

**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 19, 2018**

**PRESENT**

Members of the Board of Trustees:

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

**ABSENT**

David B. Lang, 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  
Jim Buysse, Interim President Saddleback College  
Glenn Roquemore, President Irvine Valley College

**CALL TO ORDER: 5:00 P.M.**

The closed session meeting will consist of two locations. Trustee Dave Lang will participate via teleconference pursuant to Government Code Section 54953(b).

**Primary Location:** Saddleback College Health Sciences/District Offices Building,  
Ronald Reagan Board of Trustees, Room HS 145, 28000 Marguerite Parkway,  
Mission Viejo, CA 92692.

**Teleconferencing Location:** Pursuant to Government Code Section 54953(b). This meeting will also be conducted by teleconference at the following location: 4340 Camino Madera, Sarasota, FL, 94238.

Both closed session locations will be accessible to the public. Members of the public wishing to address the Board directly from either location prior to the meeting, will be allowed to do so during the public comment portion of the meeting.

## **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 Consideration of Action on Student Matters Pursuant to Education Code Section 72122: (1) Student Expulsion**

**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).) (4 matters)

**1.5 Conference with Labor Negotiators (Government Code Section 54957.6)**

A. Faculty Association (FA)

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 Officers 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. Lease of Real Property:

**Agency Designated Negotiator: South Orange County Community College District - Ann-Marie Gabel, CPA, Vice Chancellor, Business Services (Seller)**

**Lease of Property by District: Portion of Saddleback College site, 28032 Marguerite Parkway, Mission Viejo (Property) also known as ReNew at the Shops**

**Negotiating Parties: FPA4 Promenade, LLC**

**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) and (e)(2)) (2 potential cases)

**RECONVENE OPEN SESSION: 6:30 P.M.**

**2.0 PROCEDURAL MATTERS**

**2.1 [Actions Taken in Closed Session](#)**

The board took action on two matters in closed session.

1. See agenda item 6.16 for action taken.
2. The board took action to dismiss a Financial Aid Specialist. The roll call vote was as follows: 7 ayes, 0 nays, 0 abstentions.

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

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

**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 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.

**4.0 DISCUSSION ITEMS**

- 4.1     [SOCCCD: State Legislative and Advocacy Overview](#)  
\_\_\_\_\_ [A brief overview of legislative and advocacy efforts on the state-wide level will be presented on behalf of the district and colleges.](#)

Item 4.1

PowerPoint Presentation

Dale Shimasaki, CEO from Strategic Education Services, gave a brief overview of the legislative and advocacy efforts on the state-wide level on behalf of the district and colleges.

**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 \(Written Report included\)](#)

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

**5.0**     **CONSENT CALENDAR ITEMS**

Trustee Whitt requested to remove item 5.3 from the consent calendar for separate discussion and action.

On a motion made by Trustee Whitt and seconded by Trustee Wright, the balance of the consent calendar was approved on a 6-0 vote with Trustee Lang absent.

- 5.1     SOCCCD: Board of Trustees Meeting Minutes.  
Approve minutes of a Regular Meeting held on October 29, 2018.

Item 5.1

Exhibit A

- 5.2     Saddleback College: Revised Curriculum for the 2018-19 and 2019-20 Academic Years.

Approve the proposed curriculum changes for the 2018-19 academic year at Saddleback College and the proposed curriculum changes for the 2019-20 academic year.

[Item 5.2](#)  
[Exhibits A-C](#)

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

On a motion made by Trustee Whitt and seconded by Trustee Wright, this item was tabled on a 6 - 0 vote with Trustee Lang absent.

- 5.4 Saddleback College and Irvine Valley College: Spring 2019 Community Education Programs.  
Approve Community Education courses, presenters, and compensation for Spring 2019.

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

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

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

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

- 5.7 SOCCCD: Student Out of State Travel.  
Approve the college student out of state travel for the participants, date, location and costs.

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

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

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

- 5.9 SOCCCD: Budget Amendment: Adopt Resolution No.18-34 to Amend FY 2018-2019 Adopted Budget.  
Adopt Resolution No. 18-34 to amend the budget as listed.

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

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

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

- 5.11 SOCCCD: Contracts.  
Ratify contracts as listed.

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

**6.0 GENERAL ACTION ITEMS**

- [6.1](#) [SOCCCD: Adopt Resolution No. 18-30, Election to Become Subject to the California Uniform Public Construction Cost Accounting Act, Delegating Authority to the Chancellor or Emergency Designee to Take Emergency Actions without Bidding and Resolution No. 18-31, Enacting Informal Bidding Procedures Under the California Uniform Public Construction Cost Accounting Act.](#)  
[Adopt Resolution No. 18-30, electing to become subject to the California Uniform Public Construction Cost Accounting Act, and delegating authority to the Chancellor or emergency designee to take emergency actions without bidding. Further, it is also recommended that the Board of Trustees adopt Resolution No. 18-31, authorizing the adoption of the California Uniform Public Construction Cost Accounting Act and use of the alternative bidding procedures permitted under CUPCCAA.](#)

[Item 6.1](#)  
[Exhibits A-D](#)

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

- [6.2](#) [SOCCCD: Board Policy 2100 – Delegation of Authority to the Chancellor](#)  
[Approve revisions to Board Policy 2100 – Delegation of Authority to the Chancellor as presented.](#)

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

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

- 6.3      [SOCCCD: Acceptance of the District, Saddleback College Foundation, Irvine Valley College Foundation, and ATEP Foundation Annual Audit Reports and SOCCCD Foundation Annual Review Report for FY 2017-2018.](#)

[Accept the District, the Saddleback College Foundation, the Irvine Valley College Foundation, and the ATEP Foundation audit reports, and the SOCCCD Foundation review report for FY 2017-2018 as presented.](#)

Item 6.3  
Exhibits A-E

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

- 6.4      [SOCCCD: Board of Trustees Board Policy Subcommittee.](#)  
\_\_\_\_\_ [Approve Board Policy Subcommittee consisting of three board members to review and propose board policies.](#)

Item 6.4

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

- 6.5      [SOCCCD: Renewal of Subscription as a Service Agreement for Managed Service Provider, Red Canary, Inc.](#)  
\_\_\_\_\_

[Approve the subscription as a service agreement with Red Canary Inc., for a five \(5\) year term contingent to funding, at a cost of \\$152,100 per year with an option to add up to 30% additional true up subscriptions over the remainder of the four \(4\) year term and the cost to be prorated at per unit price of the agreement.](#)

Item 6.5  
Exhibit A

On a motion made by Trustee Milchiker and seconded by Trustee Wright, this item was approved on a 6 - 0 vote with Trustee Lang absent.

- 6.6      [SOCCCD: Adopt Resolution No. 18-32: Declaration of an Emergency Situation Regarding the Failure of a Cooling Tower at Irvine Valley College, ACCO Engineered Systems.](#)  
\_\_\_\_\_

[Adopt Resolution No. 18-32, Declaration of an Emergency Situation Regarding the Failure of a Cooling Tower at Irvine Valley College and ratify the contract with ACCO Engineered Systems in the amount of \\$17,653 for repairs.](#)

Item 6.6  
Exhibits A-C

On a motion made by Trustee Milchiker and seconded by Trustee Prendergast, this item was approved on a 6 - 0 vote with Trustee Lang absent.

- 6.7      [SOCCCD: Adopt Resolution No. 18-33, Conflict of Interest – Updated Biennial Code Review and Amendment.](#)  
\_\_\_\_\_ [Adopt Resolution No. 18-33 and approve the revised Conflict of Interest Code, subject to the review and approval by the Orange County Board of Supervisors.](#)

[Item 6.7](#)  
[Exhibit A](#)

On a motion made by Trustee Milchiker and seconded by Trustee Wright, this item was approved on a 6 - 0 vote with Trustee Lang absent.

- 6.8      [SOCCCD: Board Policy Revision: BP-110 Code of Ethics–Standards of Practice, BP-120 Regular Meetings of the Board, BP-160 Personal Use of Public Resources, BP-1500 Naming of College Facilities, BP-2100.1 Delegation of Authority to the Academic Senate, BP-2100.2 Role and Scope of Authority of the Academic Senates, BP-3530 Compliance with Payment Card Industry Data Security Standards \(PCI-DSS\), BP-4002 Job Specifications and Authorized Positions, BP-4021 Classified Managers, BP-4077 Excused Absence \(Without Loss of Pay\), BP-4201.4 Reclassification of Classified Personnel, BP-5300.5 Grade Changes, BP-5607 Nonresident Student Tuition.](#)  
\_\_\_\_\_ [Accept for review and study board policies as listed.](#)

[Item 6.8](#)  
[Exhibits A-M](#)

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

- 6.9      [SOCCCD: Board Policy Revision: BP-134 Decorum, BP-154 Conflict of Interest, BP-158 Political Activity, BP-1600 Public Communications, BP-2100 Delegation of Authority to the Chancellor, BP-3002 Audits, BP-3003 Fiduciary Responsibilities and Ethics, BP-3115 Conflict of Interest, BP-3207 Drivers for District-Sponsored Activities, BP-3450 Traffic and Parking Regulations, BP-3500 Claims Against the District, BP-4000.9 Conflict of Interest, BP-4009 Drivers for College-Sponsored Activities, BP-4211 Retirement Benefits for Administrators and Classified Management Personnel, BP-5619 Advanced Placement Examination Program.](#)  
\_\_\_\_\_ [Approve the board policies as listed.](#)

[Item 6.9](#)  
[Exhibits A-N](#)



On a motion made by Trustee Milchiker and seconded by Trustee Wright, the item was divided. BP 158 was pulled from the list of board policies. The motion passed on a 6 - 0 vote with Trustee Lang absent.

On a motion made by Trustee Milchiker and seconded by Trustee Jay, BP 158 was tabled. The motion passed on a 6 - 0 vote with Trustee Lang absent.

On a motion made by Marcia Milchiker and seconded by James R. Wright, the balance of the item was approved on a 6 - 0 vote with Trustee Lang absent.

- 6.10    [SOCCCD: Academic Employee and Classified Administrator Personnel Actions – Regular Items.](#)  
\_\_\_\_\_ [Ratify Academic Employee and Classified Administrator Personnel Actions.](#)

[Item 6.10](#)  
[Exhibits A-B](#)

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

- 6.11    [SOCCCD: Faculty Conversion to Canvas One-Time Stipends.](#)  
\_\_\_\_\_ [Ratify Academic Employee Personnel Actions.](#)

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

On a motion made by Trustee Prendergast and seconded by Trustee Milchiker, this item was approved on a 6 - 0 vote with Trustee Lang absent.

- 6.12    [SOCCCD: Classified Personnel Actions – Regular Items.](#)  
\_\_\_\_\_ [Ratify Classified Employee Personnel Actions.](#)

[Item 6.12](#)  
[Exhibit A](#)

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

- 6.13    [SOCCCD: Adjustment to Y Salary Schedule \(2018 - 2019\).](#)  
\_\_\_\_\_ [Approve the increase to the Y Salary Schedule for 2018 – 2019.](#)

[Item 6.13](#)  
[Exhibit A](#)

On a motion made by Trustee Prendergast and seconded by Trustee Wright, this item was approved on a 6 - 0 vote with Trustee Lang absent.

- 6.14    [SOCCCD: Non-Bargaining Unit Personnel Action – Regular Items.](#)  
\_\_\_\_\_ [Ratify Non-Bargaining Unit Employee Personnel Actions.](#)

[Item 6.14](#)  
[Exhibits A-B](#)

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

- [6.15](#)     [SOCCCD: Adjustment to the Police Officers Association \(POA\) Salary Schedule 2018-2021.](#)  
\_\_\_\_\_     [Approve revision to the Police Officers Association Salary Schedule, to be effective July 1, 2018.](#)

[Item 6.15](#)  
[Exhibits A-B](#)

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

- [6.16](#)     [SOCCCD: Final Action in Public Session – Irvine Valley College Student Discipline.](#)  
\_\_\_\_\_     [Pursuant to Education Code section 72122, following consideration in closed session, the Board of Trustees will take final action in public session regarding a recommendation for expulsion of a student.](#)

[Item 6.16](#)

On a motion made by Trustee Prendergast and seconded by Trustee Wright, the board accepted in closed session a recommendation of a Disciplinary Hearing Panel for expulsion of an Irvine Valley College student pursuant to Board Policy and Administrative Regulation 5401, and that the Board hereby does expel the student, effective immediately, and directs the chancellor or designee to notify the student of the Board's action. The item was approved on a 6-0 vote with Trustee Lang absent.

**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.](#)  
\_\_\_\_\_     [None](#)

[Item 7.2](#)

- [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 October 31, 2018.

Item 7.4  
Exhibit A

- 7.5     SOCCCD: Quarterly Investment Report.  
\_\_\_\_\_ Report for period September 30, 2018

Item 7.5

- 7.6     SOCCCD: Retiree (OPEB) Trust Fund.  
\_\_\_\_\_ Report for period ending September 30, 2018.

Item 7.6  
Exhibit A

- 7.7     SOCCCD: Pension Stabilization Trust Fund.  
\_\_\_\_\_ Report for period ending September 30, 2018

Item 7.7  
Exhibit A

**8.0     REPORTS FROM ADMINISTRATION AND GOVERNANCE GROUPS**

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

[Item 8.0](#)

**9.0 ADDITIONAL ITEMS**

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

The meeting was adjourned at 8:44 p.m. in memory of Carol Bender, retired Saddleback College instructor.

A handwritten signature in blue ink, appearing to read "Kathleen F. Burke". The signature is written in a cursive style with large, flowing loops.

Kathleen F. Burke  
Secretary, Board of Trustees