

APPROVED

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT

February 24, 2004

The Board of Trustees of the North Orange County Community College District met for a Meeting on Tuesday, February 24, 2004, at 5:30 p.m. in the Board Room at the Anaheim Campus

Board President Nancy Rice called the meeting to order at 5:35 p.m. Adam O'Connor led the Pledge of Allegiance to the Flag.

TRUSTEE ROLL CALL: Present: Jeff Brown, Otto Lacayo, Leonard Lahtinen, Molly McClanahan, Donna Miller, Manny Ontiveros, Nancy Rice, and Student Trustees Carlos Ayon and Karen Johnson. Absent: None.

NOCCCD RESOURCE PERSONNEL PRESENT: Jerome Hunter, Chancellor; Rod Fleeman, Vice Chancellor, Finance & Facilities; Jeff Horsley, Vice Chancellor, Human Resources; Kathleen Hodge, President, Fullerton College; Margie Lewis, President, Cypress College; Gary McGuire, Provost, School of Continuing Education; Donna Hatchett, District Director, Public Affairs; Jack Raubolt, District Director, Information Services; Karen Cant, representing the District Management Association; Andrea Sibley-Smith, representing the School of Continuing Education Academic Senate; Steve Gold, representing the Cypress College Academic Senate; Rolando Sanabria, representing the Fullerton College Faculty Senate; Lisa Campbell, representing United Faculty; Sam Russo, representing Adjunct Faculty United; Shannon Ellis, representing CSEA; Violet Ayon, Recording Secretary.

OTHER ADMINISTRATORS AND EMPLOYEES PRESENT: Susan Clifford, Andrea Hanstein, Adam O'Connor, and Janet Portolan from Fullerton College; Nancy Byrnes, Darlene Fishman, Mike Kasler, Denny Konshak, and Jose Recinos from Cypress College; Greg Schulz and Christine Terry from the School of Continuing Education; Ron Beeler, Steve Duncan, Ava Guerrero-Hill, Marge McClure, Don North, DeeDee Rangel, Pat Reish, Dorothy Owens-Whitehurst, and Fred Williams from the District Offices.

VISITORS: Kate Clark and David Viar

PUBLIC COMMENTS: Members of the Audience:

- A. **Denny Konshak**, ADFAC Co-Chief Negotiator, expressed ADFAC's gratitude for the implementation of adjunct faculty evaluations.

BLOCK VOTE APPROVAL: It was moved by Trustee Otto Lacayo and seconded by Trustee Leonard Lahtinen that the following items be approved by block vote:

Finance & Facilities: 4.a, 4.c, 4.e, 4.f, 4.g
 Instructional Services: 5.a
 Human Resources: 6.a, 6.b, 6.d

Motion carried unanimously, including the Student Trustees' advisory votes.

REPORTS:

- A. As a part of the **Chancellor's Report**, Don North, District Buyers, was honored upon his recent retirement after nearly 30 years with the District.
- B. Also included in the Chancellor's Report was a presentation and discussion on "Participating Effectively in District and College Governance," which was led by Dr. David Viar, Executive Director of the Community College League of California and Ms. Kate Clark, President of the Academic Senate for California Community Colleges. Highlights of the presentation included a review of AB1725 history, contents, and intent of reform; clarification on the recommending nature of the Academic Senate role; and clarification on regulations and guidelines applicable to the Academic Senates, collective bargaining, staff, and students.

Dr. Viar specifically noted that the term "shared governance" has been replaced by "effective participation" in district and college governance because of the role faculty, staff, and students have in participating effectively in decision-making processes. Faculty, staff, and students have a shared involvement in a decision-making process; however, this does not imply total agreement and doesn't require the same

involvement of all people, nor does it change the ultimate role of the governing board to make decisions. Faculty, staff, and students may participate effectively in developing or changing a decision-making process, but not the decision.

Ms. Clark reviewed regulations specifying the role of the Academic Senates in making recommendations, the definition of “consult collegially,” and she identified the academic and professional matters about which the faculty/academic senates must be consulted. She also discussed the guidelines for how the Board may consider recommendations from the senates, under what circumstances the recommendation may not be accepted and how that situation is handled, and she identified other legal provisions related to collective bargaining, equivalency, and retreat rights.

In the ensuing discussion, Dr. Viar and Ms. Clark clarified or provided an opinion on the following issues: 1) the role of faculty, staff, and students in budget development; 2) identifying when issues fall under academic and professional matters; 3) the need for constituent representatives to represent the views and concerns of their constituents; and 4) the importance of open and honest communication in order to facilitate effective participation.

(See Supplemental Minutes #913 for a copy of the presentation.)

At 8:04 p.m., Board President Nancy Rice adjourned the meeting for a five-minutes break.

At 8:10 p.m., Board President Nancy Rice reconvened the meeting.

- C. **Margie Lewis**, Cypress College President; **Kathleen Hodge**, Fullerton College President; and Gary McGuire, School of Continuing Education Provost, reported on activities and events at their respective areas.

As a part of her report, Dr. Lewis introduced Jose Recinos, the new Cypress College Manager of Maintenance & Operations. As a part of her report, Dr. Hodge introduced Russ Collins, the new Fullerton College Director of Campus Safety.

COMMENTS:

- A. **Karen Cant** announced that DMA is sponsoring a training session for management staff on various District Office departments.
- B. **Rolando Sanabria** expressed his confidence in Dr. Hodge’s ability to heal any old wounds remaining at Fullerton College.
- C. **Student Trustee Karen Johnson** reported on the Candidates’ Forum scheduled for February 25 at Cypress College.

- D. **Student Trustee Carlos Ayon** thanked Chancellor Hunter for his presentation at the Fullerton College Black History event; expressed his gratitude to those individuals responsible for coordinating the receptions in honor of Dr. Hodge; reported that the Associated students Retreat is scheduled for March 25; and announced the successful sale of Associated Students benefits cards, which amounted to an additional 700 cards sold this year over those sold last year.
- E. **Trustee Leonard Lahtinen** announced that a Fullerton College student was recently crowned Miss Anaheim. In addition he expressed his dismay at seeing that at the Fullerton Museum there is no indication at the Museum that the District owns the facility and suggested that signage to that effect be considered.

MINUTES: It was moved by Trustee Molly McClanahan and seconded by Trustee Manny Ontiveros to approve the minutes of the Regular Meeting of February 10, 2004, as submitted. **Motion carried unanimously, including the Student Trustees' advisory votes.**

PUBLIC HEARINGS:

- A. At 8:40 p.m. Board President Nancy Rice opened a public hearing to receive comments on the salary and benefits reopener proposed by Adjunct Faculty United. There being no comments, the public hearing was closed at 8:41 p.m.
- B. At 8:42 p.m. Board President Nancy Rice opened a public hearing to receive comment son the Adjunct Faculty Contract salary and benefits reopener proposed by the District. There being no comments, the public hearing was closed at 8:43 p.m.

It was then moved by Trustee Otto Lacayo and seconded by Trustee Donna Miller that the Board adopt the District's proposal. **Motion carried unanimously, including the Student Trustees' advisory votes.**

FINANCE & FACILITIES:

Item 4.a: By the block vote, authorization was granted to surplus and sell the child care playground equipment at Cypress College. The following items are listed below:

One Miracle recreation playground structure , Model #714-000, inventory #34312.

One Little Tykes Play Center, Model #6501, inventory #50521, and the Matta surface material.

Further authorization was granted for the District Director of Purchasing to execute the sale of surplus equipment.

Item 4.b: Upon clarification on the bid amounts and consideration for delaying the related construction project, it was moved by Trustee Leonard Lahtinen and seconded by Trustee Otto Lacayo to continue this item until the next Board meeting. Upon extensive discussion on this item, Trustee Otto Lacayo withdrew his second. The motion then failed for lack of a second.

Trustee Donna Miller then moved and Trustee Manny Ontiveros seconded that the Board award PW0304-01, Cypress College Library/Learning Resource Center, to the contractors identified as the lowest and responsible bidders per the plans and specifications included in each package, and contingent upon the California Community College Chancellor's Office approval, issue agreements as follows:

Bid Package #	Bid Package Description	Contractor Name	Bid Amount
1	General Construction (site work)	Meadows Construction	\$
2	General Construction (building)	Al Shankle Construction	\$
3	Structural Steel/Misc. Metals	Forsyth Steel	\$
4	Casework	ISEC, Inc.	\$
5	Roofing	Coast Roof Co., Inc.	\$
6	Door, Frames & Hardware	ISEC, Inc.	\$
7	Glass/Glazing	Padua Glass Enterprise	\$
8	Painting & Wall covering	Western Painting	\$
9	Flooring	The Invironmentalist	\$
10	Plumbing	Alpha Mechanical	\$
11	Fire Protection	Alpha Mechanical	\$
12	HVAC	Couts Heating & Cooling	\$
13	Electrical	MB Herzog Electric, Inc.	\$
		GRAND TOTAL	\$

It was also moved by Trustee Donna Miller and seconded by Trustee Manny Ontiveros to amen further authorization for the Vice Chancellor, Finance and Facilities, to execute the agreements for the District and approve any further specification changes up to 10% or \$15,000, whichever is greater, of the contract amount for the District.

Motion carried with Trustee Leonard Lahtinen voting no, and the Student trustees' advisory votes.

Item 4.c: By the block vote, authorization was granted to revise the agreement with PSOMAS to provide engineering design services to reflect the following: 1) Fullerton and Cypress College's fire water systems and coordinating with the Fullerton Fire Department revised from a cost not to exceed \$90,000 to a cost of \$134,530; (2) the design of Fullerton College storm drain system revised from a cost not to exceed \$44,530 to a cost of \$58,000.

Item 4.d: Upon clarification on the number of architectural firms initially contracted and the reason for the recommendation, it was moved by Trustee Leonard Lahtinen and seconded by Trustee Molly McClanahan to revise the architectural agreements naming tBP/Architecture as the sole architect responsible for the Fullerton College Image Plan, Cypress College Access Plan and the School of Continuing Education facility at Cypress College. **Motion carried unanimously, including the Student Trustees' advisory votes.**

Item 4.e: By the block vote, authorization was granted for the various change orders for public works projects listed per the Change Order Request.

Further authorization was granted for the Vice Chancellor, Finance and Facilities, to execute each contractor agreement on behalf of the District.

Item 4.f: By the block vote, authorization was granted for Fullerton College to enter into a contract with tBP/Architecture to develop a master plan for Lemon Street. The total cost to Fullerton College for these services will not exceed \$8,000. A copy of the contract will be on file in the District Business Office.

Further authorization was granted for the Vice Chancellor, Finance and Facilities, to execute the contract on behalf of the District.

Item 4.g: By the block vote, authorization was granted to enter into an agreement with Geotechnical Solutions, Inc. to provide geotechnical observation and testing services during construction to include the following: (1) continuous observation and testing of installations, vibration and noise monitoring of piles at Cypress College at a cost not to exceed \$32,000; (2) to perform Cone Penetrometer Tests and/or borings at 12 locations at Cypress College to characterize site specific subsurface conditions and to perform liquefaction studies at a cost not to exceed \$14,800. The agreement to Geotechnical Solutions, Inc., totals \$46,800 and will commence on February 25, 2004 and end on December 31, 2005.

Further authorization was granted for the Vice Chancellor, Finance and Facilities to execute the agreement on behalf of the District.

INSTRUCTIONAL SERVICES:

Item 5.a: By the block vote, authorization was granted to accept funds, transfer funds and/or enter into agreements, adopt resolutions to accept new income, establish budgets, and authorized expenditures within the General Fund, pursuant to the California Code of Regulations, Title 5, Section 58308, and authorize the Vice Chancellor, Finance and Facilities to execute the agreement and to sign any related documents on behalf of the District, as follows:

SITE	PROJECT NAME	LENGTH OF CONTRACT	TOTAL CONTRACT	AUTHORIZED SIGNATORIES ON BEHALF OF DISTRICT
CC	Grant Award for Cypress College for Society of Physics Students from American Institute of Physics	1/1/04 – 12/15/04	\$1,195.40	<u>For the agreements and any amendments to modify the agreement, and any related documents:</u> Chancellor or Vice Chancellor, Finance and Facilities and for <u>any related documents:</u> District Director, Fiscal Affairs
CC	Grant Agreement for Cypress College Nursing Department for the Associate Degree in Nursing Program from the California Community Colleges Chancellor's Office	7/1/03 – 3/31/04 (No cost extension until 3/31/04)	\$59,701	<u>For the agreements and any amendments to modify the agreement, and any related documents:</u> Chancellor or Vice Chancellor, Finance and Facilities and for <u>any related documents:</u> District Director, Fiscal Affairs
CC	Grant Agreement for Cypress College Nursing Department for Orange County-Long Beach Nurse Training Collaborative from the Orange County Workforce Investment Board	7/1/03 – 6/30/04	\$100,000	<u>For the agreements and any amendments to modify the agreement, and any related documents:</u> Chancellor or Vice Chancellor, Finance and Facilities and for <u>any related documents:</u> District Director, Fiscal Affairs

HUMAN RESOURCES:

Item 6.a: By the block vote, authorization was given for the following academic personnel matters, which are within budget:

CHANGE IN SALARY CLASSIFICATION

Wessenger, Nancy	CC	Chemistry Instructor (ADJ) From: Column 1, Step 1 To: Column 3, Step 1 Eff: 01/20/2004
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TEMPORARY ACADEMIC HOURLY-INSTRUCTIONAL-2004 SPRING SEMESTER, TRIMESTER

Bush, Diana	FC	Column 1, Step 1
DeFazio Kihae	CC	Column 1, Step 1
Hamilton, Mark	SCE	SCE Hourly Rate
Lewin, Linda	FC	Column 1, Step 1
Miller, Melinda	SCE	SCE Hourly Rate
Morris, Sherylove	SCE	SCE Hourly Rate
Nickell, James	FC	Column 1, Step 1
Smith, Gregg	FC	Column 1, Step 1
Vaughan, Sandra	FC	Column 1, Step 1
Ward, Kara	SCE	SCE hourly Rate
Whitley, Kenneth	FC	Column 1, Step 1

TEMPORARY ACADEMIC HOURLY-NONINSTRUCTIONAL-2004 SPRING SEMESTER, TRIMESTER

Campos, Joanna	FC	Column 2
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STUDENT INTERNS WITHOUT PAY

Karpow, Shaun	FC	Geography Department Eff. 2004 Spring Semester/2004 Fall Semester
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Item 6.b: By the block vote, authorization was given for the following classified personnel matters, which are within budget:

RETIREMENT

Hatchett, Donna	AC	District Director, Public Affairs (100%) Eff. 8/05/2004
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RESIGNATIONS

Mathong, Tippawan	FC	Child Care Teacher I (75%)
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RECONVENE OPEN SESSION: At 10:10 p.m., Board President Nancy Rice reconvened the meeting in open session and reported the following action taken in closed session:

It was moved by Trustee Manny Ontiveros and seconded by Trustee Jeff Brown to reject the Claim for Damages presented by Archibald “Arnie” Melendrez.
Motion carried unanimously.

ADJOURNMENT: At 11:08 p.m., it was moved by Trustee Molly McClanahan and seconded by Trustee Jeff Brown to adjourn the meeting. **Motion carried unanimously.**

Otto Lacayo, Secretary

Board of Trustees