

SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT

MEETING OF THE BOARD OF TRUSTEES

TUESDAY, JANUARY 31, 2005

AUDITORIUM, ROOM 145, HEALTH SCIENCES/DISTRICT OFFICES BLDG.
SADDLEBACK COLLEGE, 28000 MARGUERITE PARKWAY, MISSION VIEJO, CA 92692

CALL TO ORDER (FOLLOWED BY PUBLIC COMMENTS/CLOSED SESSION): 5:00 P.M.
RECONVENE OPEN SESSION: 7:00 P.M.

AGENDA

CALL TO ORDER: 5:00 P.M.

PUBLIC COMMENTS

Members of the public may address the board on items listed below to be discussed in closed session. **Speakers are limited to two minutes each.**

**RECESS TO CLOSED SESSION FOR DISCUSSION OF
THE FOLLOWING:**

- A. Public Employee Appointment, Employment, Evaluation of Performance, Discipline, Dismissal, Release (GC 54957):
 - 1. Public Employee Employment/Evaluation of Performance
 - a. Instructor, SC
 - 2. Public Employee Discipline/Dismissal/Release (2)
- B. Conference with Labor Negotiators (GC 54957.6):
 - 1. Negotiators – Dr. Raghu Mathur; SOCCCD Faculty Association
 - 2. Negotiators – Dr. Raghu Mathur; California School Employees Association (CSEA), Chapter 586
- C. Conference with Real Property Negotiators (GC 54956.8)
 - 1. Property – Soccer Field, Irvine Valley College, 5500 Irvine Center Drive, Irvine, CA
Agency Designated Representatives – Chancellor Raghu Mathur and IVC President Glenn Roquemore; Negotiating Parties – Irvine Unified School District and City of Irvine
Under Negotiation – Price and Terms of Payment

2. Property - Use of Portion of Advanced Technology and Education Park (ATEP) Property at 15442 Red Hill Ave., Tustin, CA
Agency Designated Representatives - Dr. Raghu Mathur, ATEP;
Negotiating Parties for 1) United Veteran Organization of Orange County (UVO) and American Museum of Military History (AMMH); and 2) Gear Monkey
Under Negotiation - Price and Terms of Payment

D. Conference with Legal Counsel (GC 54956.9):

1. Existing Litigation (GC 54956.9[a]) -
 - a. IVC Academic Senate, etc., et al., v. SOCCCD Board of Trustees
 - b. Faculty Association v. SOCCCD, Unfair Practice Charge No. LA-CE-451
 - c. Ortiz-Reynolds v. Saddleback College, EEOC Charge No. 345-2005-00901
 - d. Mora v. Mathur
 - e. Hammel v. SOCCCD
2. Anticipated Litigation/Significant Exposure to Litigation (GC 54956.9[b][1] and [3][A]) - Three Potential Cases; and [C] -
 - a. Claims against SOCCCD by Sergio Bernal, Charlewit Mathavorn, Eric Kudell, Patricia O'Connor, Jay Lucas, Corine Reymond, Roman Bernal, and Lydia Nadolny
 - b. Complaint of Cathy Patterson
3. Initiation of Litigation (GC 54956.9[c]) - Two Cases

RECONVENE OPEN SESSION: 7:00 P.M.

ACTIONS TAKEN IN CLOSED SESSION

INVOCATION

Led by Trustee Williams

PLEDGE OF ALLEGIANCE

Led by Trustee Lang

RESOLUTIONS/PRESENTATIONS/INTRODUCTIONS

Resolution: Amali Tower

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. **Speakers are limited to two minutes each.**

BOARD AND CHANCELLOR'S REPORTS/BOARD REQUESTS FOR REPORTS

Section 54954.2(a) of the Ralph M. Brown Act states that "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda."

Speakers are limited to two minutes each.

1. BOARD/CHANCELLOR'S REPORTS/REQUESTS FOR REPORTS
 - a. BOARD REPORTS
 - b. CHANCELLOR'S REPORT
 - c. BOARD REQUESTS FOR STAFF REPORTS
(The board president may ask for the purpose of the requested report as well as an estimate of staff time required to prepare the report prior to the board's vote on the request.)

APPROVAL OF CONSENT CALENDAR ITEMS (Items 2 through 28)

All matters on the consent calendar are to be approved in one motion unless a board member requests separate action on a specific item.

2. SADDLEBACK COLLEGE: CONSULTANT AGREEMENT
Contract with Gary Bishop in the amount of \$14,000 to coordinate the NSF Grant deliverables for East coast partners.
3. SADDLEBACK COLLEGE: SCLO 2006 PRODUCTION EXPENDITURES
Approval of expenditures in the amount of \$318,512 for two musicals during the 2006 summer season.

4. SADDLEBACK COLLEGE: RE-ENTRY AND WOMEN'S RESOURCE CENTER GROUPS
Approval of Jacqueline Hyman as presenter for the spring semester 2006 support groups.
5. SOCCCD: DISTRICT INSTITUTIONAL MEMBERSHIPS
Revisions to the 2005-06 list of memberships and estimated dues for organizations.
6. SOCCCD: MATERIALS TESTING AND SPECIAL INSPECTION SERVICES FOR VARIOUS PROJECTS
Agreement with Civil engineering Material Laboratory to provide services for the IVC Maintenance and Policy Facility and ATEP Launch projects for a total not to exceed \$50,000.
7. IRVINE VALLEY COLLEGE: AWARD OF BID
Award of Bid 270, Package 16-1, Electrical, to Baker Electric, Inc., for the Performing Arts Center in the amount of \$3,263,000.
8. IRVINE VALLEY COLLEGE: AWARD OF BID
Award of Bid 272, Package 06-1, Millwork, to K&Z Cabinet Co., Inc., for the Performing Arts Center in the amount of \$402,470.
9. IRVINE VALLEY COLLEGE: AWARD OF BID
Award of Bid 272, Package 07-1, Roofing, Waterproofing, Sheet Metal and Roof Hatches, to Danny Letner, Inc., dba Letner Roofing Company for the Performing Arts Center in the amount of \$759,999.
10. IRVINE VALLEY COLLEGE: AWARD OF BID
Award of Bid 272, Package 08-2, Glass and Glazing, to Moonlight Glass Co., Inc., for the Performing Arts Center in the amount of \$981,000.
11. IRVINE VALLEY COLLEGE: AWARD OF BID
Award of Bid 273, Flooring Replacement at Various Buildings, to Universal Metro, Inc., in the amount of \$75,768.16

12. IRVINE VALLEY COLLEGE: REJECT ALL BIDS
Rejection of bids submitted in relation to Bid 272, Package 02-04, Site Concrete, for the Performing Arts Center.
13. IRVINE VALLEY COLLEGE: PURCHASE OF BUILDER'S RISK INSURANCE FOR PERFORMING ARTS CENTER
Purchase from The Hartford Company in the amount of \$20,361.
14. IRVINE VALLEY COLLEGE: INSPECTOR OF RECORD
Agreement with Joyce Inspections & Testing, Inc., for an amount not to exceed \$40,000 for services during the first phase of the Maintenance and Police Facility project.
15. SADDLEBACK COLLEGE: AWARD OF BID/CHANGE ORDER
Award of Bid 1044, Construction of Stairways for Health Sciences Bldg., to Norse Corporation in the amount of \$99,803, and approval of Change Order 1 decreasing the contract amount by \$7,000.
16. SADDLEBACK COLLEGE: AWARD OF BID
Award of Bid 1047, Site Construction at Lower Campus for Temporary Classroom Facility, to Silver Creek Industries in the amount of \$1,499,498.
17. SADDLEBACK COLLEGE: RENEWAL OF AGREEMENT TO SUPPLY NATURAL GAS
Approval of continuing to purchase natural gas from Wasatch Energy until June 30, 2008.
18. SOCCCD: REVISION TO AGREEMENT WITH PRIVATE INVESTIGATION CONSULTANT
Revision to increase mileage reimbursement amount.
19. SOCCCD: ATTORNEY FOR INVESTIGATION SERVICES
Approval of agreement with Karen T. Meyers, Esq., in an amount not to exceed \$15,000.
20. TRANSFER OF BUDGET APPROPRIATIONS
Budget transfers as delineated.

21. BUDGET AMENDMENT: 2005-06 RESTRICTED
GENERAL FUND
Adoption of Resolution 06-01 to amend the 2005-06
Adopted Budget.
22. CLAIM AGAINST THE DISTRICT
Rejection of claim by Vanessa San Vicente dated January 3,
2006, and referral to insurance administrator for
processing.
23. CLAIM AGAINST THE DISTRICT
Rejection of claim by Kathy Byrne dated January 16, 2006,
and referral to insurance administrator for processing.
24. SOCCCD: PURCHASE ORDERS/CONFIRMING
REQUISITIONS
Purchase orders P06-02227 through P06-02661 totaling
\$24,647,653.01; and confirming requisitions dated
11/23/05 through 1/9/06 totaling \$186,405.11.
25. SOCCCD: PAYMENT OF BILLS
Checks 045920 through 046913 totaling \$5,036,849.08;
Saddleback College Community Education checks 008417
through 008446 totaling \$38,190.56; and IVC Community
Education checks 008160 through 008173 totaling
\$24,479.94.
26. GIFTS TO THE DISTRICT AND FOUNDATIONS
Acceptance of various donations.
27. TRUSTEES' REQUESTS FOR TRAVEL AND/OR LOCAL
MILEAGE REIMBURSEMENT
Requests to attend upcoming conferences and events
and/or local mileage reimbursement.
28. REIMBURSEMENT TO TRUSTEES FOR MILEAGE
TO/FROM REQUIRED BOARD MEETINGS
Mileage reimbursement for July, August, September,
October, November, and December 2005.

CHANCELLOR'S ITEMS (Items 29 through 32)

ITEM RECOMMENDED FOR APPROVAL

29. PROPOSED SCHEDULE OF DISCUSSION TOPICS AT
2006 BOARD MEETINGS
Approval of topics for board discussion.
30. CALIFORNIA COMMUNITY COLLEGES AUTOMATIC
STUDENT VOTER REGISTRATION PROJECT
Authorization for administration to investigate the impact
on the colleges and district if the project is implemented.
31. CCCT BOARD OF DIRECTORS NOMINATION 2006
Nominations for membership on the CCCT Board of
Directors for transmittal to CCCT by the deadline.
32. OCSBA MARIAN BERGESON AWARD
Nomination of trustee for the award and approval to
transmit to OCDE.

DEPUTY CHANCELLOR'S ITEMS (Items 33 through 35)

ITEMS RECOMMENDED FOR APPROVAL

33. SOCCCD: AGREEMENT FOR LEGAL SERVICES
Revision of contract with Liebert Cassidy Whitmore
increasing their rates effective February 1, 2006.
34. SOCCCD: ACADEMIC YEAR 2006-07 NONRESIDENT
TUITION FEES FOR FOREIGN AND OUT-OF-STATE
STUDENTS
Approval of \$156 per semester unit based on "contiguous
districts' rate" option with capital outlay fee of \$22 per
semester unit and application fee of \$48 per semester
remaining the same.
35. IRVINE VALLEY COLLEGE: PERFORMING ARTS
CENTER BUDGET AUGMENTATION
Approval of deleting the Fine Arts Bldg. project from basic
aid funded projects making \$2,326,000 available for other
projects, and adding funding of \$2,098,000 from basic aid
in the amount of \$2,098,000.

VICE CHANCELLORS' ITEMS (Items 36 through 40)

HUMAN RESOURCES

ITEM RECOMMENDED FOR APPROVAL

36. ACADEMIC PERSONNEL ACTIONS
Administrative Employment; Academic Temporary Part-Time/Substitute Staff; Additional Compensation; Resignation/Retirement/Conclusion of Employment.
37. CLASSIFIED PERSONNEL ACTIONS
New Personnel Appointments; Authorization to Eliminate Classified Positions and/or Position Numbers; Authorization to Establish and Announce a Classified Management Position; Authorization to Establish and Announce a Classified Position; Change of Status; Out of Class Assignments; Leave of Absence; Authorization to Revise Salary Schedule for Non-Bargaining Unit, Temporary Short Term Hourly; Authorization to Reorganize Classified Reporting Schedules; Authorization to Change Organization Reporting Structure; Resignation/Retirement/ Conclusion of Employment; Volunteers.
38. SOCCCD: MERIT SYSTEM ELECTION RESULTS
Acceptance of the results of the merit system election held January 19 in that the question of implementing the system did not carry a simple majority of votes cast.

TECHNOLOGY AND LEARNING SERVICES

ITEM RECOMMENDED FOR APPROVAL

39. SOCCCD: MISCELLANEOUS BOARD POLICY REVISIONS: BP 4083, 6130, 6132
Revisions to BP 4083, Vacation Leave for Administrators and Classified Management Personnel; BP 6130, Textbook Adoption; and BP 6132, Selection of Library Materials.
40. SOCCCD: 2006-7 BONDED SABBATICAL RECOMMENDATIONS
Faculty recommended for bonded sabbaticals.

PRESIDENTS' ITEMS (Items 41 and 42)

IRVINE VALLEY COLLEGE

ITEMS RECOMMENDED FOR APPROVAL

41. IRVINE VALLEY COLLEGE: HONORARY ASSOCIATE DEGREE AWARD
Approval of degree award to Mr. Tom Wall.
42. IRVINE VALLEY COLLEGE: OUT-OF-STATE TRAVEL
Travel by the men's and women's 2006 tennis teams to Oahu, Hawaii, to compete in the Oahu Tennis Championship 4/5 - 4/10/06

PROVOST'S ITEMS (Items 43 and 44)

ADVANCED TECHNOLOGY & EDUCATION PARK

ITEM RECOMMENDED FOR APPROVAL

43. ATEP: LAUNCH AGREEMENT AMENDMENT
Amendment to agreement with L.A. Engineering for the construction of site improvements and signage increasing the cost by \$254,098.76 for a new total cost of \$2,168,298.76.
44. ATEP: SUBSTANTIVE CHANGE PROPOSAL
Approval of the Substantive Change proposal for submission to the Western Association of Schools and Colleges (WASC).

INFORMATION ITEMS (Items 45 through 53)

ITEMS FOR INFORMATION ONLY

45. SOCCCD: BASIC AID REPORT
Projected receipts and approved projects.
46. SOCCCD: FACILITIES PLAN STATUS REPORT
Status of current construction projects.
47. SOCCCD: CONTRACTS UNDER \$5,000
Summary of contracts for December 2005/January 2006.

48. SOCCCD: MONTHLY FINANCIAL STATUS REPORT
Adopted budget, revised budget, and transactions through
December 31, 2005.
49. SOCCCD: QUARTERLY FINANCIAL STATUS REPORT
Information as of December 31, 2005, for the 2005-06 fiscal
year.
50. SOCCCD: EDUCATIONAL AND FACILITIES MASTER
PLAN PROGRESS REPORT
Information on progress to date.
51. BOARD REQUESTED REPORT: STUDENT EVALUATION
OF FACULTY
Information as requested.
52. STANDING BOARD REPORT: LISTING OF BOARD
REQUESTED REPORTS
Information as requested.
53. IRVINE VALLEY COLLEGE: ANNUAL FOUNDATION
REPORT
Review of the year 2005.

REPORTS

Per unanimous board approval, the reports by the following individuals should be written and submitted to the board prior to board meetings. The reports may be given verbally, however, if enough time remains prior to the board approved meeting adjournment time of 10:00 p.m.

Speakers are limited to two minutes each.

54. PRESIDENTS' / PROVOST'S / GOVERNANCE GROUPS' REPORTS
 - a. Presidents
 - b. Provost
 - c. Student Government Reports
 - Associated Student Government of SC
 - Association Students of IVC
 - d. Academic Senates' Reports
 - Saddleback College Academic Senate
 - Irvine Valley College Academic Senate
 - e. Faculty Association Report
 - f. California School Employees Association Report

- g. Classified Senates' Reports
 - Saddleback College Classified Senate
 - Irvine Valley College Classified Senate
 - District Classified Senate
- h. Police Officers' Association Report

CORRESPONDENCE

55. CORRESPONDENCE

Items of correspondence submitted by the district and colleges for the board's information.

ADJOURNMENT (OR RECESS TO CONTINUE CLOSED SESSION IF REQUIRED): 10:00 P.M.