SADDLEBACK COMMUNITY COLLEGE DISTRICT 28000 Marguerite Parkway Mission Viejo, California 92692

MINUTES OF THE BOARD OF TRUSTEES September 23, 1985 - 7:00 p.m. Irvine Valley College - Room A 311

### CLOSED SESSION

CLOSED

The Board of Trustees met in Closed Session between 7:00 and 7:30 p.m. regarding personnel matters. All Trustees were present except Trustee Robert L. Price.

#### FOUNDATION RECEPTION

RECEPTION

Prior to the commencement of the Regular Board Meeting, members of the Saddleback Community College District Board of Trustees were honored at a reception hosted by the Saddleback Community College District Foundation.

## REGULAR MEETING

REGULAR MEETING

The regular meeting of the Board of Trustees was called to order by Trustee Watts at 8:00 p.m. Trustee Moore led the audience in the Pledge of Allegiance and Trustee Gellatly offered an invocation.

Motion by Trustee Moore, seconded by Trustee Connolly, to approve the agenda as printed. Motion carried with Mr. Price absent.

APPROVE AGENDA

#### Members of the Board of Trustees

PRESENT

Mr. William Watts, President
Mr. Robert Moore, Vice President
Mrs. Shirley Gellatly, Clerk
Mr. John Connolly, Member
Prof. Eugene McKnight, Member
Ms. Harriett Walther, Member

#### Administrative Officers

Dr. Larry Stevens, Chancellor

# Administrative Officers (continued)

Mr. David Habura, Executive Vice Chancellor

Dr. Al Grafsky, Vice Chancellor,

Fiscal Services and Operations

Dr. Maria Sheehan, Director,

Employee Relations and Personnel

Ms. Constance Carroll, President, Saddleback College

Dr. Dale Larson, representing the President, Irvine Valley College

#### Faculty Association

No representative

### Academic Senate

Mr. Terry Burgess

# California School Employees Association

Mrs. Dorie D. Dent

Motion by Trustee Moore, seconded by Trustee Connolly, that the minutes of the Regular Board Meeting of September 9, 1985, be approved as printed. Motion carried with Mr. Price absent.

Clerk Gellatly read the following actions taken by the Board of Trustees in Closed Session September 16, 1985, into the minutes:

"Grievant Sandra McComb-Spence was joined by all other Clinical Instructors in the Nursing Program at Level One of the Grievance Procedure by the filing of separate but identical grievances concerning compensation for clinical instructors. By agreement only the McComb-Spence grievance was presented for Board resolution in a grievance hearing September 16; however, this decision applies to all Clinical Instructors.

"The Board of Trustees, having considered all statements, materials and arguments presented by the grievant
and the Association representative, as well as all
statements, materials and arguments presented by the
District, finds no violation, misinterpretation or misapplication of the Certificated Employees' Master Agreement between Saddleback Community College District and
Saddleback Community College Faculty Association. The
Board hereby denies the grievance.

MINUTES APPROVED

ACTIONS
TAKEN IN
CLOSED
SESSION
(MCCOMB
GRIEVANCE)

"In a separate action, the Board directed its negotiating team to seek Association mutual assent to reopen negotiations on workload issues within the Nursing Program, including those as presented by the Clinical Instructors in the grievance of September 16. This guidance to its negotiating team is provided pursuant to Article XXII, Reopeners, Paragraph 3 and is not to constitute designation by the District of an article for reopened negotiations pursuant to Paragraph 4 thereof. However, it is recommended that the renegotiations of this issue occur concurrently with the otherwise reopened negotiations resulting from Paragraph 4."

Board candidates Iris Swanson, Marcia Milchiker, and Mike Eggers were welcomed to the meeting by Board President Watts.

INTRODUCTIONS

Mr. James Pettengill, College Development Officer, introduced Mr. James Hester, Board President, Saddleback Community College District Foundation, who presented a report concerning the Foundation's annual activities and future plans. A copy of that report is shown in the exhibits on file with these minutes.

FOUNDATION ANNUAL REPORT

President Watts asked if there were public comments concerning items not on the agenda. There were none.

PUBLIC COMMENTS

The administration asked that Item III, H of the Consent Calendar (Saddleback College: Cogeneration Energy Project Grant) and Item III, I of the Consent Calendar (Saddleback College: Consulting Agreement for Energy Cogeneration Project) be removed for consideration under New Business.

REMOVE ITEMS FROM CONSENT CALENDAR

Trustee McKnight agreed that Items III, H and I of the Consent Calendar as described above should be placed with Item V, D - New Business, State Loan: Cogeneration System, Saddleback College, as they are related items.

Motion by Trustee Moore, seconded by Trustee McKnight, to approve the Consent Calendar with the exception of removing the items listed above for separate consideration. Motion carried with Mr. Price absent.

APPROVE CONSENT CALENDAR

The Board of Trustees approved Certificated Staff Personnel Actions as shown in the exhibits which are on file with these minutes.

CERTIFICATED PERSONNEL ACTIONS

Page 3 of 14 9/23/85 The Board of Trustees approved Classified Staff Personnel Actions as shown in the exhibits which are on file with these minutes.

CLASSIFIED PERSONNEL ACTIONS

The Board of Trustees approved Trustee Requests to Attend Conferences and Meetings as shown in the exhibits CONFERENCES which are on file with these minutes.

TRUSTEE & MEETINGS

The Board of Trustees approved contracts with the Orange MEDIA County Department of Education Media Services Unit for materials and services as shown in the exhibits which are on file with these minutes and in an amount not to exceed \$3,080.00 for the 1985-86 fiscal year.

SERVICES CONTRACT OR CO DEPT EDUCATION

The Board of Trustees accepted the completion of the asphalt repair project at both Colleges and authorized the filing of a Notice of Completion as shown in the exhibits which are on file with these minutes. Board further directed that payment of the retention amount be made 35 days after the date of filing the required notice.

NOTICE OF COMPLETION ASPHALT PROJECTS

The Board of Trustees approved surplus, obsolete, and lost and found items as shown in the exhibits on file with these minutes to be sold to the highest bidder. Authorization was also given to dispose of items for which no bids are received in the most reasonable manner consistent with the condition of the items.

SURPLUS PROPERTY AUTHORIZED

The Board of Trustees approved a contract with the Chancellor, California Community Colleges, for the collection of student financial aid obligations under the terms and conditions shown in the exhibits which are AID on file with these minutes.

COLLECTION OF STUDENT FINANCIAL OBLIGATIONS

The Board of Trustees approved the Schedule of Concerts at Irvine Valley College for Fall, 1985, at an expenditure not to exceed \$4,225.00 and authorized the Chancel- IVC FALL '85 lor to execute the necessary contracts. Details concerning these concerts will be found in the exhibits which are on file with these minutes.

SCHEDULE OF CONCERTS

The Board of Trustees approved the Irvine Valley College COMMUNITY Program, Presenters and Compensation in the amount of \$2,050.00 for the Fall, 1985 Community Services Programs PROGRAM as shown in the exhibits which are on file with these minutes.

SERVICES FALL '85 IVC

The Board of Trustees approved assignment of the lease agreement with Storer Cable Television, Incorporated, to Times Mirror Cable Television and authorized the administration to execute the assignment and to acknowledge the cancellation of Storer's performance bond related to this lease agreement.

ASSIGN
LEASE
AGREEMENT
STORER
CABLE TO
TIMES MIRROR

The Board of Trustees approved a consulting agreement with Jacquelyn Kirkis for presentation of information on infection control (Epidemiology) to the Nursing Faculty. Fee for this service is not to exceed \$300. A copy of the agreement is shown in the exhibits which are on file with these minutes.

CONSULTANT AGREEMENT KIRKIS

The Board of Trustees approved a consulting agreement with Shirley Carroll to assist the Health Sciences and Human Services Division faculty in converting Nursing curricula to the Roy Adaptation Model. Fee for this service is not to exceed \$200. A copy of the agreement is shown in the exhibits which are on file with these minutes.

CONSULTANT AGREEMENT CARROLL

The Board of Trustees approved the granting of student certificates of achievement to the students listed in the exhibits which are on file with these minutes.

STUDENT
CERTIFICATES
OF
ACHIEVEMENT
HONORARIA
GARRETT &
VANASSE

The Board of Trustees approved for payment guest speaker honoraria to Vena Garrett and Alma Vanasse who will serve in the Saddleback College Women's Center Seminar September 28 and October 26, 1985. Details concerning these presentations are shown in the exhibits which are on file with these minutes.

Warrants 109213 through 109613, totaling \$1,467,264.99 were approved by the Board of Trustees. A copy of the list is on file with these minutes.

WARRANTS APPROVED

Purchase Orders 85572 through 85659, totaling \$81,889.53 were approved by the Board of Trustees. A copy of the list is on file with these minutes.

PURCHASE ORDERS APPROVED

#### Old Business

At its meeting on August 26, 1985, the Board of Trustees selected Regis Construction Company, Incorporated, as the developer with whom to enter into a long-term lease for the development of specified land located on the Saddleback College Campus.

CONTRACT REGIS CONSTRUCTION MARGUERITE PARKWAY

Page 5 of 14 9/23/85 Motion by Trustee Gellatly, seconded by Trustee Moore, to adopt Resolution 85-47 approving a contract with Regis Construction Company, Incorporated for development of specified land located on the campus of Saddleback College. The motion was adopted on a roll call vote as follows:

RESOLUTION 85-47 REGIS CONSTRUCTION COMPANY

AYES:

Trustees Gellatly, Moore, Walther, Watts

NOES: Trustee Connolly
ABSENT: Trustee Price
ABSTENTIONS: Trustee McKnight

Motion by Trustee Gellatly, seconded by Trustee Moore, to recommend the Chancellor and the President of the Board of Trustees be authorized to execute the contract with Regis Construction Company, Incorporated on behalf of the District. Motion carried with Mr. Price absent. A copy of the contract is shown in the exhibits on file with these minutes.

EXECUTION
OF CONTRACT
WITH REGIS
CONSTRUCTION
COMPANY

It was agreed that in a Study Session to be held October 28 by the Board of Trustees the manner in which the funds from the Marguerite Parkway Development Project will be used will be discussed.

STUDY SESSION OCTOBER 28

Ken Stack and Pat Wood, Regis Construction Company representatives, were introduced. Mr. Wood made a brief statement.

In 1980, as a result of a failure in the ceilings of the exterior walkways of the Mathematics-Science Building at Saddleback College, it was determined that the original contractor had improperly framed virtually all the plaster and gypsum board ceilings and the work was not in conformance with plans, specifications and codes. Upon this discovery the District retained the law firm of Bean, DiCaro, D'Antony and Stafford of Santa Ana to represent the District on a contingency basis to recover damages from J. B. Allen, the original contractor, to remedy the situation.

CONTINGENCY
ALLOCATION
MATH-SCIENCE
BUILDING
REPAIR
SADDLEBACK
COLLEGE

For the past three years the case has moved unresolved through various stages of the legal process. As a result of the College's continued concern regarding the potential safety hazard, a structural engineer was employed by legal counsel to inspect the building in July, 1985. His report confirmed previous reports and further indicated that approximately 3,800 square feet of exterior plaster (stucco) ceilings were most hazardous and could fail at any time. Although legal counsel anticipates a settlement on behalf of the District, it is expected that at the earliest the settlement will not be realized until next Spring.

Having reviewed the situation, the Executive Council has agreed that a portion of the District's Contingency Account should be utilized to repair this hazard as soon as possible. Board Policy 3200 requires that the Board of Trustees approve any reallocation of budget amounts greater than \$2,000.00

Motion by Trustee Moore, seconded by Trustee Connolly, to approve the reallocation of up to \$50,000.00 in District Contingency Funds for repair of the exterior stucco ceilings in the Saddleback College Mathematics-Science Building. The Board further directed that any unexpected amounts and recovered damages, if realized, be returned to the Contingency Account to replace the \$50,000.00. Motion carried with Mr. Price absent.

#### New Business

On August 26, 1985, the Board of Trustees approved Bid 43 for microcomputer hardware and software. The Bid included prices on IBM microcomputer PC and XT models, laser and dot matrix printers, software for word processing, data base and spreadsheet applications, and miscellaneous associated hardware including printer and memory boards, surge protectors and printer fonts.

REVISED
BID MAXIMUM
(BID 43)
MICROCOMPUTER
PURCHASE

The intention of the administration was to provide for the regular acquisition of all budgeted and approved purchases of the above items for the 90-day period of the Bid. The administration estimated, at Board request, the Bid would not exceed \$70,000.00. That estimate preceded the State approval of an allocation for instructional equipment.

As a result of the favorable price quotations provided through Bid 43, instructional and operating departments have identified the need to procure additional microcomputers and software units beyond those initially anticipated, which will increase the previously estimated maximum purchase under the Bid to a revised level of \$190,000.00. Funds have been identified within the 1985-86 Operating Unit Instructional Equipment and Vocational Education Budgets to support these acquisitions. Further, District Research and Data Processing staff have reviewed and approved the propriety of these purchases.

Motion by Trustee McKnight, seconded by Trustee Moore, to approve changing the maximum of Bid 43 from \$70,000.00 to \$190,000.00, including California sales tax. Motion carried with Trustee Price absent.

The Saddleback Community College District, along with all California governmental subdivisions, has experienced difficulty in acquiring all-risk property insurance and liability insurance.

DISTRICT

District staff and the District's insurance broker have been diligently attempting to secure property and liability insurance for the District at a cost that is within a reasonable increase over the cost of this same insurance during 1984-85. Unfortunately, the insurance market is so poor that it is very nearly impossible to secure insurance. Available insurance which would provide the same type of protection for the District in 1985-86 as in 1984-85 would cost \$433,000.00 compared to \$111,000.00 for 1984-85. An alternative which combines \$10,000.00 of self-insurance and a lowering of the top limit of liability insurance to \$5,000,000.00 from \$20,000,000.00 has been investigated and reported to the Board of Trustees. The cost of this alternative is estimated to be \$288,000.00 or \$145,000.00 less than full coverage insurance.

Motion by Trustee Connolly, seconded by Trustee McKnight, to approve entering into a self-insurance mode for all property and liability insurance to the extent of \$10,000.00 per occurrence for the period of September 1, 1985, to August 31, 1986. Motion carried with Mr. Price absent.

ENTER INTO SELF INSURANCE MODE AND

The Board also approved an agreement with Corroon and Black Management, Incorporated for administration of the District's self insurance program for the period September 1, 1985, to August 31, 1986, for a fee of \$5,000.00. A copy of that agreement is shown in the exhibits on file with these minutes.

CONTRACT
WITH CORROON
& BLACK
MANAGEMENT

During times of great natural disasters the American Red Cross, Orange County Chapter, provides temporary shelter for persons who have been made homeless due to evacuation or loss of property. In addition to other large and centrally-located facilities, schools and colleges are ideal locations for mass shelter.

AMERICAN
RED CROSS
AGREEMENT
RECEIVED
FOR REVIEW
AND STUDY

The Orange County Chapter of the American National Red Cross has requested that the Saddleback Community College District make the facilities of both the Saddleback and Irvine Valley College campuses available as mass shelters in the event of a community disaster. The proposed agreement between the District and the

American National Red Cross would provide protections to the District from liability, interference with regular college programs, and costs resulting from the use of the respective grounds and facilities.

Motion by Trustee Connolly, seconded by Trustee Gellatly, to accept for review and study proposed Resolution 85-50. This resolution proposes entering into an Agreement as described above and a copy is shown in the exhibits on file with these minutes. Motion carried with Mr. Price absent. It was noted this item will be returned for approval at the Board Meeting of October 14.

RESOLUTION 85-50 RECEIVED FOR REVIEW AND STUDY (RED CROSS)

The Saddleback Community College District has received a \$243,200.00 grant from the United States Department of Energy to design and install an energy saving cogeneration system on the Saddleback College campus. The system will provide low cost electrical energy for the campus and heating for the College's swimming pool and physical education showers and is expected to save approximately \$300,000.00 per year in energy costs.

COGENERATION GRANT/ STATE LOAN

There is a need for the District to provide matching funds for this grant. A preliminary application for a State of California loan to provide matching funds has been submitted by the District and approved by the State in the amount of \$235,800.00 at an estimated rate of 9.5 percent. Repayment of the loan will be made from energy savings in future utility budgets on a semi-annual basis over a period of two years commencing after installation and full operation of the system.

Chancellor Stevens recommended that the Board consider this matter in conjunction with the items removed earlier in the meeting from the Consent Calendar to be consolidated with this item (III, H--Saddleback College Cogeneration Energy Project Grant; and III, I -- Saddleback College Consulting Agreement for Energy Cogenera-He suggested that the first action would tion Project). be to consider approval of the Cogeneration Energy Project Grant awarded by the United States Department of Energy (DOE) as shown in the Notice of Financial Assistance (on file with the exhibits to these minutes) in the amount of \$243,200.00. The second action would be to adopt Resolution 85-49 for approval of the loan application to the State of California for an energy conservation matching loan in the amount of \$235,800.00. The third action would be to employ Pacific Energen,

Long Beach, to prepare final design drawings, specifications, and coordinate installation of the cogeneration system for a fee of \$46,250.00.

Motion by Trustee Moore, seconded by Trustee Walther, to APPROVE approve the Cogeneration Energy Project Grant awarded by COGENERAthe United States Department of Energy (DOE) as shown in TION GRANT the Notice of Financial Assistance on file with the exhibits to these minutes in the amount of \$243,200.00. Motion carried with Mr. Price absent.

AWARD

Motion by Trustee Connolly, seconded by Trustee Moore, to adopt Resolution 85-49 for approval of the loan application to the State of California for an energy conservation matching loan in the amount of \$235,800.00. The motion was adopted on a roll call vote as follows:

RESOLUTION 85-49 APPROVED LOAN APPLICATION COGENERA-TION GRANT

AYES: Trustees Connolly, Gellatly, McKnight,

Moore, Walther, and Watts

NOES: None

ABSENT: Trustee Price

ABSTENTIONS: None

A copy of Resolution 85-49 is shown in the exhibits on file with these minutes.

Motion by Trustee Moore, seconded by Trustee Connolly, to employ Pacific Energen, Long Beach, to prepare final design drawings, specifications, and coordinate installation of the cogeneration sytstem for a fee of \$46,250.00. Motion carried with Mr. Price absent.

EMPLOY PACIFIC ENERGEN COGENERATION SYSTEM

Clerk Gellatly read into the record the gifts being donated to the District.

GIFTS TO DISTRICT

Motion by Trustee Gellatly, seconded by Trustee Moore, to accept on behalf of the Saddleback Community College District the gifts shown in the exhibit on file with these minutes.

#### Information and Reports

Both College Presidents submitted for inclusion in the agenda distributed in advance of this meeting a written report.

PRESIDENTS' REPORT

Dale Larson, representing President Hart, reported on the success of an auction held September 17 for Richard Pfost, a quadraplegic Irvine Valley College student who recently lost all his personal possessions due to the burning of his apartment. From the auction and community contributions, to date over \$10,000.00 has been raised.

The Preliminary Calendar of Events for the Irvine Valley College Dedication Week was distributed.

President Carroll announced that Radio Station KSBR recently received excellent coverage from the Los Angeles Times newspaper.

She also announced that the Nursing Program has started a new tradition--on September 18 they held the first meeting of Nursing Program graduates.

President Carroll reported that Saddleback College's enrollment is up this year in both average daily attendance (ADA) and head count. Enrollment also continues to increase and for this she expressed her appreciation to the faculty, staff and Public Information Office staff for their assistance.

Terry Burgess, InterCollege Academic Senate, reported that the Senate operation is in its fifth week. The InterCollege Senate met for the first time Friday, September 20, in a very positive atmosphere. Senate representatives will meet again Thursday, September 26, with Chancellor Stevens to discuss their mutual concerns.

ACADEMIC SENATE

President Dorie Dent, California School Employees Association, announced the end of the year beach party to be held at Doheny State Beach Saturday, September 28, 1985. CSEA

In the next two months, CSEA will be electing new officers for their Executive Committee.

There was no report from the Faculty Association.

Chancellor Stevens announced that Dr. Joshua Smith, Chancellor, California Community Colleges, will be the special speaker at the Irvine Valley College Dedication Ceremony on October 22. He asked the Board Members to circle that week on their calendars.

FACULTY
ASSOCIATION
CHANCELLOR'S
REPORT

Chancellor Stevens discussed his intention to put emphasis on "catch-up" projects such as giving high priority to the air conditioning problem in the Saddleback College Fine Arts and Social Science complexes, Safety and Welfare Projects, and the secondary effects of the opening of the general classroom building this Spring.

Special recognition was given to James Pettengill by the Chancellor concerning the Foundation Board Report.

It was reported Donna Hatchett, District Director Community Relations and Development, would begin her duties October 1, 1985.

Chancellor Stevens asked Vice Chancellor Grafsky to brief the Board regarding the action taken by the State Board of Governors to administratively cancel the .911 absence factor, how it pertains to the State's average daily attendance (ADA) totals and what it might mean for the District.

Trustee Moore requested that President Carroll send a letter to the Los Angeles Times thanking them for their complimentary remarks on Radio Station KSBR (but requesting them to change the word "fired" to "laid off" as it relates to radio station employees. If employees really were "fired", it is all right to leave it as it is.)

Special Assistant to the Chancellor, Pete Espinosa, distributed "Legislative Update" dated September 23, 1985.

LEGISLATIVE UPDATE

Motion by Trustee Walther, seconded by Trustee Gellatly, that this Board go on record in support of AB 575 (McAlister) regarding Job Placement Centers. Motion carried with Mr. Price absent.

SUPPORT AB 575

Trustee Moore requested that AB 3 (Campbell) Matriculation be reviewed by the Academic Senate and Counseling Services Organization.

REVIEW AB 3

Chancellor Stevens will discuss the District's position with the Academic Senate representatives at his next meeting with them.

Mr. Espinosa reported that letters have been sent to Meredith Kachigian and William Campbell inviting them to meet with the Board of Trustees' representatives and the representatives of the Academic Senate as well as students to discuss interests and concerns in relation to the Master Plan for Higher Education.

Trustee Gellatly requested that the Board be informed of the local meetings. Mr. Espinosa will send reminders to the Board regarding hearing schedules.

Motion by Trustee Moore, seconded by Trustee Gellatly. to reschedule the Study Session regarding Retention of Students from October 28, 1985, to a date to be determined by the Chancellor. Motion carried with Mr. Price absent.

STUDENT RETENTION REPORT POSTPONED

Motion by Trustee Moore, seconded by Trustee McKnight, to request Chancellor Stevens to prepare a resolution of commendation for the Saddleback Community College District Foundation and its officers commending them for an outstanding job initiating the actions to re-establish a functional unit. Such resolution should be presented to Trustees for consideration at the Board Meeting of October 14, 1985. Motion carried with Mr. Price absent.

REQUEST COMMENDATION OF FOUNDATION

Motion by Trustee Moore, seconded by Trustee Walther, to instruct the Chancellor to ask his staff to prepare an assessment report for the Board of Trustees of what it would take subsequent to this year's election to convert from odd numbered election year elections to regular even numbered year elections. The Chancellor should include in the report the financial implications in terms of funding such an election and prepare a trial resolution on this matter. Motion carried with Mr. Price absent.

ASSESSMENT REPORT RE: ELECTIONS

Motion by Trustee Walther, seconded by Trustee McKnight, to request the Board of Trustees to send a letter, similar to one from Grossmont/Cuyamaca Collges, to the Board of Governors indicating what the District anticipates losing from the late start of the lottery and asking for their help in replacing the funds. Motion carried with Mr. Price absent.

LETTER TO BOARD OF GOVERNORS RE: LOTTERY LATE START

Chancellor Stevens mentioned that Joe Keating, Assistant Chancellor for Administration and Finance, California Community Colleges, reported the estimate was there would be no loss from the late start of the lottery this year. The analysts project they will catch up with lost time. The Chancellor did agree the letter should be sent anyway.

# Correspondence/Comments/Action

Correspondence was submitted to the Board of Trustees for review and comment.

CORRESPON-DENCE/ COMMENTS/ ACTION Trustee Walther gave a report concerning her attendance at the California Community College Trustees Association Board Meeting at which time she presented this Board's response to CCCT's Governance and Mission proposals.

CCCT BOARD MEETING

The meeting was adjourned at 9:30 p.m.

**ADJOURN** 

The next regular meeting of the Board of Trustees will be held on Monday, October 14, 1985, at 8:00 p.m. in Library 105 at Saddleback College.

NEXT MEETING

Larry P. Stevens

Secretary to the Board of Trustees

JJ:bem