

# MEETING OF THE BOARD OF TRUSTEES

SEPTEMBER 30, 2002

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: 6:00 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 Appointment
    - a. Interim Vice President, Student Services, SC
    - b. Manager, Child Development Center, SC
    - c. Registrar, Admissions and Records, IVC
    - d. Kate Clark, Instructor, IVC
  - 2. Public Employee Discipline/Dismissal/Release (9)
- 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
- 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. Pourya Khademi, et al. v. SOCCCD
  - b. CSEA, et al., v. SOCCCD Board of Trustees
  - c. Mora v. Mathur
  - d. Hobson v. SOCCCD
2. Initiation of Litigation (GC 54956.9[c]) - One New Case
3. Significant Exposure to Litigation (GC 54956.9[b][1] and [3][A] - One Potential Case
4. Significant Exposure to Litigation (GC 54956.9[b][1] and [3][B] and [C] Mark Westberg v. SOCCCD, DFEH Case E-200203-K-0250-00pe

**RECONVENE OPEN SESSION: 6:00 P.M.**

**ACTIONS TAKEN IN CLOSED SESSION**

**INVOCATION**

Led by Trustee Fortune

**PLEDGE OF ALLEGIANCE**

Led by Trustee Williams

**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 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 REPORTS/REQUESTS FOR REPORTS



a. BOARD REPORTS

b. BOARD REQUESTS FOR STAFF REPORTS

**PRESENTATIONS/RESOLUTIONS/INTRODUCTIONS**

Resolution: Senator Bill Morrow

Swearing In of Student Trustee Derek Wong

**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. MINUTES

Minutes of the Annual Organizational Meeting of December 10, 2001; Regular Meetings of December 10, 2001, January 14, 2002, and February 25, 2002; and Special Meetings of January 17 and 18, 2002, February 1, 2002, and March 19, 2002.

3. SADDLEBACK COLLEGE: GRANT ACCEPTANCE

Acceptance of \$178,875 from the State Chancellor's Office for the second year of the Health Care Delivery Centers Economic Development grant project.

4. SADDLEBACK COLLEGE: GUEST SPEAKER

Payment of honorarium in the amount of \$500 to Dr. Kevin Starr, California State Librarian, for his public lecture on October 15, 2002.

5. SADDLEBACK COLLEGE: LONDON ACADEMIC INTERSESSION, SPRING 2003

Approval of program and authorization for administration to execute an agreement with the Centers for Academic Programs Abroad for travel arrangements.

6. SADDLEBACK COLLEGE: OXFORD STUDY ABROAD PROGRAM, SPRING 2003

Approval of program and authorization for administration to execute an agreement with the American Institute for Foreign Study for travel and living abroad arrangements.

7. SADDLEBACK COLLEGE: SPANISH LANGUAGE STUDIES IN SALAMANCA, SPAIN, SPRING, 2003  
Approval of program and authorization for administration to execute an agreement with the American Institute for Foreign Study for travel arrangements.
8. SADDLEBACK COLLEGE: CONTRACT EDUCATION AGREEMENT  
Agreement with Applied Medical Company for the college to provide English as a Second Language training for its employees for the sum of \$3,700 per class.
9. SADDLEBACK COLLEGE: GUEST SPEAKER, C.L.S.S.A. CLUB  
Payment of honorarium in the amount of \$250 to Gerard Ungerman and Audrey Brohy for their public presentation on November 6, 2002.
10. SADDLEBACK COLLEGE: GUEST SPEAKER, CLASS ACTION CLUB  
Payment of honorarium in the amount of \$900 to Palden Gyatso for his public presentation on October 22, 2002.
11. SADDLEBACK COLLEGE: STUDENT OUT-OF-STATE TRAVEL  
Out-of-state travel for up to six *Lariat* student staff members and an advisor to attend the Associated Collegiate Press/College Media Advisors Annual Conference October 30 through November 3, 2002, at a cost not to exceed \$8,000.
12. SADDLEBACK COLLEGE: SPECIAL TOPICS - ARCHITECTURE  
Architecture 289, Special Topics course, Design in Arizona, Riverside, and Palm Springs.
13. IRVINE VALLEY COLLEGE: COMMUNITY EDUCATION - CONTRACT APPROVAL  
Agreement with Irvine Unified School District for the college to provide educational services to residents with disabilities through the Irvine Adult Transition Program for a fee of \$5,000.



14. IRVINE VALLEY COLLEGE: CONTRACT EDUCATION  
- CONTRACT APPROVAL  
Agreement with Fluor Enterprises in conjunction with Soka University for the college to provide Vocational English as a Second Language instruction for contracted employees for a fee of \$6,000.
15. IRVINE VALLEY COLLEGE: CROSS-COUNTRY TEAMS' ACTIVITY 2002  
Participation of the IVC Cross-Country Teams and their coaches in the Hawaii Pacific Invitational in the fall for a total cost not to exceed \$7,686.
16. IRVINE VALLEY COLLEGE: 2002-03 OUT-OF-STATE STUDENT TRAVEL  
Participation of IVC students and their advisors in conferences/competitions during 2002-03 for a total cost not to exceed \$82,380.
17. IRVINE VALLEY COLLEGE: DEDICATION OF TREE AND PLAQUE IN MEMORY OF 9/11/01  
Dedication of the Carrotwood Tree and associated bronze plaque.
18. SOCCCD: AWARD OF BID  
Bid 249D for the removal of hazardous waste to Onyx Environmental Services for IVC and to Safety-Kleen (Clean Harbors, Inc.) for Saddleback College in the amounts indicated.
19. SOCCCD: CONSULTING SERVICES - INTERFACE ASSOCIATES  
Agreement with Interface Associates for the development of requirements specifications for improving technology infrastructure at a cost not to exceed \$23,000.
20. SOCCCD: CONSULTING SERVICES - GARTNER GROUP  
Continuation of the contract with the Gartner Group for their specialized services on technology projects through June 30, 2002, at a cost not to exceed \$22,275.

21. SADDLEBACK COLLEGE: CONTRACT FOR  
ARTICULATION DATABASE SYSTEM  
ENHANCEMENTS - ITPI  
Contract with Information Technology Partners, Inc. (ITPI)  
for customization and implementation of the Database and  
related software in the amount of \$10,000.
22. CLAIM AGAINST THE DISTRICT: MARK WESTBERG  
Rejection of the claim dated September 5, 2002, and referral  
to the district's insurance administrator for processing.
23. TRANSFER OF BUDGET APPROPRIATIONS  
Budget transfers as detailed.
24. BUDGET AMENDMENT: RESTRICTED CHILD  
DEVELOPMENT FUND  
Adoption of Resolution 02-49 to amend the 2002-03  
adopted budget by \$1,333.
25. PURCHASE ORDERS/CONFIRMING REQUISITIONS  
Purchase orders 00929 through 01205 totaling \$96,106.87,  
and confirming requisitions dated 8/10/02 through  
9/12/02 totaling \$343,657.39.
26. PAYMENT OF BILLS  
Checks 013257 through 014211 totaling \$2,878,518.86;  
Saddleback College Community Education checks 5918  
through 5944 totaling \$164,282.72; and Irvine Valley College  
Community Education checks 6381 through 6383 totaling  
\$2,459.00.
27. GIFTS TO THE DISTRICT AND FOUNDATIONS  
Acceptance of various donated items.
28. TRUSTEES' REQUEST FOR TRAVEL AND/OR LOCAL  
MILEAGE REIMBURSEMENT  
Requests to attend upcoming conferences/events, and/or  
local mileage reimbursement.

## INFORMATION ITEMS

### *ITEMS FOR INFORMATION ONLY*



29. BASIC AID REPORT  
Information on projected basic aid receipts and the possible impact of the "Pool Case."
30. MONTHLY FINANCIAL STATUS REPORT  
Adopted budget, revised budget, and transactions through the end of the prior month.
31. CONTRACTS UNDER \$5,000  
Summary of contracts for August/September 2002.

### **CHANCELLOR'S ITEM (Item 32)**

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

32. PUBLICATION SUBSCRIPTIONS FOR TRUSTEES  
Annual expenditure of up to \$100 per trustee for trustee-related publications.

### **DEPUTY CHANCELLOR'S ITEMS (Items 33 through 48)**

#### **RECESS TO PUBLIC HEARING**

33. PUBLIC HEARING - DISTRICT PROPOSAL  
Opportunity for the public to comment on the district's proposal to SOCCCD Faculty Association.

#### **RECONVENE REGULAR BOARD MEETING**

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

34. CONTRACT FOR CLASSIFIED LEADERSHIP STUDY  
Contract with Hay Group, Inc., for a Classified Leadership study for a total cost not to exceed \$42,500.
35. ACADEMIC PERSONNEL ACTIONS  
Administrative Employment; Additional Compensation;  
Academic Temporary Part-Time/Substitute Staff;  
Administrative Leave; Resignation/Retirement/End of Assignment.

36. **CLASSIFIED PERSONNEL ACTIONS**  
New Personnel Appointments; Change of Status;  
Volunteers; Out of Class Assignment; Authorization to  
Revise and Announce Existing Classified Position;  
Authorization to Establish and Announce new Classified  
Collective Bargaining Unit Positions; Authorization to  
Abolish Classified Positions; Resignation/Retirement/  
Conclusion of Employment.
37. **CLASSIFIED EMPLOYEE LAYOFF**  
Adoption of Resolution 02-52 to approve the  
discontinuance of one classified position.
38. **CLASSIFIED PERSONNEL RECLASSIFICATION**  
Approval of the range, same step in the new range, for the  
purpose of salary realignment for the classifications  
indicated, and new position descriptions.
39. **SADDLEBACK COLLEGE: APPROVE SETTLEMENT  
AGREEMENT, SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT**  
Settlement agreement to pay assessed penalty fee of \$5,657  
to SCAQMD.

## **RECESS TO PUBLIC HEARING**

40. **PUBLIC HEARING - INTENTION TO ENTER INTO  
ENERGY SERVICES AND FINANCING AGREEMENTS**  
Opportunity for the public to comment on the district  
entering into energy services and financing agreements.

## **RECONVENE REGULAR BOARD MEETING**

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

41. **SADDLEBACK COLLEGE: RESOLUTION TO ENTER  
INTO ENERGY SERVICE AGREEMENTS WITH  
KINETICS SYSTEMS, INC., FOR THE INSTALLATION  
OF ENERGY CONSERVATION MEASURES**  
Adoption of Resolution 02-51 and submittal of Notice of  
Exemption to County Clerk's Office.



42. SADDLEBACK COLLEGE: APPROVE ENERGY AGREEMENTS WITH KINETICS SYSTEM, INC.  
Approval of Energy Retrofit and Facility Modernization Agreement, and Support Services and Savings Guarantee Agreement with Kinetics System, Inc., in the amount of \$8.4 million, and to proceed with the installation, operation, and maintenance of the proposed facility improvement.
43. SADDLEBACK COLLEGE: RESOLUTION APPROVING CERTAIN ENERGY CONSERVATION MEASURES AND APPROVAL OF CONTRACT FOR FINANCING ENERGY PROJECTS  
Adoption of Resolution 02-50 and approval of the contract for financing of energy projects with Municipal Finance Corporation at 4% interest with a payback schedule of ten years.
44. IRVINE VALLEY COLLEGE: APPROVAL AND FUNDING FOR CLASSROOM MODULAR BUILDING  
Purchase of a modular building for CACT and other programs using \$370,000 of basic aid funds.
45. SOCCCD: PEOPLEADMIN, INC., SERVICE AGREEMENT  
Agreement to provide an applicant management system for a fee not to exceed \$27,000 which includes the \$22,000 annual service fee, \$3,000 one-time implementation fee, and \$2,000 on-site training fee.
46. SOCCCD: AUTHORIZATION TO INVEST DISTRICT FUNDS IN THE COUNTY TREASURER'S EXTENDED POOL  
Authorization for the Orange County Department of Education to transfer a portion of funds on deposit with the Orange County Educational Investment Pool to the Extended Fund.
47. SOCCCD: CONSULTING SERVICES TO REVIEW AND ADVISE ON BOARD POLICIES AND ADMINISTRATIVE REGULATIONS  
Contract with Dr. David Brownell in an amount not to exceed \$20,000.

48. SOCCCD: COLLEGE FACILITIES/MAINTENANCE  
AND SAFETY/SECURITY DEPARTMENTS  
Change in the supervision responsibility for the directors  
of both departments from the Vice President of Student  
Services to the President.

## 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.**

49. CHANCELLOR/PRESIDENTS'/GOVERNANCE  
GROUPS' REPORTS
- a. Chancellor
  - b. Presidents
  - c. Student Government Reports
    - Associated Student Government of  
Saddleback College
    - Associated Students of Irvine Valley College
  - 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**

### **50. 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

ADDITIONAL ITEM FOR THE 9/30/02 REGULAR BOARD  
MEETING AGENDA

*INFORMATION ITEM*

51. DISTRICT HIRING PROCEDURES REVIEW  
Information on the status of the district hiring policies,  
procedures, and practices review.