

MINUTES OF THE BOARD OF TRUSTEES
SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT
September 24, 2001
ROOM 105, LIBRARY BUILDING, SADDLEBACK COLLEGE

The open session of the regular meeting of the Board of Trustees was called to order by President Padberg at 3:05 p.m.	CALLED TO ORDER
There were no public comments on closed session items.	PUBLIC COMMENTS
The open session was recessed to closed session. The Board of Trustees met in closed session from 3:05 p.m. to 7:30 p.m. All trustees were present (Trustee Milchiker arrived at 3:22 p.m.).	CLOSED SESSION
The open session of the regular meeting of the Board of Trustees was reconvened by President Padberg at 7:35 p.m.	RECONVENED

Members of the Board of Trustees

Nancy Padberg, President	PRESENT
Dorothy Fortune, Vice President	
John Williams, Clerk	
Thomas Fuentes, Member	
Dave Lang, Member	
Marcia Milchiker, Member	
Donald Wagner, Member	
Steven McCarty, Student Member	

Administrative Officers

Richard A. Jones, Acting Chancellor
Gary Poertner, Deputy Chancellor
Don Goodwin, Vice Chancellor, Advanced Tech. & Education Park
Dixie Bullock, President, Saddleback College
Raghu Mathur, President, Irvine Valley College

Faculty Association

Lee Haggerty

Academic Senate

Alannah Rosenberg
Lewis Long

California School Employees Association
Mary Williams

Classified Senates
Matt Suarez
Jamie Cayetano

Associated Student Government
Julie Breverman
Jeff Toulouse

Police Officers Association
Cloyce Kelly

Trustee Williams, Clerk of the board, read out the following actions taken in closed session:

CLOSED SESSION

On a 6 to 0 vote with Trustee Milchiker absent, the board voted to release a probationary classified employee. On a 5 to 2 vote with Trustees Padberg and Milchiker casting negative votes, the board appointed Dr. Vinita Dhingra to the position of Vice Chancellor, Educational Services, beginning at Step One on the Vice Chancellor Salary Schedule.

Trustee Fortune led the pledge of allegiance, Lisa Walker sang the *National Anthem*, and Trustees Fuentes and Milchiker read words of inspiration.

**PLEDGE/
INVOCATION**

President Padberg pulled the IVC Advanced Technology Division Activities Report, items 30, 31, and 39 from the agenda, item 8 at the request of President Bullock, and item 4 at the request of President Mathur. President Mathur also asked that the position of Vice President, Business Services, at IVC be removed from the list in item 17 because the position no longer exists.

**CHANGES TO
THE AGENDA**

Trustee Wagner introduced Marian Bergeson, former teacher, school board member, President of the California School Boards Association, California State Assemblywoman, State Senator, Orange County Supervisor, and Secretary of Child Development and Education for Governor Pete Wilson, who addressed the importance of community colleges to communities nationwide.

PRESENTATIONS

President Padberg commended Trustee Fortune for her leadership in the district's Celebration of the 100th Birthday of Community Colleges. Trustee Fortune thanked the general coordinator of the event, Professor Lee Walker, and the many others who contributed to the success of the Celebration activities.

Trustee Williams read Resolution 01-42 condemning the acts of terrorism on September 11, 2001, against the United States and expressing sympathy to the victims and their families. Adopted unanimously by roll-call vote.

RESOLUTION

Three individuals addressed the board concerning the IVC soccer field renovation project.

PUBLIC COMMENTS

Trustee Williams read out a statement commending Acting Chancellor Jones' performance that was also read out following his evaluation at the July 18, 2001, special board meeting. Motion by Trustee Lang, seconded by Trustee Williams, to continue to employ, as needed, Dr. Richard A. Jones in the position of Acting Chancellor of South Orange County Community College District, at a monthly salary of \$13,300 under the terms and conditions of the amended contract, effective July 1, 2001. Motion carried with Trustee Fortune abstaining. Student Trustee McCarty cast an affirmative advisory vote.

**AMENDMENT TO
EMPLOYMENT
AGREEMENT**

Trustee Wagner moved to advance trustees' report to before consideration of the Consent Calendar with a one-minute time limit for each report. Motion seconded by Trustee Fuentes. Trustee Milchiker moved to amend the motion to include the constituency groups, seconded by Student Trustee McCarty. Amendment failed with Trustee Milchiker and Lang casting affirmative votes, and Student Trustee McCarty casting an affirmative advisory vote. Main motion carried with Student Trustee McCarty casting a negative advisory vote.

**ADVANCE OF
TRUSTEES'
REPORTS**

Trustees Wagner, Padberg, Fortune, Williams, Lang, Fortune and Student Trustee McCarty gave reports.

REPORTS

There were no requests from board members for staff reports.

REPORT REQUESTS

<p>Items 7, 10, 11, 14, 15, and 18 were removed from the consent calendar by trustees for separate discussion. Motion by Trustee Williams, seconded by Trustee Fuentes, to approve the consent calendar as amended. Motion carried unanimously with Student Trustee McCarty casting an affirmative advisory vote.</p>	<p>CONSENT CALENDAR</p>
<p>The board approved the Minutes of the June 25, 2001, Regular Board Meeting.</p>	<p>MINUTES</p>
<p>The board approved IVC's new and revised individual course fees for Spring 2002.</p>	<p>NEW AND REVISED FEES</p>
<p>The board approved participation of IVC students and advisors in various events and associated travel at a cost not to exceed \$82,961.</p>	<p>2001-02 OUT-OF- STATE TRAVEL</p>
<p>The board approved an independent contractor agreement with Valeria Landa to produce four segments of Laser Focus for IVC for a total of \$6,000.</p>	<p>CONTRACTOR AGREEMENT</p>
<p>The board accepted the award of funds to IVC from the State Chancellor's Office in the amount of \$15,000 for the Business Education Statewide Advisory Committee project, and approved committee travel.</p>	<p>GRANT ACCEPTANCE</p>
<p>Motion by Trustee Williams, seconded by Trustee Milchiker, to approve Saddleback College's participation in the Orange County Regional Early Childhood Mentor Program. Motion carried unanimously with Student Trustee McCarty casting an affirmative advisory vote.</p>	<p>EARLY CHILD- HOOD MENTOR PROGRAM</p>
<p>The board approved consultant agreements with Maria Murillo, Tina Fietsam, and Carolyn Harmes for a total amount of \$12,525 for their assistance in meeting the objectives of the Foster and Kinship Care Education Program grant project at Saddleback College.</p>	<p>CONSULTANT AGREEMENTS</p>
<p>Motion by Trustee Fuentes, seconded by Trustee Wagner, to accept the award of VTEA Title IC funds to Saddleback College in the amount of \$320,454 from the State Chancellor's Office. Motion carried unanimously with Student Trustee McCarty casting an affirmative advisory vote.</p>	<p>GRANT ACCEPTANCE</p>

President Padberg stated that the agenda item recommends selecting a consultant at the October meeting, but she would entertain a motion that the district engage the services of Bill Ewing immediately. So moved by Trustee Fuentes, and seconded by Trustee Fortune. Trustee Fortune indicated that she hopes the consultant will find ways to make the Child Development Centers more efficient and self-sufficient. Trustee Lang stated that, while he understands the board's eagerness to move forward, he objects to the board rather than administration selecting a consultant from the list of proposed consultants. Following further discussion, Trustee Williams said there are too many questions that need to be answered, and that the selection of the consultant and payment could be brought back next month. Motion by Trustee Williams, seconded by Trustee Lang, to table the item. Motion to table carried with Trustees Fortune, Padberg, and Wagner casting negative votes and Student Trustee McCarty casting an affirmative advisory vote.

**CHILD
DEVELOPMENT
CENTER STUDY**

The board approved travel by up to five Saddleback College students and an advisor in October to attend the Associate Collegiate Press/College Media Advisors Annual Conference in New Orleans at a cost not to exceed \$6,000.

**STUDENT
OUT-OF-STATE
TRAVEL**

The board approved Change Order 1 decreasing the contract for the Stairway to Central Campus project at Saddleback College by \$2,255, accepted the project as complete, and authorized filing a Notice of Completion.

**NOTICES OF
COMPLETION**

Motion by Trustee Fuentes, seconded by Trustee Williams, to approve Change Order 1 decreasing the contract for the Electrical Switchgear Replacement in the Science/Math Building at Saddleback College by \$14,631, accept the project as complete, and authorize filing a Notice of Completion. Motion carried unanimously with Student Trustee McCarty casting an affirmative advisory vote.

Motion by Trustee Williams, seconded by Trustee Wagner, to approve Change Order 5 increasing the contract for the Fire Safety Emergency Access Road project at IVC by \$7,236, and authorize filing a Notice of Completion. Motion carried unanimously with Student Trustee McCarty casting an affirmative advisory vote.

<p>The board approved award of Bid 246 for the Architectural Barrier Removal project at IVC to Christopher Matthews Construction for the amount of \$393,000.</p>	<p>AWARD OF BID</p>
<p>The board adopted Resolution 01-40 authorizing the individuals occupying the positions listed as board designees for signature approval of documents and contracts.</p>	<p>AUTHORIZED SIGNATURE LIST</p>
<p>Motion by Trustee Fuentes, seconded by Trustee Fortune, to approve a new one-year lease with California State University, Fullerton - Mission Viejo Campus, under similar terms and conditions as in the past. Motion carried unanimously with Student Trustee McCarty casting an affirmative advisory vote.</p>	<p>CSUF - MISSION VIEJO LEASE</p>
<p>The board adopted Resolution 01-41 to amend the 2001-02 Adopted Budget by \$36,132.</p>	<p>BUDGET AMENDMENT</p>
<p>The board approved the transfer of budget appropriations as delineated.</p>	<p>BUDGET TRANSFERS</p>
<p>The board approved purchase orders 01018 through 01314 totaling \$594,432.74, and confirming requisitions dated 8/14/01 through 9/10/01 totaling \$127,927.09.</p>	<p>PURCHASE ORDERS</p>
<p>The board approved checks 2533 through 3311 totaling \$2,053,173.06; Saddleback College Community Education checks 5413 through 5441 totaling \$26,139.85; and IVC Community Education checks 6295 through 6309 totaling \$133,862.19.</p>	<p>PAYMENT OF BILLS</p>
<p>The board approved acceptance of various items donated to the district.</p>	<p>GIFTS TO DISTRICT</p>
<p>The board approved the trustees' requests to attend upcoming conferences/events, and/or requests for local mileage reimbursement.</p>	<p>BOARD TRAVEL/ MILEAGE</p>

Trustee Fortune, Committee Chair, reported that she met with Dr. Bill Gayk, Director of the Center for Demographic Research at California State University, Fullerton, and their discussion concerning the process of redrawing trustee area boundaries persuaded her that a consultant is necessary to assist in the project. She asked Committee Member Fuentes to read a list of parameters for Dr. Gayk to follow: 1) Adherence to county, state, and federal election and voting laws, and guidelines for redistricting; 2) Comparable population size in each area; 3) Respect for incumbents' residences within each area boundary; 4) Use of the same area number for each incumbent as to the previous district map; 5) Cities within each area shall be contiguous whenever possible; 6) No division of cities into more than one area unless a large city population requires it; and 7) Deference to natural boundaries and major thoroughfares for area divisions when possible. Trustee Fuentes moved adoption of the recommended action, which is to appoint an additional committee member, Trustee John Williams, to participate in reviewing the trustee area boundaries, and approve a consultant agreement with Dr. Bill Gayk, seconded by Trustee Williams. President Padberg introduced Dr. Gayk who briefly reviewed his experience since the late 1970's in redistricting projects with the County Board of Supervisors, Department of Education, and other organizations. He stated that his staff has created a digital map of the district, matched it with the census file, and that the target population per trustee area is 112,648 based on the 2000 census figure of 787,276. For clarification purposes, Trustee Fuentes stated his motion is to approve the recommended action on page 1 with an amendment to include the guidelines as a working document for the committee, seconded by President Padberg. Motion as amended carried with Trustee Milchiker casting a negative vote and Student Trustee McCarty casting an affirmative advisory vote.

**REVIEW OF
TRUSTEE AREA
BOUNDARIES**

President Padberg called for a break at 8:45 p.m.

BREAK

In response to a board requested report on legal and lobbyist costs relative to the Tustin Base for the last twelve months, Acting Chancellor Jones indicated that from August 2000 through August 2001 the district expended \$106,730.45. President Padberg stated that lobbyist contract will end on October 7, 2001.

**BOARD REQUESTED
REPORT**

Acting Chancellor Jones reported that Chancellor Nussbaum instructed districts to await a directive from the Board of Governors before considering any changes to affirmative action policies as a result of the recent invalidation of the California Community Colleges' affirmative action statutes by the Third Appellate District Court.

**AFFIRMATIVE
ACTION STATUTES**

Trustee Fortune moved to amend the recommended action by adding that the three elected trustees will serve for a one-year term, seconded by President Padberg. Motion by Trustee Fortune to approve the election of three trustees to serve on the South Orange County Legislative and Governmental Action Project as amended to include *for a one-year term*. Main motion as amended seconded by Trustee Fuentes. Trustee Fortune further amended the motion to include the nomination of Trustees Wagner, Lang, and Williams to serve on the S.O.C. Legislative and Governmental Action Project, seconded by Trustee Milchiker. Motion to amend to include nominated trustees carried unanimously with Student Trustee McCarty casting an affirmative advisory vote. President Padberg indicated that she would like the committee to develop their mission and budget and bring them back to the board for approval.

**LEGISLATIVE AND
GOVERNMENTAL
ACTION PROJECT**

President Padberg suggested continuing with the current Orange County Legislative Task representatives and waiting until December when new Task Force representatives are appointed to determine if participation in OCLTF in general should continue. Motion by Trustee Fuentes to table the item until time certain for agendaing in December, seconded by Trustee Lang. Motion carried unanimously with Student Trustee McCarty casting an affirmative advisory vote.

**OCLTF REPS AND
PARTICIPATION**

Motion by Trustee Fuentes, seconded by Trustee Williams, to approve/ratify the academic personnel actions. Deputy Chancellor Poertner indicated that there is no current job description for the Dean of Students, Guidance and Counseling, at IVC but that it is being developed by Human Resources. Call the question carried. Motion carried unanimously with Student Trustee McCarty casting an affirmative advisory vote.

**PERSONNEL
ACTIONS**

Motion by Trustee Williams, seconded by Trustee Fuentes, to approve/ratify the classified personnel actions. Deputy Chancellor Poertner indicated that item A-3 is 50% in the Instruction Office and 50% in the President's Office at IVC, and that the start date in item B-2 should be August 27, 2001. Motion with changes to A-3 and B-2 carried unanimously with Student Trustee McCarty casting an affirmative advisory vote.

Deputy Chancellor Poertner stated that RFQ's were sent to twenty architectural firms, eight responded, and the committee selected four to be interviewed. He indicated that the committee's choice, LPA, would initially provide site selection and feasibility services for a fee of \$10,000, and, if the board decides to move forward with the project, they would continue to provide architectural services; if not, the contract would end. Trustee Williams stated that the country's economic climate has changed dramatically since the last discussion of this project, and he is uncomfortable with proceeding, even with the prelim feasibility study. Motion by Trustee Williams to table the item for four months, seconded by Trustee Wagner. Motion to table carried with Trustee Fuentes, Fortune, and Padberg casting negative votes and Student Trustee McCarty casting a positive vote.

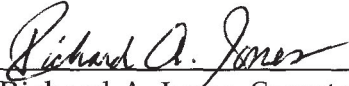
**ARCHITECT
FOR DISTRICT
OFFICES**

Chancellor Jones, Presidents Bullock and Mathur, Mr. Toulouse, Professors Rosenberg, Long, and Haggerty, Ms. Cayetano, and Mr. Kelly gave reports.

**OTHER
REPORTS**

The meeting was adjourned at 9:50 p.m.

ADJOURNMENT


Richard A. Jones, Secretary