

MEETING OF THE BOARD OF TRUSTEES

MONDAY, OCTOBER 27, 2003

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: 6:30 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 Evaluation and Appointment
 - a. Chancellor
 - b. Deputy Chancellor
 - c. Vice Chancellor, Educational Services
 - d. President, Irvine Valley College, IVC
 - e. Vice President, Student Services, SC
 - f. Dean, Counseling Services and Special Programs, SC
 - g. Dean, Business Sciences, Workforce, and Economic Dev., SC
 - h. Dean, Social and Behavioral Sciences, SC
 - i. Dean, Advanced Technology and Applied Science, SC
 - j. Dean, Liberal Arts and Learning Resources, SC
 - k. Dean, Mathematics, Science and Engineering, SC
 - l. Dean, Fine Arts, Physical Education, and Athletics, SC
 - m. Dean, Health, Human Services, and Emeritus Institute, SC
 - n. Asst. Dean, Athletic Director, SC
 - o. Asst. Dean, Financial Aid, SC
 - p. Asst. Dean, Health, Human Services, and Emeritus Institute, SC
 - q. Vice President, Instruction, IVC
 - r. Vice President, Student Services, IVC

- s. Dean, Business and Social Sciences, IVC
- t. Dean, Advanced Technology, IVC
- u. Dean, Students, Guidance, and Counseling, IVC
- v. Dean, Math, Computer Sciences and Engineering, IVC
- w. Director, Center for Applied and Competitive Tech., IVC
- x. Director, Information Technology, District

2. Public Employee Discipline/Dismissal/Release (3)

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

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
- 2. Promenade Apartments (fka Hillpointe Apts.), 28032 Marguerite Pkwy., Mission Viejo, CA
Negotiators – Dr. Raghu Mathur; Essex Property Trust
Under Negotiation – Price and Terms of Purchase

D. Conference with Legal Counsel (GC 54956.9)

- 1. Pending Litigation (GC 54956.9[a]) -
 - a. Mora v. Mathur
 - b. Sanstedt v. SOCCCD
 - c. Franzoni v. SOCCCD
 - d. CSEA, et al., v. SOCCCD Board of Trustees
 - e. IVC Academic Senate, etc., et al., v. SOCCCD Board of Trustees
 - f. Faculty Association v. SOCCCD, Unfair Practice Charge No. LA-CE-4514-E
 - g. CSEA v. SOCCCD, Unfair Practice Charge No. LA-CE-4475-E
 - h. Carl v. SOCCCD
 - i. Casey v. SOCCCD

2. Initiation of Litigation (GC 54956.9[c]) – One New Case

RECONVENE OPEN SESSION: 6:30 P.M.

ACTIONS TAKEN IN CLOSED SESSION

10/27/03

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INVOCATION

Led by Trustee Williams

PLEDGE OF ALLEGIANCE

Led by Trustee Milchiker

ADMINISTRATION OF OATH OF OFFICE TO NEWLY APPOINTED TRUSTEE

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 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

APPROVAL OF CONSENT CALENDAR ITEMS (Items 2 through 32)

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. IRVINE VALLEY COLLEGE: COMMUNITY EDUCATION – SPRING 2004

Courses, presenters, and compensation.

3. IRVINE VALLEY COLLEGE: GUEST SPEAKER
Presentation by Dr. Marcus Harvey on "Academic Freedom and the First Amendment."
4. IRVINE VALLEY COLLEGE: 2003-04 OUT-OF-STATE DANCE EVENT
Participation by 18 students and 2 instructors at the American College Dance Festival in Scottsdale, AZ, March 12-17, 2004, at a cost not to exceed \$15,400.
5. SADDLEBACK COLLEGE: RHORC CONTRACT AGREEMENT
Agreement with Promissor, Inc., for equipment to provide Live Scan fingerprinting for Emergency Medical Technician certification exams.
6. SADDLEBACK COLLEGE: HOAG MEMORIAL HOSPITAL AGREEMENT
Agreement with Hoag whereby the hospital will donate \$85,268 per calendar year for 2004 and 2005 to supplement the salary of a full-time and associate faculty.
7. SADDLEBACK COLLEGE: FKCE PROGRAM CONSULTANT AGREEMENT
Agreement with Kelly Grimes to facilitate training programs for North Orange County Foster and Kinship Care Education for a total of \$10,080.
8. SADDLEBACK COLLEGE: CLASSIFIED LEADERSHIP/ ADMINISTRATION RETREAT
Approval of retreat at Lake Arrowhead for 27 administrators and managers at a cost of \$7,898 October 28-30, 2003.
9. SADDLEBACK COLLEGE: GUEST SPEAKERS FOR HUMANITIES HOUR
Honoraria for Sherilyn Menten in the amount of \$300; ~~Dr. Arturo Arias, \$1,000; and Theresa Ford and her theatre group, \$700.~~

*removed at meeting
JM*

10. SADDLEBACK COLLEGE: GRANT ACCEPTANCE
Acceptance of \$45,950 from the Public Telecommunications Facilities Program grant from the National Telecommunications and Info. Admin. for 1 year for improvements at KSBR.
11. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package D, Asphalt Paving, to Hardy & Harper, Inc., for \$39,620.
12. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package E, Landscape/Irrigation, to Park West Landscape, Inc. for \$179,900.
13. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1029, Package F, Structural Concrete/Site Concrete/Rebar to Coan Construction Company, Inc., for \$1,190,000.
14. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package N, Clay Tile Wall Cladding System, to Carmel Architectural Sales for \$387,650.
15. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package O, Framing/Plaster/Drywall/Insulation/Doors/Frames/Hardware to Best Interiors, Inc., for \$1,521,843.
16. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package P, Ceramic Tile, to Premier Tile and Marble, for \$126,300.
17. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package Q, Acoustical Ceilings/Wall Panels/Window Shades, to Performance Contracting, Inc., for \$192,665.

18. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package S, Resilient Flooring and Carpeting, to SCS Flooring Systems for \$162,769.
19. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package T, Painting, to Advantage Painting for \$135,730.
20. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package U, Tack/Marker/Chalk Boards, and Package Y, Operable Partitions, to ISEC Construction Services for \$46,515 and \$58,163, respectively.
21. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package W, Toilet Partitions/ Accessories, for \$33,479 to Staumbaugh & Associates, Inc.
22. SOCCCD: HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT MATERIALS TESTING/INSPECTION SVCS.
Contract with Civil Engineering Material Laboratory to provide materials testing and specialized inspection for an estimated cost not to exceed \$86,500.
23. SOCCCD: HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT ARCHITECTURAL AGREEMENT AMENDMENT
Amendment to the definition of construction cost during construction phase.
24. SOCCCD: NOTICE OF COMPLETION,, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Completion of Package B, Electrical/Telephone Underground Relocation and filing of Notice.
25. IRVINE VALLEY COLLEGE: AWARD OF BID
Bid 259, Chemistry Lab Exhaust, to AMS America, Inc., dba Anderson Air Conditioning for \$76,900.

26. CLAIM AGAINST THE DISTRICT
Rejection of the claim by Peggy Casey dated October 1 and referral to the district's insurance administrator for processing.
27. TRANSFER OF BUDGET APPROPRIATIONS
Budget transfers as delineated.
28. BUDGET AMENDMENT: RESTRICTED GENERAL AND CAPITAL OUTLAY FUNDS
Adoption of Resolution 03-49 to amend the 2003-04 Adopted Budget.
29. PURCHASE ORDERS/CONFIRMING REQUISITIONS
Purchase orders 01232 through 01489 totaling \$1,267,817.59; and confirming requisitions dated 9/17/03 through 10/10/03 totaling \$271,793.77.
30. PAYMENT OF BILLS
Checks 023406 through 024174 totaling \$2,702,358.87; and Saddleback College Community Education checks 7083 through 7104 totaling \$51,271.61; and IVC Community Education checks 7062 through 7075 totaling \$18,745.20.
31. GIFTS TO THE DISTRICT AND FOUNDATIONS
Acceptance of various donated items.
32. TRUSTEES' REQUESTS FOR TRAVEL AND/OR LOCAL MILEAGE REIMBURSEMENT
Requests to attend upcoming conferences/events, and/or local mileage reimbursement.

INFORMATION ITEMS

ITEMS FOR INFORMATION ONLY

33. SOCCCD: BASIC AID REPORT
Information on projected basic aid receipts and the possible impact of the "Pool Case."
34. MONTHLY FINANCIAL STATUS REPORT
Adopted budget, revised budget, and transactions through the end of the prior month.

35. QUARTERLY FINANCIAL STATUS REPORT
The California Community Colleges quarterly Financial Status Report as of September 30, 2003.
36. QUARTERLY INVESTMENT REPORT
Report for the quarter ending September 30, 2003.
37. CONTRACTS UNDER \$5,000
Summary of contracts for September/October 2003.

DEPUTY CHANCELLOR'S ITEMS (Items 38 through 44)

PUBLIC HEARING

38. DISTRICT PROPOSAL TO SOCCCD POLICE OFFICERS' ASSOCIATION
Opportunity for the public to comment.

ITEMS RECOMMENDED FOR APPROVAL

39. ACADEMIC PERSONNEL ACTIONS
Administrative Position; Additional Compensation; Temporary Part-Time/Substitute Staff; Authorization to Establish and Announce New Academic Administrator Position (Director of Research and Planning); OSH Banking Leave Provision.
40. CLASSIFIED PERSONNEL ACTIONS
New Personnel Appts.; Out-of-Class Assignment; Change of Status; Accumulated Vacation Leave Carry Over; Authorization to establish and Announce Classified Positions; Authorization to Abolish Classified Position Numbers; Resignation/Retirement/Conclusion of Employment.
41. SOCCCD: REALLOCATION OF BASIC AID FUNDS
Allocation of \$641,983 to the renovation of the Advanced Technology Education Park.
42. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT, APPROVAL OF CHANGE ORDER REQUESTS
Change Order Requests 1 and 2 decreasing the total project cost and individual trade contracts by \$72,640.

43. IRVINE VALLEY COLLEGE: INTENTION TO ENTER INTO ENERGY SERVICE AND FINANCING AGREEMENTS
Adoption of Resolution 03-48 declaring intention to enter into agreement with CMS Viron Corp. as assigned to Chevron Energy Solutions Company and setting a public hearing for November 19, 2003.
44. IRVINE VALLEY COLLEGE: ARCHITECT FOR PERFORMING ARTS THEATER
Agreement with Arquitectonica to provide architectural services for the project for \$1,014,700.

VICE CHANCELLORS' ITEMS (Items 45 through 47)

EDUCATIONAL SERVICES

ACCEPTANCE FOR REVIEW AND STUDY

45. BOARD POLICY REVISIONS: SERIES 4000, PERSONNEL SECTION
Amendments to BP 4000 - 4052; deletions of BP 4001, 4005, 4010, and 4012.

ITEMS RECOMMENDED FOR DISCUSSION/APPROVAL

46. BOARD POLICY REVISIONS: SERIES 10, INTRODUCTION SECTION, AND NEW MISSION STATEMENT
Deletion of BP 12 and 14; discussion/approval of new SOCCCD Mission Statement.
47. ADDITIONAL REVISIONS TO 100 SERIES, BYLAWS
Amendments to BP 104 and 106.

PRESIDENT'S ITEMS (Items 48 and 49)

SADDLEBACK COLLEGE

ITEM RECOMMENDED FOR APPROVAL

48. SADDLEBACK COLLEGE: ASSOCIATED STUDENT GOVERNMENT BUDGET 2003-04
ASG Budget as presented.

IRVINE VALLEY COLLEGE

ITEMS RECOMMENDED FOR APPROVAL

49. IRVINE VALLEY COLLEGE: FACULTY HIRING 2004-05
Approval of announcement of and recruitment for full-time faculty positions contingent upon funding.

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.

50. 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

51. 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