

**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
October 19, 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

ABSENT

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 October 19, 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, October 19, 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/93801398470?pwd=OCsyVEJhM2pYMVIOMGFKY1hmc3hDUT09>

Meeting ID: 938 0139 8470

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 (877) 853-5247 (Toll Free) or (888) 788-0099 (Toll Free) Meeting ID: 938 0139 8470, 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 OCTOBER 19, 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 Discipline, Dismissal, Release (Government Code Section 54957)
- B. Public Employee Performance Evaluation (Government Code Section 54957(b)(1))
 - 1. Vice Chancellor, Human Resources (DS)
 - 2. Vice Chancellor, Business Services (DS)
 - 3. Dean, Enrollment Services (SC)
 - 4. Vice President, Student Services (SC)
 - 5. Dean, Kinesiology & Athletics (SC)
 - 6. Director, Learning Assistance (SC)
 - 7. Executive Dean, Extended Learning Categorical (SC)
 - 8. Dean, Social & Behavioral Sciences (SC)
 - 9. Assistant Dean, Career & Technical Education (SC)
 - 10. Executive Director, College Foundation (SC)
 - 11. Assistant Dean, Health Sciences & Human Services/Director of Nursing (SC)
 - 12. President, Saddleback College (SC)
 - 13. Athletic Director/Assistant Dean, Kinesiology & Athletics (SC)
 - 14. Vice President, Instruction (SC)

15. Vice President, College Administrative Services (SC)
16. Director, Research, Planning & Accreditation (IVC)
17. Vice President, College Administrative Services (IVC)
18. Assistant Dean, Financial Aid & Student Support Services (IVC)
19. Dean, Health Sciences, Kinesiology & Athletics (IVC)
20. Dean, Career & Technical Education and Integrated Design, Engineering & Automation (IVC)

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 Legal Counsel (Government Code Section 54956.9)

- A. Anticipated Litigation (Government Code Section 54956.9(d)(2))
Significant exposure to litigation: 1 potential case
- B. Existing Litigation (Government Code Section 54956.9(d)(2)) (1 case)
 1. Galante v. South Orange County College District

RECONVENE OPEN SESSION: 6:30 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

On February 25, 2019, the South Orange County Community College District Board of Trustees unanimously took action to terminate a tenured faculty member. After an appeal that decision was affirmed, and has now become final.

On a 7 to 0 roll call vote, the board took action in closed session pursuant to Government Code Section 54957 to consider and approve the decision of a Hearing Officer on the disciplinary discharge of a Senior Administrative Assistant. Pursuant to Board Policy 4205, the Board shall make a judgment that the recommendation of the hearing officer was taken for reasonable cause or that the recommendation of the hearing officer should be sustained in full, modified or rescinded. The Board acted to approve the decision of the Hearing Officer.

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

There were no public comments.

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. Saddleback College Academic Senate
 - E. Irvine Valley 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 SOCCCD: Legislative and Advocacy Overview
Letitia Clark, District Director of Public Affairs and Government Relations, Dale Shimasaki, State Legislative Advocate from Strategic Education Services and Dana DeBeaumont, Federal Legislative Advocate from Capitol Advocacy Partners, will present a brief overview of legislative and advocacy efforts on behalf of the district and colleges. Presenters will also review legislative successes for SOCCCD and California Community Colleges as well as potential legislative priorities for the 2021 legislative session.

[Item 4.1](#)
[Exhibits A-B](#)

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

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

At 8:46 p.m., a motion was made by Trustee Lang, seconded by Trustee Whitt Rydell to recess the meeting for 5 minutes and to extend the meeting to 10 p.m. The five minute recess and the time extension 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 virtually on August 31, 2020.

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

- 5.2 SOCCCD: Resolution
Approve Resolution In Support of California Community College Undocumented Students and Undocumented Student Action Week

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

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

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

- 5.4 SOCCCD: Irvine Valley College, Scheduled Maintenance Painting PE, PH4, A300, Notice of Completion, Tony Painting
Authorize filing the Notice of Completion for the Scheduled Maintenance Painting for PE100, PE200, PH4, and A300 buildings project at Irvine Valley College to Tony Painting, for a contract total of \$109,870.

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

- 5.5 Saddleback College: New and Revised Curriculum for the 2020-21 and 2021-22 Academic Years
Approve the proposed curriculum changes for the 2020-21 academic year at Saddleback College and the proposed curriculum changes for the 2021-22 academic year.

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

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

- 5.7 SOCCCD: Authorization to Utilize Foundation for California Community Colleges (FCCC) and Trustees of the California State University Contracts
Approve the use of the above identified FCCC/CSU/UC contracts to purchase equipment, materials, supplies, and related services to support custodial, maintenance, facilities, operations, office, and miscellaneous areas. The approval to utilize the above contracts applies to purchases made within the term of the agreements and is contingent upon the availability of funds for each purchase. Funding will be available in the individual departments' accounts. All purchases will be procured with District issued purchase orders and will be brought forward for Board ratification.

[Item 5.7](#)

- 5.8 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, and/or donate, recycle or dispose of items.

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

- 5.9 SOCCCD: CCFS-311 Annual Financial and Budget Report
Approve the annual CCFS-311 report as presented.

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

- 5.10 SOCCCD: Transfer of Budget Appropriations: Adopt Resolution No. 20-24 to Approve FY 2020-2021 Budget Transfers
Adopt Resolution No. 20-24 to approve the transfer of budget appropriations as listed.

[Item 5.10](#)

Exhibit A

- 5.11 SOCCCD: August – September 2020 Change Order/Amendments
Ratify the change order and amendments as listed.

Item 5.11 Exhibits A-Y

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

Item 5.12 Exhibits A-C

- 5.13 SOCCCD: Contracts
Ratify contracts as listed.

Item 5.13 Exhibits A-C

6.0 GENERAL ACTION ITEMS

- 6.1 SOCCCD: Saddleback College Science & Math Building Reconstruction Project, Architectural Services, Hammel, Green and Abramson, Inc. (HGA)
Approve the Architectural Services agreement with Hammel, Green and Abramson, Inc. (HGA) for the Saddleback College Science & Math Building Reconstruction project, in the amount of \$2,514,200 and authorize the Vice Chancellor of Business Services, or designee, to execute the Agreement.

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

Item 6.1 Exhibits A-B

- 6.2 SOCCCD: Award of Contract for Consultancy Services for the Technology Master and Strategic Plan Development, Plante & Moran, PLLC
Authorize the Vice Chancellor of Business Services, or designee, to execute the Agreement and approve award of contract to Plante Moran for the development of the Technology Master and Strategic Plan, at a cost not to exceed \$144,000 for the TMSP Services plus an additional \$160,800 for the optional as-needed services of COVID-19/Pandemic Related Response Plan; Cloud Solutions Plan; Infrastructure, Network, and Hardware Plan; and IT Security Plan. Additional services will be billed at \$240 per hour for IT Consulting Services, if needed.

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

[Item 6.2](#)

[Exhibits A-B](#)

- 6.3 SOCCCD: Second Amendment to Office Lease for Crown Valley Financial Plaza, between Reef Crown Valley LLC and SOCCCD
Approve award of contract to Reef Crown Valley, LLC for the Second Amendment to the office lease for Crown Valley Financial Plaza, for an extended term of 66 months at a lease cost of \$1,081,125.66 plus applicable common expenses as identified in the Second Amendment, and authorize the Vice Chancellor of Business Services, or designee, to execute the Agreement.

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

[Item 6.3](#)

[Exhibits A-C](#)

- 6.4 SOCCCD: Approval of Saddleback College Parking Lot License to Use
Approve the Parking Lot Use Agreement with 405 Asset Management, LLC in the amount of \$585,000 from November 1, 2020 through July 31, 2021 and a month to month extension at \$65,000 thereafter 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 6.4](#)

[Exhibit A](#)

- 6.5 SOCCCD: Board Policy Revision: BP-132 (2350) Public Speakers at Board Meetings; BP-2120 (3250) Institutional Planning; BP-4000 (7110) Authorization for Employment; BP-4161 (7160) Professional Development and Growth; BP-4235 (4235) Credit for Prior Learning; BP-5210 (5645) Communicable Diseases–Students; BP-5520 (3200) Accreditation; BP-5618 Credit by Examination–Specific Course Credit; BP-5619 Advanced Placement Examination Program; and BP-5620 College Level Examination Program (CLEP)
Accept for review and study the board policies as listed.

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

[Item 6.5](#)

[Exhibits A-J](#)

- 6.6 SOCCCD: Board Policy Revision: BP-103 (2010) Board Membership; BP-105 (2305) Annual Organizational Meeting; BP-107 (2410) Board Policies and Administrative Regulations; BP-109 (2740) Board Education; BP-126 (2330) Meeting Procedures, Quorum, and Voting; BP-162 (2720) Communications Among Board Members; BP-1400 (3425) Americans with Disabilities Act and the Fair Employment and Housing Act; BP-2120 (2120) Officers; BP-3610 (3600) Auxiliary Organizations, Including Foundations; BP-5617 (4226) Multiple or Overlapping Enrollments; and BP-6122 (4240) Academic Renewal
Approve the board policies as listed.

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

[Item 6.6](#)
[Exhibits A-K](#)

- 6.7 SOCCCD: Faculty Association (FA) Initial Proposal to District
The Board will conduct a public hearing to provide an opportunity for the public to comment on the SOCCCD Faculty Association's initial proposal to the District for the purpose of negotiations, pursuant to Government Code Section 3547 (c).

Board President Prendergast called for a Public Hearing in order to provide the public an opportunity to express opinions about the Faculty Association Initial Proposal to the District. Hearing no public comments, the public hearing was closed and the regular Board of Trustees meeting was reconvened.

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

- 6.8 SOCCCD: Adoption of SOCCCD Faculty Association (FA) Initial Proposal to District
Approve the Faculty Association's initial proposal to the District for Articles VIII, XIV, XV, XVII, XXI, XXVII, XXIX, and XXX.

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

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

- 6.9 SOCCCD: District Initial Proposal to Faculty Association (FA)
The Board will conduct a public hearing to provide an opportunity for the public to comment on the District's initial proposal to the SOCCCD Faculty Association for the purpose of negotiations, pursuant to Government Code Section 3547 (c).

Board President Prendergast called for a Public Hearing in order to provide the public an opportunity to express opinions about the District's Initial Proposal to the Faculty Association. Hearing no public comments, the public hearing was closed and the regular Board of Trustees meeting was reconvened.

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

- 6.10 SOCCCD: Adoption of SOCCCD District Initial Proposal to Faculty Association (FA)
Approve the District's initial proposal to the Faculty Association for Articles 2, 4, 11, 12, 14, 15, 17, 18, 21, 23, 25, 26, 28, 29, and 30.

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

[Item 6.10](#)
[Exhibit A](#)

- 6.11 SOCCCD: Academic Employee and Classified Administrator Personnel Actions – Regular Items
Ratify New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Additional Compensation: Restricted Funds, Resignation/Retirement/Conclusion of Employment.

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

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

- 6.12 SOCCCD: Academic 2021 – 2022 Tenure Track Hiring Authorization
Ratify the college faculty hiring lists as shown in Exhibit A and B for the 2021 - 2022 academic year.

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

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

- 6.13 SOCCCD: Classified Personnel Actions – Regular Items
Ratify 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 Jay, this item was approved on a unanimous roll-call vote.

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

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

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

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

- 6.15 SOCCCD: SOCCCD California School Employees Association (CSEA)
– Memorandum of Understanding for Article 8.16 – Position
Reclassification
Approve Memorandum of Understanding with CSEA.

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

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

- 6.16 SOCCCD: Sabbatical Leave Rescindment
Approve Rescindment of Sabbatical Leave previously approved by the
Board.

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

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

- 6.17 SOCCCD: General Leave Request Approve Retroactive Leave of A
Classified Manager
Approve retroactive paid military leave for active service.

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

[Item 6.17](#)

- 6.18 SOCCCD: General Leave Request Discretionary Leave of A Classified
Manager
Approve paid military leave for active service.

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

[Item 6.18](#)

7.0 REPORTS

- 7.1 SOCCCD, Saddleback College, Irvine Valley College, and Advanced Technology and Education Park: Vision and Mission Statements
Annual review of the district and college vision and mission statements.

[Item 7.1](#)
[Exhibits A-D](#)

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

[Item 7.2](#)

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

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

- 7.4 SOCCCD: CARES Act Funding Monthly Summary
Cumulative summary of the funds awarded and spent as of September 30, 2020 is provided.

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

- 7.5 SOCCCD: COVID-19 Response Block Grant Monthly Summary
Cumulative summary of the funds awarded and spent as of September 30, 2020 is provided.

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

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

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

- 7.7 SOCCCD: Basic Aid Report
Report for period ending September 30, 2020.

[Item 7.7](#)
[Exhibit A](#)

- 7.8 SOCCCD: Quarterly Financial Status Report
Report for period ending September 30, 2020.

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

- 7.9 SOCCCD: Monthly Financial Status Report
The reports display the adopted budget, revised budget and transactions through September 30, 2020.

[Item 7.9](#)
[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](#)

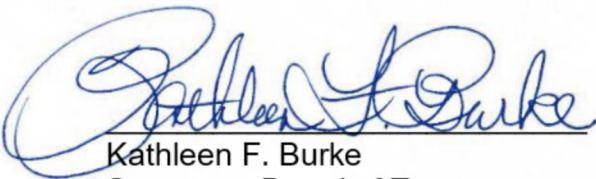
- C. Saddleback College President

[Saddleback College Written Report](#)

9.0 ADDITIONAL ITEMS

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

The meeting adjourned at 9:54 p.m.



Kathleen F. Burke
Secretary, Board of Trustees