allegiance](#) [Led by Trustee Tim Jamal](#)

2.4 [Swearing In: Student Trustee Evelyn Hoang](#) [Oath of Office to be administered by Board President Tim Jamal](#)

2.5 [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 it to the board's Executive Assistant. These forms are available outside the board room. Speakers are limited to up to two minutes each.](#)

There were no public comments.

3.0 REPORTS

3.1 Oral Reports: Speakers are limited to up to two minutes each.

A. [Board Reports](#)

B. [Chancellor's Report \(Written Report included\)](#)

[Written Report](#)

C. [College Presidents' Reports \(Written Reports included\)](#)

[Irvine Valley College Written Report](#)

[Saddleback College Written Report](#)

D. [Associated Student Government Reports](#)

[ASIVC Written Report](#)

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

Trustee Wright requested a board report on AB 705 and Trustee Prendergast requested to add the Early Start Program to the report.

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

4.0 DISCUSSION ITEMS

- 4.1 [SOCCCD: Advanced Technology and Education Park \(ATEP\) Development Update and Proposed Legal Structure](#)
[The ATEP CC&Rs, Auxiliary Documents, and SOCCCD-CSEA MOU will be presented to the board of trustees along with other timely information regarding the status of the ATEP site.](#)

[Item 4.1 Exhibit A-I](#)

Executive Director of Public-Private Partnerships, Victor Negrete provided an update on the development of the Advanced Technology and Education Park.

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 Jemal requested to remove item 5.2 and Trustee Wright requested to remove item 5.6 for separate discussion and action.

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

- 5.1 SOCCCD: Board of Trustees Meeting Minutes
Approve minutes of Regular Meeting held on April 30, 2018.

[Item 5.1](#)
[Exhibit A](#)

[5.2](#) [SOCCCD: Resolutions](#)
[Item 5.2](#)

1. Lori Mangels, Classified Employee Outstanding Service Award, District Services
2. Christine Swanson, Outstanding Classified Employee of the Year, Saddleback College
3. Brian Kim, Outstanding Classified Employee of the Year, Irvine Valley College

[Resolution](#)

[Resolution](#)

[Resolution](#)

The honorees receiving resolutions were acknowledged and congratulated by Board President Jemal.

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

- 5.3 Saddleback College: New and Revised Curriculum for the 2018 19 Academic Year
Approve the proposed new and revised curriculum changes for the 2018-19 academic year at Saddleback College

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

- 5.4 SOCCCD: Saddleback College, Vocational Cosmetology and Cosmetician (Esthetician) Education Services Agreements, Amendments No. 4 with Advance Beauty College and Amendments No. 3 with New America Beauty Education Corp., DBA Hair California Beauty Academy
Approve Saddleback College Amendments No. 4 with Advance Beauty College and Amendments No. 3 with New America Beauty Education Corp., DBA Hair California Beauty Academy to renew the Cosmetology and Cosmetician (Esthetician) agreements term for the third one-year extension, beginning July 1, 2018 and ending June 30, 2019.

[Item 5.4](#)
[Exhibit A-D](#)

- 5.5 SOCCCD: Saddleback College, Vocational Cosmetology and Cosmetician (Esthetician) Education Services Agreements, Amendments No. 3 with Saddleback Beauty Academy
Approve Amendments No. 3 with Saddleback Beauty Academy to renew the Saddleback College Cosmetology and Cosmetician (Esthetician) agreements for the second one-year extension, beginning July 1, 2018 and ending June 30, 2019.

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

- 5.6 [SOCCCD: Saddleback College Stadium and Site Improvement Project, Assistant Division of the State Architect \(DSA\) Inspection Services, The Vinewood Company LLC](#)
[Approve The Vinewood Company LLC agreement for Assistant Division of the State Architect \(DSA\) Inspection Services for the Saddleback College Stadium and Site Improvement project, in the amount of \\$215,100.](#)

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

A correction was noted on Exhibit B, page 17 of 21. Kim McCord's last name had a typo and it will be corrected.

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

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

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

- 5.9 SOCCCD: Irvine Valley College Library Building Waterproofing Project, Award of Bid No. 344, Otero Construction, Inc.
Award Bid No. 344, Library Building Waterproofing project and approve the agreement with Otero Construction Inc., in the amount of \$344,283.

[Item 5.9](#)

[Exhibit A-C](#)

- 5.10 SOCCCD: California Environmental Quality Act Exemption for Battery Energy Storage Project at Irvine Valley College
Declare the Battery Energy Storage project at Irvine Valley College to have no significant impact upon the environment and authorize the filing of the Notice of Exemption.

[Item 5.10](#)
[Exhibit A](#)

- 5.11 SOCCCD: Declare Miscellaneous ATEP Furniture As Surplus and Approve Donation to the City of Tustin
Approve the donation of miscellaneous furniture listed to the City of Tustin.

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

- 5.12 SOCCCD: Student Out of State Travel
Approve the colleges' student out of state travel for the participants, dates, locations, courses and costs as listed.

[Item 5.12](#)
[Exhibit A](#)

- 5.13 SOCCCD: Budget Amendment: Adopt Resolution No. 18-11 to Amend FY 2017-2018 Adopted Budget.
Adopt Resolution No. 18-11 to amend the FY 2017-2018 Adopted Budget as listed.

[Item 5.13](#)
[Exhibit A](#)

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

[Item 5.14](#)
[Exhibit A](#)

- 5.15 SOCCCD: March 2018 Contract Amendment
Ratify the amendment as listed.

[Item 5.15](#)
[Exhibit A](#)

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

[Item 5.16](#)
[Exhibit A-C](#)

- 5.17 SOCCCD: April – 2018 Contracts.
Ratify contracts as listed.

[Item 5.17](#)
[Exhibit A-B](#)

6.0 GENERAL ACTION ITEMS

- [6.1](#) [Saddleback College and Irvine Valley College: Student Government Tentative Budgets FY 2018-2019](#)

[Approve the FY 2018-2019 tentative student government budgets as presented in EXHIBITS A & B by student representatives. A presentation on the subject will be made to the board of trustees this evening.](#)

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

Student government leaders presented the Associated Student Government tentative budgets for Fiscal Year 2018-2019.

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

- [6.2](#) [SOCCCD: Saddleback College Interior LED Lighting and Controls Retrofit Project, Energy Services Public Hearing](#)

[Open a public hearing and invite members of the public to present their comments with regard to the Saddleback College Energy Service Contract to replace the interior lighting fixtures with new energy efficient LED fixtures and wireless controls at Saddleback College.](#)

[Item 6.2](#)

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 subject of the Saddleback College Energy Service Contract. Hearing no public comments, the Public Hearing was closed and the regular Board of Trustees meeting was reconvened.

- [6.3](#) [SOCCCD: Saddleback College Interior LED Lighting and Controls Retrofit Project, Adopt Resolution No. 18-12, Authorizing Entering into an Energy Service Contract](#)

[Adopt Resolution No. 18-12 to authorize entering into an Energy Service Contract for the Saddleback College Interior LED Lighting and Controls Retrofit project.](#)

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

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

- [6.4 SOCCCD: Saddleback College Interior LED Lighting and Controls Retrofit Project, Award of Energy Services Contract, Clear Blue Energy Corp. Approve the Energy Services agreement with Clear Blue Energy Corp., for the Saddleback College Interior LED Lighting and Controls Retrofit project, in the amount of \\$1,373,541.](#)

[Item 6.4](#)
[Exhibit A](#)

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

[Extend the meeting to 9:30pm](#)

At 8:53 p.m., Trustee Lang moved and Trustee Wright seconded to extend the meeting to 9:30 p.m. The motion carried on a 7-0 vote.

- [6.5 SOCCCD: Basic Aid Allocation Recommendation FY 2018-2019 Approve the basic aid funding allocations for FY 2018-2019 in the amount of \\$83,191,044, which will be included in the FY 2018-2019 Tentative Budget. A presentation on the subject will be made to the board of trustees this evening.](#)

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

An overview of the basic aid allocation recommendations for Fiscal Year 2018-2019 was presented to the board for information and discussion prior to approving the basic aid allocation recommendations for 2018-2019.

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

- [6.6 SOCCCD: Request to Reschedule July 23, 2018 Regular Meeting of the Board of Trustees Approve request to reschedule July 2018 Regular meeting in accordance with California Government Code Section 54955 and in compliance with Board Policy 120.](#)

[Item 6.6](#)

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

- [6.7 SOCCCD: Consolidated Elections for Members of Governing Boards](#)

Approve Resolution 18-13 to notify the Orange County Department of Education of the consolidated election specifications.

Item 6.7
Exhibit A

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

- 6.8 SOCCCD: Annual Approval for Student Trustee to Receive Compensation, to Make/Second Motions for Board Meetings, and term commencement
Approve compensation for the Student Trustee; allow the student trustee to make and second motions; and approve the term commencement date of May 15.

Item 6.8

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

- 6.9 SOCCCD: Saddleback College Stadium and Site Improvement Project, Material Testing and Inspection Services, C.E.M. Lab Corp.
Approve the C.E.M. Lab Corp. agreement for Material Testing and Inspection Services for the Saddleback College Stadium and Site Improvement project, in the amount of \$472,453.

Item 6.9
Exhibit A-B

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

- 6.10 SOCCCD: Irvine Valley College Construction Defects, Performing Arts Center Project, Award of Bid No. 346, Otero Construction, Inc.
Approve award of Bid No. 346, Irvine Valley College Construction Defects, Performing Arts Center project and approve the agreement with Otero Construction, Inc., in the amount of
 \$643,474.

Item 6.10
Exhibit A-B

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

- 6.11 SOCCCD: Irvine Valley College B300 Exterior Improvements Project, Award of Bid No. 348, Amtek Construction

Approve award of Bid No. 348, Irvine Valley College B300 Exterior Improvements project and approve the agreement with Amtek Construction, in the amount of \$813,636.

Item 6.11
Exhibit A

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

- 6.12 SOCCCD: ATEP Site Utilities and Infrastructure Phase I Project, Change Order No. 4, Griffith Company
Approve Change Order No. 4 for the ATEP Site Utilities and Infrastructure Phase I project and authorize staff to execute the corresponding change order with Griffith Company, resulting in an increase of \$283,106, for a revised contract total of \$6,128,121 and time extension of 94 days.

Item 6.12
Exhibit A

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

- 6.13 SOCCCD: Advanced Technology and Education Park (ATEP) Site Utilities and Infrastructure Phase I Project, Notice of Completion, Griffith Company
Authorize filing the Notice of Completion for the ATEP Site Utilities and Infrastructure Phase I project to Griffith Company, for a final contract amount of \$6,128,121.

Item 6.13
Exhibit A

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

- 6.14 SOCCCD: District-wide Network Security Firewall Annual Maintenance Services and Support, Utilizing the National Association of State Procurement Officials (NASPO) under the Western State Contracting Alliance (WSCA) Cooperative Purchasing Program, Master Price Agreements Nos. AR626 to Palo Alto Networks, through its value added reseller Optiv Security, Inc.
Approve the use of Master Price Agreement No. AR626 awarded by the State of Utah in association with the NASPO/WSCA, and approved for usage by the State of California pursuant to the California Participating Addendum No. 7-14-70-11. This approval applies to procurement of ongoing annual service subscription and support for the District-Wide Network Security Firewall equipment from Optiv Security, Inc.

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

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

- [6.15](#) [SOCCCD: Agreement for Software Development Services, Neudesic, LLC](#)
[Approve the work order with Neudesic, LLC for an amount not to exceed \\$538,151 for the term of May 22, 2018 through August 31, 2019.](#)

[Item 6.15](#)
[Exhibit A](#)

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

- [6.16](#) [SOCCCD: Board Policy Revision: BP-103 Board Membership, BP-105 Organization of the Governing Board, BP-162 Communications Among Board Members, BP-1510 Native American Graves and Repatriation Act, BP-3101.6 Real Property Management, BP-3201 Capital Construction, BP-4000.4 Equal Employment Opportunity, BP-4345 Catastrophic Leave Accept for discussion and approval policies as listed.](#)

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

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

- [6.17](#) [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, Resignation/Retirement/Conclusion of Employment.](#)

[Item 6.17](#)
[Exhibit A](#)

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

- [6.18](#) [SOCCCD: Faculty Conversion to Canvas One-Time Stipends](#)
[Ratify 2017 – 2018 Faculty stipends for Canvas conversion.](#)

[Item 6.18](#)
[Exhibit A](#)

Trustee Lang requested a report on how the actual stipends compare with the previous estimates. He added that the report will be useful in considerations of current contract negotiations.

Trustee Prendergast requested that on the next agenda, a percentage of how many faculty have applied for stipends and a running total be presented.

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

- [6.19](#) [SOCCCD: Classified Personnel Actions – Regular Items](#)
[Ratify New Personnel Appointments, Authorization to Eliminate Classified Positions and/or Position Numbers, Authorization to Establish and Announce a Classified Position, Reorganization, Change of Funding Source for a Classified Position, Change of Status, Classified Bilingual Stipend, Additional Compensation, Out of Class Assignments, Resignation/Retirement/Conclusion of Employment, Volunteers.](#)

[Item 6.19](#)
[Exhibit A](#)

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

- [6.20](#) [SOCCCD: Annual Report on Fourth Year Probationary Faculty Recommended for Tenure](#)
[Approve tenure for full-time faculty members who have completed the four-year tenure-track plan.](#)

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

Vice Chancellor Vyskocil pulled the 18th candidate, from Human Services, from the annual report recommended for tenure.

On a motion made by Trustee Lang and seconded by Trustee Prendergast, the balance of the item was approved on a 7 - 0 vote.

- [6.21](#) [SOCCCD: Destruction of Class 3 Disposable Records](#)
[Approve destruction of Class 3 disposable records in compliance with code.](#)

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

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

6.22 SOCCCD: ReNew Apartments, Assumption of Lease and Release, and Related Estoppel and Agreement for New Lessee, Bel Canto Real Estate Partners VIII, LLC

Approve the assignment of the Ground Lease by FPA4 to Bel Canto and approve a motion to authorize the execution by the Interim Chancellor and/or the Acting Vice Chancellor of Business Services of the Assignment Agreement and the Estoppel Agreement and any other documents necessary to carry out the terms thereof.

Item 6.22
Exhibit A-C

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

7.0 **REPORTS**

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

None

Item 7.1

7.2 Saddleback College and Irvine Valley College: Speakers

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

Item 7.2
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 April 30, 2018.

Item 7.4
Exhibit A

8.0 **REPORTS FROM ADMINISTRATION AND GOVERNANCE GROUPS**

Item 8.0

A. Saddleback College Academic Senate

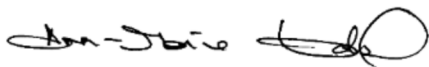
- B. [Faculty Association](#)
- C. [Irvine Valley College Academic Senate](#)

- 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 was adjourned at 9:22 p.m. in memory of James Running, classified employee at Irvine Valley College.



Ann-Marie Gabel
Secretary, Board of Trustees