

**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
November 16, 2020**

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
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: 5:00 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 November 16, 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 5 p.m. on Monday, November 16, 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/94214417457?pwd=UTRaSzduS0RoVTJubDRJK0toVS9Mdz09>

Meeting ID: 942 1441 7457

Meeting Passcode: 742233

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: 942 1441 7457, Passcode: 742233
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 prior to the posted start time of the meeting. Please include in the subject line of the email: COMMENTS FOR THE MEETING OF NOVEMBER 16, 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 Barbara Jay, Member
Trustee David Lang, 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 prior to the start of closed session. 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 and 594954.5)

A. Public Employee Performance Evaluation (Government Code Section 54957)

Title: Chancellor

B. 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 Goddard School, Advantech Corporation, City of Tustin, 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)(3))
Significant exposure to litigation: 1 potential case
 - 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

Due to time constraints, the board was unable to report actions taken in closed session. The board took action after adjourning from the regular meeting and reconvening from the continuation of closed session.

On a 7 to 0 vote, the board approved non-renewal of educational administrator employment contract and reclassification to classified administrator, effective July 1, 2021.

On a 7-0 vote, the board approved the non-renewal of a classified administrator employment contract and resignation of employment, effective July 1, 2021.

2.2 Invocation Led by Trustee Tim Jemal

2.3 Pledge of Allegiance Led by Trustee David Lang

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 submit your request via email prior to the beginning of open session. Speakers are limited to two minutes each.

There were 23 public comments regarding the 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. Irvine Valley College Academic Senate
- E. Saddleback 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 None

Trustee Wright requested to remove item 5.2 from the agenda for separate discussion and action.

On a motion made by Trustee Jemal and seconded by Trustee Milchiker, 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 October 19, 2020 and a Special Board Meeting held on October 20, 2020.

[Item 5.1](#)

[Exhibits A-B](#)

5.2 SOCCCD: Resolution

A resolution recognizing and honoring Trustee David Lang's service to the District since 1996.

On a motion made by Trustee Jemal and seconded by Trustee Wright, this item was approved on a 6-0 roll-call vote, with Trustee Lang abstaining.

[Item 5.2](#) [Exhibit A](#)

5.3 Saddleback College: New and Revised Curriculum for the 2021-22 Academic Years

Approve the proposed curriculum changes for the 2021-22 academic year at Saddleback College .

[Item 5.3](#) [Exhibits A-D](#)

At 8:46 p.m., Trustee Jemal motioned and Trustee Milchiker seconded to extend the meeting to 9:30 p.m. with a 10 minute break. The time extension was approved on a unanimous roll-call vote.

5.4 SOCCCD: (Saddleback College) Approval of Capistrano Unified School District (CUSD), College and Career Access Pathway (CCAP), Spring 2021 Addendum

Approve the Appendix to the Dual Enrollment, SOCCCD (Saddleback College) and CUSD College & Career Access Pathways Partnership to include Spring 2021 courses and authorize the Vice Chancellor of Business Services, or designee, to execute the agreement.

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

5.5 SOCCCD (Saddleback College) Approval of Saddleback Valley Unified School District (SVUSD), College and Career Access Pathway (CCAP), Spring 2021 Addendum

Approve the Appendix to the Dual Enrollment, SOCCCD (Saddleback College) and SVUSD College & Career Access Pathways Partnership to include Spring 2021 courses and authorize the Vice Chancellor of Business Services, or designee, to execute the agreement.

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

5.6 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.

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

- 5.7 SOCCCD, Saddleback College, and Irvine Valley College: Vision and Mission Statements
Approve District and College Vision and Mission Statements.

[Item 5.7](#)
[Exhibits A-C](#)

- 5.8 Saddleback College and Irvine Valley College: Spring 2021 Community Education Programs
Approve Community Education courses, presenters, and compensation for Spring 2021. Note: IVC does not have any Community Education offerings for Spring 2021.

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

- 5.9 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 5.9](#)
[Exhibit A](#)

- 5.10 SOCCCD: Irvine Valley College, Notice of Completion, Thomco Construction, Inc.
Authorize filing the Notice of Completion for the B100 Exterior Improvements project at Irvine Valley College to Thomco Construction, Inc., for a contract total of \$749,058.79. It is also recommended that the Board of Trustees authorize the release of retention 35 days after filing.

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

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

[Item 5.11](#)
[Exhibits A-B](#)

- 5.12 SOCCCD: Adopt Resolution No. 20-26, Conflict of Interest – Updated Biennial Code Review and Amendment
Adopt Resolution No. 20-26 and approve the revised Conflict of Interest Code, subject to the review and approval by the Orange County Board of Supervisors.

[Item 5.12](#)

[Exhibit A](#)

- 5.13 SOCCCD: District Warehouse Canopy Project, Award of Bid No. 393D, Asia General Contractors, Inc.
Approve awarding of Bid No. 393D, District Warehouse Canopy project, and approve the agreement with Asia General Contractors, Inc. in the amount of \$261,200 and authorize the Vice Chancellor of Business Services, or designee, to execute the agreement.

[Item 5.13](#)
[Exhibits A-B](#)

- 5.14 SOCCCD: Amendment No. 1 to Agreement for District Hazardous Waste Removal Services for Saddleback College, Irvine Valley College and Advanced Technology & Education Park (ATEP), North State Environmental, Inc.
Approve Amendment No. 1 to the North State Environmental, Inc. agreement for District-wide Hazardous Waste Removal Services in the amount of \$300,000 and authorize the Vice Chancellor of Business Services, or designee, to execute the Amendment.

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

- 5.15 SOCCCD: Declare Miscellaneous Furniture and Equipment as Surplus
Approve the sale, donation and/or disposal of surplus property and authorize the Executive Director of Procurement, Central Services and Risk Management to hire a private auction firm to conduct the auction for sale of surplus property and/or recycle, or dispose of items.

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

- 5.16 SOCCCD: Transfer of Budget Appropriations: Adopt Resolution No. 20-27 to Approve FY 2020-21 Budget Transfers
Adopt Resolution No. 20-27 to approve the transfer of budget appropriations as listed.

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

- 5.17 SOCCCD: Budget Amendment: Adopt Resolution No. 20-28 to Amend FY 2020-21 Adopted Budget
Adopt Resolution No. 20-28 to amend the FY 2020-21 Adopted Budget as listed.

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

- 5.18 SOCCCD: September – October 2020 Change Orders/Amendments
Ratify the change order and amendments as listed.

[Item 5.18](#)
[Exhibits A-G](#)

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

[Item 5.19](#)
[Exhibits A-C](#)

- 5.20 SOCCCD: Contracts
Ratify contracts as listed.

[Item 5.20](#)
[Exhibits A-C](#)

6.0 GENERAL ACTION ITEMS

- 6.1 SOCCCD: Saddleback College Parking Lots Resurfacing Project, Award of Bid No. 2101, J B Bostick Company, Inc.
Approve awarding Bid No. 2101, Saddleback College Parking Lots Resurfacing project and approve the agreement with J B Bostick Company, Inc., in the amount of \$974,860 and authorize the Vice Chancellor of Business Services, or designee, to execute the agreement.

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

- 6.2 SOCCCD: Approval of Master Agreements between South Orange County Community College District and the Saddleback College Foundation and the Foundation for South Orange County Community College District
Approve the master agreements between the South Orange County Community College District and the Saddleback College Foundation and the Foundation for South Orange County Community College District for a term of five years, with automatic renewals for subsequent annual periods.

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

[Item 6.2](#)
[Exhibits A-B](#)

- 6.3 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

Accept for review and study the board policies as listed.

On a motion made by Trustee Lang and seconded by Trustee Wright, this item was accepted for review and study on a unanimous roll-call vote.

[Item 6.3](#)
[Exhibits A-F](#)

- 6.4 Board Policy Revision: BP-2350 Public Speakers at Board Meetings; BP-3200 Accreditation; BP-3250 Institutional Planning; BP-4235 Credit for Prior Learning; BP-5210 Communicable Diseases–Students; BP-5618 Credit by Examination–Specific Course Credit; BP-5619 Advanced Placement Examination Program; BP-5620 College Level Examination Program (CLEP); BP-7110 Authorization for Employment; and BP-7160 Professional Development and Growth
Approve board policies as listed.

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-J](#)

- 6.5 SOCCCD: Academic Employee and Classified Administrator Personnel Actions – Regular Items
Ratify New Personnel Appointments, Authorization to Establish and Announce Positions, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Additional Compensation: Restricted Funds, Administrator Contract Extensions, Resignation/Retirement/Conclusion of Employment.

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: Classified Personnel Actions – Regular Items
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 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), Resignation/Retirement/Conclusion Of Employment.

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

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

- 6.7 SOCCCD: Non-Bargaining Unit Personnel Action – Regular Items Ratify New Personnel Appointments, Authorization To Revise The Classified Temporary Non-Bargaining Unit Salary Schedules.

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

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

- 6.8 SOCCCD: District Initial Proposal to California School Employees Association (CSEA) Chapter 586
Accept for review and study the SOCCCD District's initial proposal to CSEA for the purpose of negotiations.

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

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

7.0 REPORTS

- 7.1 SOCCCD: Staff Response to Public Comments from Previous Board Meeting
None

[Item 7.1](#)

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

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

- 7.3 SOCCCD: CARES Act Funding Monthly Summary
Cumulative summary of the funds awarded and spent as of October 31, 2020 is provided.

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

- 7.4 SOCCCD: COVID-19 Response Block Grant Monthly Summary
Cumulative summary of the funds awarded and spent as of October 31, 2020 is provided.

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

- 7.5 SOCCCD: Retiree (OPEB) Trust Fund.
Report for period ending September 30, 2020.

[Item 7.5](#)
[Exhibit A](#)

- 7.6 SOCCCD: Monthly Financial Status Report
The reports display the adopted budget, revised budget and transactions through October 31, 2020.

[Item 7.6](#)
[Exhibit A](#)

- 7.7 SOCCCD: Quarterly Investment Report
Report for period September 30, 2020.

[Item 7.7](#)

- 7.8 SOCCCD: Pension Stabilization Trust Fund
Report for period ending September 30, 2020.

[Item 7.8](#)
[Exhibit A](#)

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.

[Item 8.0](#)

- A. Chancellor

[Chancellor's Written Report](#)

- B. Irvine Valley College President

[Irvine Valley College Written Report](#)

- C. Saddleback College President

[Saddleback College Written Report](#)


9.0 ADDITIONAL ITEMS

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

The regular meeting was adjourned at 9:29 p.m. in memory of retired IVC math professor, Masato Hayashi, former Saddleback College football and golf coach, Bill Cunerty and Saddleback College volunteer, Mikey Stuetz.

The board convened back to closed session for the continuation of the meeting.

At 10:06 p.m., the board reconvened in open session to report the actions taken in closed session.



Kathleen F. Burke
Secretary, Board of Trustees