

## **MEETING OF THE BOARD OF TRUSTEES**

**MONDAY, FEBRUARY 23, 2004**

ROOM 105, LIBRARY BUILDING, SADDLEBACK COLLEGE  
28000 MARGUERITE PARKWAY, MISSION VIEJO, CALIFORNIA 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: 7:00 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 Appointment  
Director, Student Affairs, SC
  - 2. Public Employee Employment/Evaluation of Performance  
Instructor, SC
  - 3. Public Employee Discipline/Dismissal/Release (8)
- B. Conference with Labor Negotiators (GC 54957.6):
  - 1. Negotiators - Dr. Raghu Mathur; California School Employees Association (CSEA), Chapter 586
  - 2. Negotiators - Dr. Raghu Mathur; SOCCCD Faculty Association
  - 3. Negotiators - Dr. Raghu Mathur; SOCCCD Police Officers Association
  - 4. Negotiators - Dr. Raghu Mathur; Unrepresented Employees - All Classified Leadership Positions
  - 5. Negotiators - Board President or President's Designee; Unrepresented Employees - All Academic Administrators

C. Conference with Real Property Negotiators (GC 54956.8):

1. Portion of Tustin MCAS -

-- Negotiators - Dr. Raghu Mathur; City of Tustin  
Under Negotiation - Price and Payment Terms

D. Conference with Legal Counsel (GC 54956.9)

1. Pending Litigation (GC 54956.9[a]) -

a. Mora v. Mathur

b. Franzoni v. SOCCCD

c. CSEA, et al., v. SOCCCD Board of Trustees

d. IVC Academic Senate, etc., et al., v. SOCCCD Board of Trustees

e. Faculty Association v. SOCCCD, Unfair Practice Charge No.

LA-CE-4514-E

f. Carl v. SOCCCD

g. Casey v. SOCCCD

h. Merryman v. SOCCCD

2. Significant Exposure to Litigation (GC 54956.9[b][1] and [3][A]) - Three  
Potential Cases

3. Initiation of Litigation (GC 54956.9[c]) - Three New Cases

**RECONVENE OPEN SESSION: 7:00 P.M.**

**ACTIONS TAKEN IN CLOSED SESSION**

**INVOCATION**

Led by Trustee Padberg

**PLEDGE OF ALLEGIANCE**

Led by Trustee Williams

**RESOLUTIONS/PRESENTATIONS/INTRODUCTIONS**

**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
  - b. BOARD REQUESTS FOR STAFF REPORTS

### **APPROVAL OF CONSENT CALENDAR ITEMS (Items 2 through 31)**

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. MINUTES OF PREVIOUS MEETINGS  
Regular meetings of September 29, October 27, and November 19, 2003, and special meetings of October 16, and December 8, 2003.
3. SADDLEBACK COLLEGE: 2004-05 REVISED LABORATORY FEES  
Revised instructional lab fees as presented.
4. SADDLEBACK COLLEGE: CURRICULUM ADJUSTMENTS  
Changes in the 2004-05 curriculum for the catalog.
5. SADDLEBACK COLLEGE: NSF GRANT WORKSHOP  
Rapid Prototyping Workshop to be held July 26-30, 2004, for a cost of \$21,725 paid through the grant.
6. SADDLEBACK COLLEGE: GUEST SPEAKER  
Payment of honorarium to Dr. Eugene Steiner in the amount of \$100 for his presentation during the Spring 2004 Semester Distinguished Lecture Series.

7. SADDLEBACK COLLEGE: DRAWING/PAINTING AND ART HISTORY IN EUROPE  
Study abroad program and contracts for Summer 2004.
8. SADDLEBACK COLLEGE: GERMAN LANGUAGE STUDIES IN VIENNA, AUSTRIA  
Study abroad program and contracts for Summer 2004.
9. SADDLEBACK COLLEGE: SPANISH LANGUAGE STUDIES IN SANTANDER, SPAIN  
Study aboard program and contracts for Summer 2004.
10. SADDLEBACK COLLEGE: AVALON CLUB GUEST SPEAKER  
Presentation by Chris Crass on March 31 for honorarium/expenses of \$1,000.
11. SADDLEBACK COLLEGE: WOMEN'S AND GENDER STUDIES COMMITTEE EVENT  
Panel of speakers for an event to be held on March 24, 2004, during Women's History Month for an honorarium not to exceed \$300.
12. SADDLEBACK COLLEGE: UNIVERSITY ROAD TRIP  
Trip to various universities in Northern California from March 16-18, 2004, for interested transfer students at a cost of \$2500.
13. SADDLEBACK COLLEGE: COMMENCEMENT SPEAKER  
Recommendation of Mr. Kevin Fagan.
14. SADDLEBACK COLLEGE: STUDENT OUT-OF-STATE TRAVEL  
Travel by up to ten students and one advisor to the Annual Phi Theta Kappa International Honor Society Convention March 31-April 4, 2004, at a cost not to exceed \$13,044.40.
15. IRVINE VALLEY COLLEGE: NEW AND REVISED FEES  
Individual course fees for Fall 2004 semester courses.

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16. IRVINE VALLEY COLLEGE: CURRICULUM REVISIONS  
Proposed changes for the 2004 academic year.
  17. IRVINE VALLEY COLLEGE: VISION AND MISSION  
STATEMENTS  
Revised statements approved by President's Council.
  18. IRVINE VALLEY COLLEGE: STUDENT OUT-OF-STATE  
TRAVEL  
Travel by up to ten students and one advisor to the Annual  
Phi Theta Kappa International Honor Society Convention  
March 31-April 4, 2004, at a cost not to exceed \$7,930.
  19. IRVINE VALLEY COLLEGE: CONTRACT AGREEMENT  
Agreement with Drake Kryterion to serve as test providers  
for the Authorized Testing Center at IVC.
  20. IRVINE VALLEY COLLEGE: CHANGE ORDER 2,  
CAFETERIA REMODEL  
Change Order 2 increasing the contract by \$708.51 with no  
change to project completion date.
  21. SOCCCD: REJECT ALL BIDS  
Rejection of all bids submitted in relation to Bid 1030,  
Packages R, Epoxy Terrazo, and X, Signage, for the Health  
Sci./ District Ofcs. Bldg.
  22. SADDLEBACK COLLEGE: ACCEPTANCE OF BOND  
FOR RELEASE OF STOP NOTICE  
Bond submitted by Adams/Mallory Construction, Inc.,  
related to the Greenhouse and Parking Lot 14 project.
  23. SADDLEBACK COLLEGE: ARCHITECT FOR  
MCKINNEY THEATRE SOUND/LIGHTING UPGRADE  
Agreement with John Sergio Fisher & Associates in the  
amount of \$132,000.
  24. SOCCCD: TELEPHONE SYSTEM REPLACEMENT  
CONSULTING SERVICE  
Agreement with PlanNet Consulting, Inc., for the purpose  
of providing additional consulting services through June  
2004 at a cost not to exceed \$50,000.

25. SADDLEBACK COLLEGE: RENEWAL OF CONTRACT FOR PRINTING, MAILING, AND PREPARATION OF COMMUNITY EDUCATION BROCHURE  
Renewal of contract with Southwest Offset Printing in the amount of \$80,108.
26. TRANSFER OF BUDGET APPROPRIATIONS  
Budget transfers as delineated.
27. BUDGET AMENDMENT: RESTRICTED GENERAL FUND, CHILD DEVELOPMENT FUND, AND CAPITAL OUTLAY FUND  
Adoption of Resolution 04-07 to amend the 2003-04 Adopted Budget.
28. PURCHASE ORDERS/CONFIRMING REQUISITIONS  
Purchase orders 02051 through 02321 totaling \$1,542,178.38; and confirming requisitions dated 1/6/04 through 2/6/04 totaling \$260,885.83.
29. PAYMENT OF BILLS  
Checks 025942 through 026811 totaling \$4,365,378.59; and Saddleback College Community Education checks 7189 through 7194 totaling \$27,475.63; and IVC Community Education checks 7107 through 7108 totaling \$2,860.43.
30. GIFTS TO THE DISTRICT AND FOUNDATIONS  
Acceptance of various donated items.
31. REIMBURSEMENT TO TRUSTEES FOR MILEAGE TO AND FROM REQUIRED BOARD MEETINGS  
Mileage for July, August, September, October, November, and December, 2003.

## INFORMATION ITEMS

### *ITEMS FOR INFORMATION ONLY*

32. BASIC AID REPORT  
Information on projected basic aid receipts and the possible impact of the "Pool Case."

33. MONTHLY FINANCIAL STATUS REPORT  
Adopted budget, revised budget, and transactions through the end of the prior month.
34. CONTRACTS UNDER \$5,000  
Summary of contracts for January/February 2004.
35. QUARTERLY INVESTMENT REPORT  
Report for the quarter ending December 31, 2003.
36. ENDING BALANCES - JUNE 30, 2003  
Ending balances as reported to the State Chancellor's Office and included in the District's Annual Audit Report.
37. BASIC AID PRIORITY PROJECTS  
Identification of the district and colleges' priority projects and estimated cost for each.
38. SADDLEBACK COLLEGE: PROPOSED AUTOMATIC EXTERNAL DEFIBRILLATION PROGRAM  
Policies, procedures, and rescue protocol.
39. BOARD REQUESTED REPORT: IVC AND SC DISASTER PREPAREDNESS  
Information as requested.

#### **CHANCELLOR'S ITEMS (Item 40)**

##### ***ITEM RECOMMENDED FOR APPROVAL***

40. ATEP: APPROVAL OF ATEP CONCEPTUAL DESIGN AND BUDGET  
Recommendation of Option A with a budget not to exceed \$6,360,000 from basic aid, and authorization to expend up to \$115,000 to complete Schematic Design/Design Development phase of project.

#### **DEPUTY CHANCELLOR'S ITEMS (Items 41 through 48)**

##### ***ITEMS RECOMMENDED FOR APPROVAL***

41. ATEP: RATIFICATION OF AGREEMENTS FOR THE PROGRAM LAUNCH  
Agreements with STRATUS in an amount not to exceed \$57,000; M.E. Nollkamper & Associates, \$14,000; and Hall & Foreman, Inc., \$36,057.60.
42. ATEP: CONSULTANT AGREEMENTS FOR THE PROGRAM LAUNCH  
Agreements with STRATUS in an amount not to exceed \$35,000; M.E. Nollkamper & Associates, \$11,500; and Hall & Foreman, Inc., \$41,000.
43. ACADEMIC PERSONNEL ACTIONS  
Additional Compensation; Academic Temporary Part-Time/Substitute Staff; Administrator Contract Extension; Reduced Contract; Administrative Leave; Resignation/Retirement/Conclusion of Employment.
44. CLASSIFIED PERSONNEL ACTIONS  
New Personnel Appointments; Volunteers; Out-of-Class Assignment; Change of Status; Additional Compensation; New Acting Appointment; Administrative Leave; Leave of Absence; Authorization to Establish Classified Position.
45. SOCCCD: ANNUAL REPORT OF PROBATIONARY FACULTY AND FACULTY RECOMMENDED FOR TENURE  
Approval to enter into a third and fourth year contract for faculty in a second year probationary status in 2003-04; grant tenure for faculty who are in fourth year probationary status in 2003-04.
46. SOCCCD: RETIREMENT INCENTIVE OFFER THROUGH PARS (PUBLIC AGENCY RETIREMENT SYSTEMS)  
Adoption of Resolution 04-06, PARS Trust and PARS Supplementary Retirement Plan, and approval of the agreement for administrative services with Phase II Systems.
47. SOCCCD: APPROVAL OF MOU FOR SUPPLEMENTARY RETIREMENT PLAN FOR FACULTY  
Memorandum of Understanding for the plan.

48. IVC: PERFORMING ARTS CENTER/THEATER DESIGN/FUNDING  
Approval of Option A and allocation of \$6,283,000 from basic aid to augment the funding.

**VICE CHANCELLORS' ITEMS (Items 49 through 51)**  
**EDUCATIONAL SERVICES**

***ACCEPTANCE FOR REVIEW AND STUDY***

49. PROPOSED BOARD POLICY: BP 3610, AUXILIARY ORGANIZATIONS  
Acceptance of Board Policy 3610.

***ITEMS RECOMMENDED FOR APPROVAL***

50. IRVINE VALLEY COLLEGE: GRANT APPLICATIONS  
Application for funding for "Citizen's Corps Homeland Security Program," and "Laser Optics and Photonics Manufacturing Program."
51. SABBATICAL LEAVE PROPOSAL - PETER ESPINOSA  
Denial of proposed sabbatical leave for Spring 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.**

52. PRESIDENTS' / GOVERNANCE GROUPS' REPORTS
- a. Presidents
  - b. Student Government Reports
    - Associated Student Government of Saddleback College
    - Associated Students of Irvine Valley College
  - c. Academic Senates' Reports
    - Saddleback College Academic Senate
    - Irvine Valley College Academic Senate
  - d. Faculty Association Report

- e. California School Employees Association Report
- f. Classified Senates' Reports
  - Saddleback College Classified Senate
  - Irvine Valley College Classified Senate
  - District Classified Senate.
- g. Police Officers' Association Report

#### **CORRESPONDENCE**

##### **53. 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.**

dm