

**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
December 11, 2017**

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
Jordan J. Larson, Student Member

Administrative Officers:

Thomas M. Fallo, Acting Chancellor
Robert Bramucci, Vice Chancellor, Technology and Learning Services
Jim Buysee, Acting Vice Chancellor, Business Services
Cindy Vyskocil, Vice Chancellor, Human Resources
Gregory Anderson, 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.

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).) (10 matters)

- A. Public Employee Discipline, Dismissal, Release (Government Code Section 54957(b) (5 matters)
- B. Public Employee Employment and Performance Evaluation (Government Code Section 54957(b)) (5 matters)
 - 1. Acting Chancellor Evaluation
 - 2. Chancellor Recruitment
 - 3. Laboratory Technician (SC)
 - 4. Alternate Media Specialist (SC)
 - 5. Sr. Administrative Assistant (SC)

1.4 Conference with Labor Negotiators (Government Code 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 Officers Association (POA)
Agency Designated Negotiator: Dr. Cindy Vyskocil, Vice Chancellor of Human Resources

1.5 Conference with real Property Negotiators (Government Code Section 54956.8)

- A. Agency Designated Negotiator: Tom Fallo
Professional Services Agreement with FTI Consulting, Inc.

1.6 Conference with Legal Counsel (Government Code Section 54956.9)

- A. Anticipated Litigation (Government Code Section 54956.9(d)(2), (e)(1) (2 potential 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, the board has approved a separation agreement for an academic administrator at Irvine Valley College. The agreement was approved by a unanimous vote.

On a 7 to 0 vote, the board approved a separation agreement for a classified manager at the Advanced Technology and Education Park. The agreement was approved by a unanimous vote.

On a 7 to 0 vote, the board voted to approve a continuation of a general leave of 2.33 hours per week to a classified employee at Saddleback College to teach a 3 unit course during the Spring 2018 semester.

On a 7 to 0 vote, the board voted to approve a general leave of 2.5 hours per week to a classified employee at Saddleback College to teach a one unit course during the Spring 2018 semester.

On a 7 to 0 vote, the board voted to approve a reduction in hours from 40 to 30 hours per week for a classified employee at Saddleback College.

[2.2 Invocation](#)
[Led by Trustee Tim Jemal](#)

[2.3 Pledge of Allegiance](#)
[Led by Trustee David Lang](#)

[2.4 Annual Organizational Meeting and Facilities Corporation Meeting](#)

[A. Election of Officers](#)

On a motion made by Trustee Milchiker and seconded by Trustee Lang, Trustee Jemal was re-elected Board President. The motion passed on a 6-0 vote with Trustee Jemal abstaining.

On a motion made by Trustee Prendergast and seconded by Trustee Whitt, Trustee Milchiker was elected Vice President of the Board of Trustees. The motion passed on a 6-0 vote with Trustee Milchiker abstaining.

On a motion made by Trustee Whitt and seconded by Trustee Milchiker, Trustee Prendergast was elected Clerk of the Board of Trustees. The motion passed on a 6-0 vote with Trustee Prendergast abstaining.

[B. Appointment of Secretary and Assistant Secretary](#)

On a motion made by Trustee Jemal and seconded by Trustee Whitt, Acting Chancellor Thomas Fallo was appointed Secretary and Acting Vice Chancellor Buysse was appointed Assistant Secretary. The motion passed on a 7-0 vote.

[C. Appointment of Trustee Representatives](#)

Representative to the Nominating Committee to the Committee on School District Organization:

On a motion made by Trustee Prendergast and seconded by Trustee Lang, Trustee Wright was appointed representative to the Nominating Committee to the Committee on School District Organization and Trustee Prendergast was

appointed alternate representative. The motion passed on a 5-0 vote with Trustees Wright and Prendergast abstaining.

District's Political Action Representative to Orange County School Boards Association:

On a motion made by Trustee Lang and seconded by Trustee Jay, Trustee Whitt was appointed representative to the Orange County School Boards Association. The motion passed on a 5-0 vote with Trustees Whitt and Prendergast abstaining.

Representative to the Orange County Legislative Task Force:

On a motion made by Trustee Prendergast and seconded by Trustee Lang, Trustee Milchiker was appointed representative to the Orange County Legislative Task Force and Trustee Lang was appointed alternate representative. The motion passed on a 6-0 vote with Trustee Lang abstaining.

Representatives to the SOCCCD Audit Committee to serve on the Pre-Audit and Exit Meetings

On a motion made by Trustee Milchiker and seconded by Trustee Jay, Trustee Lang was appointed chair to the SOCCCD Audit Committee, Trustee Wright was appointed as representative #1 and Trustee Prendergast was appointed as representative #2. The motion passed on a 4-0 vote with Trustees Lang, Wright and Prendergast abstaining.

Representatives to Saddleback College and Irvine Valley College Foundation

On a motion made by Trustee Milchiker and seconded by Trustee Prendergast, Trustee Whitt was appointed as the representative to the Saddleback College Foundation and Trustee Jay was appointed as the representative to the Irvine Valley College Foundation. The motion passed on a 6-0 vote with Trustee Whitt abstaining.

[D. Establishment of Regular Meeting Dates](#)

On a motion made by Trustee Jay and seconded by Trustee Wright, the regular board meeting dates were approved on a 7 - 0 vote.

[E. Establishment of Agenda Planning Calendar](#)

On a motion made by Trustee Lang and seconded by Trustee Milchiker, the agenda planning calendar was approved on a 7 - 0 vote.

[F. Approval of Agenda Format](#)

On a motion made by Trustee Lang and seconded by Trustee Wright, the agenda format was approved on a 7 - 0 vote.

[G. Special Meeting of the Board of Directors, Facilities Corporation](#)

On a motion made by Trustee Lang and seconded by Trustee Whitt, the same persons holding membership on the SOCCCD Board of Trustees were elected as directors of the Facilities Corporation 2011 of the South Orange County Community College District to a term of office extending until the next annual organizational meeting. This item was approved on a 7-0 vote.

Trustee Jemal was appointed President, Trustee Milchiker was appointed Vice President, Trustee Prendergast was appointed Secretary, and Acting Vice Chancellor Buysee was appointed Chief Financial Officer to a term of office extending until the date of the next annual organizational meeting.

Acting Chancellor Thomas Fallo, was appointed to the office of Assistant Secretary and the Acting Vice Chancellor of Business Services, Jim Buysee, was appointed to the office of Assistant Treasurer.

[Item 2.4](#)
[Exhibits A-G](#)

[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.](#)

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](#)

[Irvine Valley College](#)

[Saddleback College](#)

D. [Associated Student Government Reports](#)

[Irvine Valley College](#)

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

4.0 DISCUSSION ITEMS

4.1 None

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 Whitt requested to remove items 5.4, 5.5, 5.10, Trustee Jay requested to remove item 5.6 and 5.13, Trustee Lang requested to remove item 5.9 and 5.14.

On a motion made by Trustee Lang and seconded by Trustee Wright, 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 November 13, 2017.

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

5.2 Irvine Valley College: Curriculum Revisions for the 2018-2019 Academic Year
Approve curriculum revisions as recommended by the Curriculum Committee in consultation with the Academic Senate for the 2017-2018 academic year, pursuant to Title 5, Section 53200 et seq.

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

5.3 SOCCCD: Irvine Valley College Performing Arts Center Waterproofing Project, Notice of Completion, Painting & Décor, Inc.
Authorize filing the Notice of Completion for the Irvine Valley College Performing Arts Center (PAC) Waterproofing project to Painting & Decor, Inc. for a final contract amount of \$344,990.

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

- [5.4 Saddleback College and Irvine Valley College: Guided Pathways Self-Assessment](#)
[Approve the Saddleback College and Irvine Valley College Guided Pathways Self-Assessment for the colleges to be eligible to receive award funding.](#)

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

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

- [5.5 Saddleback College and Irvine Valley College: Revised 2018-2019 Instructional Material/Laboratory Fees](#)
[Approve revised instructional material and laboratory fees for 2018-2019.](#)

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

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

- [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](#)

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

- [5.7 Saddleback College: New and Revised Curriculum for the 2018-2019 Academic Years](#)
[Approve the proposed curriculum changes for the 2018-2019 academic years at Saddleback College.](#)

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

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

- [5.9 SOCCCD: Advanced Technology and Education Park \(ATEP\) IVC First Building Project, Award of Bid No. 23, Electrical Equipment,](#)

[TEquipment.NET](#)
[Award Bid No. 23, Electrical Equipment at Advanced Technology and Education Park IVC First Building Project to TEquipment.NET for a total amount of \\$116,129.30.](#)

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

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

- [5.10](#) [SOCCCD: Award of Foundation for California Community Colleges Administrative Services Agreement, Scientific Equipment, CB-220-17 Fisher Scientific](#)
[Approve contracting with Fisher Scientific pursuant to the Foundation for California Community Colleges Administrative Services Agreement No. CB-220-17, contingent upon verifications of the availability of funds for each purchase. Annual expenditures under this agreement will not exceed \\$80,000 from January 1, 2018 to December 31, 2018.](#)

[Item 5.10](#)

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

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

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

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

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

- [5.13](#) [SOCCCD: Budget Amendment: Adopt Resolution No. 17-36 to Amend FY 2017-2018 Adopted Budget.](#)
[Adopt Resolution No. 17-36 to amend the FY 2017-2018 Adopted Budget as listed.](#)

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

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

- [5.14](#) [SOCCCD: November 2017 Change Orders/Amendments](#)
[Ratify the change orders and amendments as listed.](#)

[Item 5.14](#)

[Exhibits A-F](#)

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

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

[Item 5.15](#)
[Exhibits A-C](#)

- 5.16 SOCCCD: November 2017 Contracts
Ratify contracts as listed.

[Item 5.16](#)
[Exhibits A-B](#)

6.0 GENERAL ACTION ITEMS

- 6.1 [SOCCCD: Acceptance of the District, Retiree OPEB Trust, Saddleback College Foundation, Irvine Valley College Foundation, ATEP Foundation, and SOCCCD Foundation Annual Audit Reports: FY 2016-2017](#)
[Accept the District, the Retiree OPEB Trust, the Saddleback Foundation, the Irvine Valley College Foundation, the ATEP Foundation, and the SOCCCD Foundation FY 2016-2017 audit reports as presented.](#)

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

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 Stadium and Site Improvement Project, Change Order No. 1, PCL Construction Services, Inc.](#)
[Approve Board Change Order No. 1 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 \\$1,900,190 for a revised contract amount of \\$50,900,090.](#)

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

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

- 6.3 [SOCCCD: Advanced Technology and Education Park \(ATEP\) IVC First Building Project, Change Order No. 4, McCarthy Building Companies,](#)

Inc.

Approve Board Change Order No. 4 and authorize staff to execute the corresponding change order with McCarthy Building Companies, Inc. for the ATEP IVC First Building project, resulting in an increase of \$357,842, for a revised contract total of \$17,911,187.

Item 6.3
Exhibit A

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

- 6.4 SOCCCD: Update of Authorized Signature List of Board of Trustees' Designees to Approve Documents and Contracts
Approve authorizing individuals occupying the positions listed to be approved as presented.

Item 6.4
Exhibits A-B

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

- 6.5 SOCCCD: Board Policy Revision: BP-5520 Shower Facilities for Homeless Students, BP-3009 Internal Audit
For review and study pending approval from chancellor and BPARC which meets on December 1, 2017, one day following chancellor's council.

Item 6.5
Exhibits A-B

An amendment was made to the BP 3009. The word "unlimited" was removed from the second paragraph.

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

- 6.6 SOCCCD: Allocation for Conversion to Canvas Learning Management System, Faculty Conversion to Canvas One-Time Stipends
Approve the allocation of \$3,679,421 for the Canvas LMS conversion faculty stipend costs.

Item 6.6
Exhibit A

On a motion made by Trustee Prendergast and seconded by Trustee Milchiker, this item was approved on a 5-1 vote with Trustee Lang casting a negative vote, Trustee Jay abstaining and a student advisory no vote.

Extend Meeting time to 9:30

At 8:52 p.m. a motion was made by Trustee Milchiker and seconded by Trustee Whitt to extend the meeting to 9:30 p.m. The motion was approved on a 7 - 0 vote.

- 6.7 [SOCCCD: Budget Transfer of \\$3,679,421 from the Reserve for Contingencies for Canvas Stipends, Adopt Resolution No. 17-37](#)
[Adopt resolution to transfer \\$3,679,421 from the Reserve for Contingencies.](#)

Item 6.7 Exhibit A

On a motion made by Trustee Prendergast and seconded by Trustee Milchiker, this item was approved on a 5-1 vote with Trustee Lang casting a negative vote, Trustee Jay abstaining and a student advisory no vote.

- 6.8 [SOCCCD: Academic Employee and Classified Administrator Personnel Actions - Regular Items](#)
[Ratify New Personnel Appointments, Additional Compensation: General Funds, Additional Compensation: Categorical/Non-General Fund, Change of Status, Administrator Contract Extensions, Authorization to Establish a New, Classified Administrative Position, Approval of Contract of Employment for Acting Executive Director of the Saddleback College Foundation, Reorganization, Resignation/Retirement/Conclusion of Employment.](#)

Item 6.8 Exhibit A

Per Brown Act requirements, Vice Chancellor Vyskocil gave an oral summary related to the terms of contracts for educational administrators.

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

- 6.9 [SOCCCD: Classified Personnel Actions - Regular Items](#)
[Ratify New Personnel Appointments, Authorization to Eliminate Classified Position 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 6.9 Exhibit A

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

- [6.10](#) [SOCCCD: Employment Agreement - Dr. Thomas M. Fallo, Acting/Interim Chancellor](#)
[Ratify the appointment of Dr. Thomas M. Fallo to the position of Acting/Interim Chancellor.](#)

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

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: List of Board Requested Reports](#)
[Status of board requested reports from the South Orange County Community College District Board of Trustees.](#)

[Item 7.1](#)
[Exhibit A](#)

- [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](#)
[Status of current construction projects.](#)

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

- [7.5](#) [SOCCCD: Monthly Financial Status Report](#)
[The reports display the adopted budget, revised budget and transactions through November 31, 2017.](#)

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

- [7.6](#) [SOCCCD: Retiree \(OPEB\) Trust Fund](#)
[Report for period ending October 31, 2017.](#)

[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.

- 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](#)

[Written Report](#)

- 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 9:20 p.m.



Thomas M. Fallo
Secretary, Board of Trustees