

**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
September 23, 2019**

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

CALL TO ORDER: 4:30 P.M.

1.0 PROCEDURAL MATTERS

- 1.1 Call to Order
- 1.2 Public Comments

No 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.

RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

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

- A. Public Employee Discipline, Dismissal, Release (Government Code Section 54957(b).) (10 matters)
- B. Public Employee Performance Evaluation (Government Code Section 54957(b).)
 - 1. Chancellor

1.4 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

1.5 Conference with Real Property Negotiators (GC 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), Sally Enriquez, Jackson Tidus, (District Real Estate Legal Counsel) and Gregory G. Gotthardt, FTI Consulting, LLC (District Real Estate Consultant).

Lease of Property by District: Approximately 10 acres of real property located at 1602 Valencia Ave. Tustin, CA 92782 (Property) also known as the Advanced Technology & Education Park (ATEP site)

Negotiating Parties: Spring Education Group and Advantech Corporation Under Negotiation: Instructions to designated negotiators will concern price and terms of payment for the ground lease of the identified Property.

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: 2 potential cases

B. Existing Litigation (Government Code Section 54956.9 (d)(1).)

2 cases

RECONVENE OPEN SESSION: 6:30 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

On a 7 to 0 vote, five separation agreements were approved by the Board of Trustees to release five managers from employment at Saddleback College. The following terms apply:

Employee ID# 011325 will receive paid administrative leave with medical benefits until January 31, 2020 and retire from the District effective February 1, 2020.

Employee ID# 022935 will receive paid administrative leave with medical benefits until November 30, 2019 with resignation effective from the District December 1, 2019.

Employee ID# 004711 will receive paid administrative leave with medical benefits until March 31, 2020 and then unpaid leave with medical benefits from April 1, 2020 until the effective retirement date from the District of May 15, 2020.

Employee ID# 001516 will receive paid administrative leave with medical benefits until March 31, 2020 and will retire from the District effective April 1, 2020.

Employee ID# 012376 will receive paid administrative leave until February 28, 2020 and retire from the District effective March 1, 2020.

On a 7 to 0 vote, the board took action in closed session, to approve a settlement agreement of a probationary classified employee, ID# 018718 vs. South Orange County Community College District, an unlawful disability discrimination and retaliation claim. The District agrees to pay the sum of \$60,500.00 in exchange for dismissal of plaintiff's claims of discrimination and retaliation, and a release and waiver of all known and unknown claims.

On a 7 to 0 vote, the board took action to approve discipline against a tenured faculty member.

[2.2 Invocation](#)

Led by Trustee T.J. Prendergast

[2.3 Pledge of Allegiance](#)

Led by Trustee Terri Whitt Rydell

[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 up to two minutes each.

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](#)

- [C. College Presidents' Reports \(Written Reports included in Section 8.0\)](#)

[Saddleback College Written Report](#)

[Irvine Valley College Written Report](#)

- [D. Associated Student Government Reports](#)
- E. Board Request(s) for Reports

4.0 DISCUSSION ITEMS

- 4.1 None

5.0 CONSENT CALENDAR ITEMS

Trustee Wright requested to remove item 5.2, and Trustee Prendergast requested to remove item 5.4 from the consent calendar for separate discussion and action.

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

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 Special Meeting held on August 19, 2019 and a Regular Meeting held on August 26, 2019.

[Item 5.1](#)

[Exhibits A-B](#)

5.2 [SOCCCD: Resolution](#)

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

In Support of Undocumented Student Action Week, October 14-18, 2019.

[Item 5.2](#)

[Resolution](#)

5.3 Saddleback College: New, Revised, and Deleted Curriculum for the 2019-20 and 2020-21 Academic Years

Approve the proposed curriculum changes for the 2019-20 and 2020-21 academic years at Saddleback College.

[Item 5.3](#)

[Exhibits A-D](#)

5.4 [Saddleback College and Irvine Valley College: Speakers](#)

In reference to Exhibit A, page 1, corrections were made to the dates listed for the four presentations from Laura Hoffman. The four presentations are taking place in 2020.

On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved on a 5 - 1 vote with Trustee Whitt Rydell casting a negative vote and Trustee Jay absent.

Approve general fund honoraria for speakers for events and/or classes at Saddleback College and Irvine Valley College.

[Item 5.4](#)

[Exhibit A](#)

5.5 Irvine Valley College: Curriculum Revisions for the 2020-2021 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 5.5](#)
[Exhibit A](#)

5.6 SOCCCD: District-wide and Irvine Valley College, Notices of Completion, Various Projects

Authorize filing the Notices of Completion for the District-wide Wireless Access Points Installation project to T and D Communications, Inc., for a final contract amount of \$329,962.81 and the Irvine Valley College Panic Buttons Installation project to Blue Violet Networks, LLC, for a final contract amount of \$65,617.79.

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

5.7 SOCCCD: Declare Miscellaneous Furniture and Equipment as Surplus

Approve the sale 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 5.7](#)
[Exhibit A](#)

5.8 SOCCCD: Student Out of State Travel

Approve the college student out of state travel for the participants, dates, locations and costs.

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

5.9 SOCCCD: August 2019 Change Orders

Ratify the change order 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](#)

[Exhibit A-C](#)

5.11 SOCCCD: Contracts

Ratify contracts as listed.

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

6.0 GENERAL ACTION ITEMS

6.1 SOCCCD: Annual Chancellor and Trustee Travel and Trustee Compensation

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

Approve annual individual travel expenditures of the chancellor and trustees and approve report of all district compensation received by each trustee during the 2018-19 fiscal year.

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

6.2 Irvine Valley College: Consideration of Sabbatical Reimbursement Exception

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

Approve the sabbatical reimbursement exception in the amount of \$1,598.43.

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

6.3 SOCCCD: Saddleback College Extended Learning Facility Use Agreement with Capistrano Valley Unified School District (CUSD)

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

Approve the Off-Site Facility Use Agreement with the Capistrano Valley Unified School District for a five-year total of \$346,500 for the use of facilities from July 1, 2019 through June 30, 2024.

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

[6.4 SOCCCD: Study Abroad Program to Santander, Spain, from July 3, 2020 to August 2, 2020](#)

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

Approve the Saddleback College study abroad program Spanish Language Studies in Santander, Spain in the summer of 2020, and authorize the Vice Chancellor of Business Services to execute the Travel Contractor Agreement with Travel and Education for coordinating all travel agreements.

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

[6.5 SOCCCD: Study Abroad Program to Salamanca, Spain, from February 14, 2020 to April 25, 2020](#)

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

Approve the Saddleback College study abroad program Spanish Language Studies in Salamanca, Spain in the spring of 2020, and authorize the Vice Chancellor of Business Services to execute the Travel Contractor Agreement with Travel and Education for coordinating all travel agreements.

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

[6.6 SOCCCD: Study Abroad Program to Southeastern Brazil from July 27, 2020 to August 8, 2020](#)

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

Approve the Saddleback College study abroad program to Southeastern Brazil from July 27, 2020 to August 8, 2020, and authorize the Vice Chancellor of Business Services to execute the Travel Contractor Agreement with WorldStrides for coordinating all travel agreements.

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

[6.7 SOCCCD: Saddleback College Gateway Building Project, Geotechnical and Testing & Special Inspection Consultant Services Agreement, C.E.M. LAB Corp.](#)

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

Approve the Geotechnical and Testing & Special Inspection Consultant Services Agreement with C.E.M. LAB Corp. for the Saddleback College Gateway Building project in the amount of \$290,000.

[Item 6.7](#)

[Exhibits A-B](#)

6.8 SOCCCD: Saddleback College Stadium and Site Improvement Project, Change Order No. 6, PCL Construction Services, Inc.

This item was pulled from the agenda.

Approve Change Order No. 6, for the Saddleback College Stadium and Site Improvement project and authorize staff to execute the corresponding change order with PCL Construction Services, Inc., resulting in an increase of \$363,354, for a revised contract total of \$53,627,030 and a revised contract completion date of September 29, 2019.

[Item 6.8](#)

[Exhibit A](#)

[6.9 SOCCCD: Study Abroad Program to London, England, from July 21, 2020 to July 29, 2020](#)

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

Approve the Saddleback College study abroad program History of Graphic Design with study abroad component in London, England for July 21, 2020 to July 29, 2020, and authorize the Vice Chancellor of Business Services to execute the Travel Contractor Agreement with American Institute for Foreign Study (AIFS) for coordinating all travel agreements.

[Item 6.9](#)

[Exhibits A-E](#)

[6.10 SOCCCD: Study Abroad Program to Oxford, England, from March 12, 2020 to May 15, 2020](#)

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

Approve the Saddleback College Study Abroad Program to Oxford, England, for March 12, 2020 to May 15, 2020, and authorize the Vice

Chancellor of Business Services to execute the Travel Contractor Agreement with the American Institute for Foreign Study (AIFS) for coordinating all travel agreements.

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

[6.11](#) [SOCCCD: Amendment No. 2 to Sales Contract between the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints and SOCCCD \(on behalf of Saddleback College\)](#)

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

Approve the Amendment No. 2 to the Sales Contract between the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints and SOCCCD and authorize its execution and issuance of the final payment to Fidelity National Title Company by the Chancellor or Vice Chancellor, Business Services.

[Item 6.11](#)
[Exhibits A-B](#)

[6.12](#) [SOCCCD: Irvine Valley College Fine Arts Building Project, Geotechnical and Testing & Special Inspection Consultant Services Agreement, Ninyo & Moore Geotechnical and Environmental Sciences Consultants](#)

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

Approve the Geotechnical and Testing & Special Inspection Consultant Services Agreement with Ninyo & Moore Geotechnical and Environmental Sciences Consultants for the Irvine Valley College Fine Arts Building project in the amount of \$299,612.

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

[6.13](#) [SOCCCD: CCFS-311 Annual Financial and Budget Report](#)

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

Approve the annual CCFS-311 report as listed.

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

[6.14](#) [SOCCCD: Sign Language Interpreting and Closed Captioning Services, Independent Contractor Agreements for Task Orders, Interpreters Unlimited, Inc., Goodwill Industries of Orange County CA and Quick Caption, Inc.](#)

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

Approve the Independent Contractor Agreements for Task Orders with Interpreters Unlimited, Inc., Goodwill Industries of Orange County CA and Quick Caption, Inc.

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

[6.15](#) [SOCCCD: Board Policy Revision: BP-108 Vacancies on the Board, BP-172 Board Self Evaluation, BP-2150 Smoke and Tobacco Free District, BP-3310 Records Retention and Destruction, BP- 4019 Elder and Dependent Adult Abuse Reporting, BP-4075 Personal Leave Without Pay, BP-4204 Re-Employment of Classified Personnel, BP-5210 Enrollment Priorities, BP-5616 Attendance](#)

A minor correction was made to BP 2150 found on Exhibit C, page 1.

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

Accept for review and study the board policies as listed.

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

[6.16](#) [SOCCCD: Academic Employee and Classified Administrator Personnel Actions - Regular Items](#)

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

Ratify New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund.

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

[6.17](#) [SOCCCD: Faculty Conversion to Canvas One - Time Stipends](#)

On a motion made by Trustee Wright and seconded by Trustee Milchiker, this item was approved on a 5 - 1 vote with Trustee Lang casting a negative vote and Trustee Jay absent.

Ratify Additional Compensation: Canvas Conversion-General Fund

[Item 6.17](#)

[Exhibit A](#)

[6.18](#) [SOCCCD: Classified Personnel Actions - Regular Items](#)

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

Ratify New Personnel Appointments, Authorization to Establish and Announce (A) Classified Position(s), Reorganization/Reclassification, Authorization to Increase/Decrease Hours Per Week and/or Months Per Year on (A) Classified Position(s), Change of Status, Classified Bilingual Stipend, Additional Compensation, Out of Class Assignments for Positions that are Vacant During Recruitment for Permanent Appointments (Limited to 960 Hours Per Fiscal Year), Out of Class Assignments for Positions that are Temporarily Available Due to Leaves of Absence, Etc., Resignation/Retirement/Conclusion of Employment.

[Item 6.18](#)

[Exhibit A](#)

[6.19](#) [SOCCCD: Non-Bargaining Unit Personnel Action - Regular Items](#)

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

Ratify New Personnel Appointments, Volunteers.

[Item 6.19](#)

[Exhibit A](#)

7.0 **REPORTS**

[7.1](#) [SOCCCD: 2020 Teacher of the Year Recognition Ceremony](#)

Information on OC Teachers of the Year program. The honorees from SOCCCD are Michael Hoggatt, Learning Disabilities Instructor from Saddleback College and Benjamin Mis, Psychology Instructor from Irvine Valley College.

[Item 7.1](#)

[7.2](#) [SOCCCD: Staff Response to Public Comments from Previous Board Meeting](#)

None

[Item 7.2](#)

[7.3 Saddleback College and Irvine Valley College: Speakers](#)

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

[Item 7.3](#)

[Exhibit A](#)

[7.4 SOCCCD: Facilities Plan Status Report.](#)

Report on the status of major capital projects.

[Item 7.4](#)

[Exhibit A](#)

[7.5 SOCCCD: Monthly Financial Status Report.](#)

The reports display the adopted budget, revised budget and transactions through July 31, 2019 and August 31, 2019.

[Item 7.5](#)

[Exhibits A-B](#)

[7.6 SOCCCD: Retiree \(OPEB\) Trust Fund.](#)

Report for period ending August 31, 2019.

[Item 7.6](#)

[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.

[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 adjourned at 7:48 p.m. in memory of Rodney Fitz, Retired Lead Building Maintenance Worker at Saddleback College and Darlene Montes, Dean of Academic Affairs for Los Angeles Mission College.



Kathleen F. Burke
Secretary, Board of Trustees