

## APPROVED

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

April 22, 2003

The Board of Trustees of the North Orange County Community College District met for the Regular Meeting on Tuesday, April 22, 2003, at 5:30 p.m. in the Board Room at the Anaheim Campus.

Board President Leonard Lahtinen called the meeting to order at 5:35 p.m. Allen Brown 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 Trustee Briana Padilla. Absent: Student Trustee Dhruvin Shah.

**RESOURCE PERSONNEL PRESENT**: Jerome Hunter, Chancellor; Rod Fleeman, Vice Chancellor, Finance & Facilities; Jeff Horsley, Vice Chancellor, Human Resources; Michael Viera, 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; Ann-Marie Gabel, representing the District Management Association; Andrea Sibley-Smith, representing the School of Continuing Education Academic Senate; Rolando Sanabria representing the Fullerton College Faculty Senate; Jesse Saldana, representing the Cypress College Academic Senate; Barbara Bennett, representing United Faculty; Vickie McPherson, representing CSEA, Chapter #167; Sam Russo, representing ADFAC; Violet Ayon, Recording Secretary.

**OTHER ADMINISTRATORS AND EMPLOYEES PRESENT**: Gheorghe Anolrei, Ronald Assef, Stefan Ciocr, Susan Clifford, Gary Cotter, Sandy Cotter, George Covington, Andrea Hanstein, Susan Harris, Adam O'Connor, Sophie Kemit, Linda Lozano, Rod Lusch, Pearl Olmos, Janet Portolan, Jose Luis Quezada, John Reid, Mark Stinson, Miguel Vargas, Joseph Vasquez, Chris Vijela, Gerardo Villalobos, Estela Villegas, and Richard Williams from Fullerton College; Jim Arbogast, Eduardo Assef, Ken Burnett, Nancy Byrnes, Karen Cant, Tom Enders, Pat Ganer, Betty Germanero, Brian Gomber, Sue Head, Barbara Hunt, Jann Nelson, Mary Rothera, Wayne Todd, and Frances Wahl from Cypress College; Shannon Ellis, Robin SanRomas, Greg Schulz, and Chris Terry from the School of Continuing Education; Ron Beeler, Steve Duncan, Ava Guerrero-Hill, Dorothy Owens-Whitehurst, and Fred Williams from the District Offices.

**VISITORS PRESENT**: Cypress College Students Otix Greet and Marin Tonuta.

**COMMENTS: MEMBERS OF THE AUDIENCE:**

- A. **Jim Arbogast**, from Cypress College, addressed the Board and submitted the following statement for the record:

On behalf of the Classified Employees to Chapter 167, we appreciate the resolution of the 2001 and 2002 Negotiations.

I want to point out to you that the road traveled, by the Board of Trustees, District and its Management Negotiation Team, was a poor choice. Yes, we finally all got to the end, but why did your team drive over nearly every pothole and rock?

A lot of hard feelings resulted from this process that has been referred to as the "Salami" technique, one slice at a time, until the whole loaf is gone.

This was a calculated attack on our contract. What did the Management Team throw on the table to give up? Nothing. Whereas Classified was expected to forsake numerous key aspects of our contract. This was unethical and created a quagmire of fallout. Did we all learn something from this, or are we going down this same road in the near future?

The upshot of the recently resolved negotiations between Management and Classified has been a developing network of eyes and ears. This increased solidarity has stood firmly behind our Executive Board and Negotiation Team.

Don't ever forget, we want to see, the Binding Arbitration of the Disciplinary Section placed back in our contract! This needs to be resolved and would show good faith.

Now our District is facing severe budgetary constraints and potential layoffs. We want to see the District fully exhaust every avenue and turn over every stone to prevent layoffs of ALL staff. We want to see the District exercise true leadership, in which all departments and staff, whether you're Management, Confidential, Certificated or Classified equally shoulder the load.

It is unfair to expect the few to carry the burden for all. This is not acceptable to Classified and shouldn't be acceptable to Management or the other groups. Therefore the Board of Trustees should move

cautiously and expect equitability and nothing less, in all cost saving measures.

ALL CUTS, SHOULD BE ACROSS THE BOARD!

- B. **Mary Rothera**, from Cypress College, addressed the Board regarding the missing ingredient in classified negotiations and other issues, which is “trust.” The classified no longer have trust in the Board. She expressed her hope for true leadership, which is caring, sensitivity, and details from the Board for the classified staff.
- C. **Frances Wahl**, from Cypress College, addressed the Board with her hope for a “team” effort in sacrificing equally in order to see the District through the difficult budgetary times and saving as many positions available as possible. She went on to express her gratitude to the Board for the job they are doing for the limited pay they receive.

In response to the public comments, Board President Leonard Lahtinen expressed the Board’s commitment to dealing with budgetary reductions in a fair and equitable manner for all.

**ADDENDUM TO AGENDA:** It was moved by Trustee Otto Lacayo and seconded by Trustee Nancy Rice that the Board make a finding pursuant to Government Code Section 54954.2 and that agenda item 3.j, Emergency Repair of Broken Sewer Line at Cypress College, be considered. **Motion carried unanimously, including the Student Trustee’s advisory vote.**

**BLOCK VOTE APPROVAL:** It was moved by Trustee Otto Lacayo and seconded by Trustee Nancy Rice to approve by block vote the following items:

Finance & Facilities:	3.a, 3.b, 3.c, 3.d, 3.e, 3.f, 3.g, 3.h
Instructional Services:	4.a, 4.b, 4.c
Human Resources:	5.a, 5.b, 5.c, 5.d

**Motion carried unanimously, including the Student Trustee’s advisory vote.**

## REPORTS:

- A. As a part of the **Chancellor's Report**, Allen Brown, Dean of Natural Sciences at Fullerton College, and Cynthia Rounds, Science Specialist with the Fullerton School District, conducted a presentation on the Sciences 2002 Summer Camp for Kids, which is a cooperative project between the two educational entities. The Summer Science Camp involves 26 underprivileged, elementary school-age students and 5 Fullerton

College science instructors, as well as the Summer Camp Coordinator, School District Project Co-Director, the College Project Co-Director, and 2 lab assistants/teaching interns, that spent one week on positive hands-on science experiences. The Summer Camp was funded by a grant from Beckman-Coulter, Inc. and in-kind contributions from various offices throughout Fullerton College. The goals of the Summer Camp were: 1) extend science knowledge and process skills in earth, life, and physical science; 2) provide students with a positive hands-on inquiry-based science learning experience on a college campus; and 3) motivate students to attend college.

(See Supplemental Minutes #893 for a copy of the presentation.)

- B. Also as a part of the **Chancellor's Report**, Janet Portolan, Vice President, Educational Support/Planning at Fullerton College, presented a Fullerton College Promotional Video. She stated that diversity is a major part of the college's framework, and in conjunction with Cindy Vyskocil, a promotional video was developed to be used in recruiting faculty, staff, and students to Fullerton College.
- C. Also as a part of the **Chancellor's Report**, Rod Fleeman and Fred Williams presented information on budget reduction strategies. During the presentation the following were identified: 1) the District's available reserves as of July 2002; 2) the monthly cost anticipated for the transition period during personnel reductions; 3) the proceeds expected from the sale of the District's Yorba Linda and La Habra properties, \$12,250,000 and \$3,300,000, respectively; 4) expenditures as of March 1, 2003, for travel, memberships, and staff development per a previous Board inquiry; and 5) budgeted expenditures. Dr. Fleeman noted that contingency funds could be used during the transition period of budgetary reductions requiring loss of positions, which could cost up to \$468,566 monthly. He suggested using the proceeds from the sale of the Yorba Linda and La Habra properties to help offset the obligation to the retirement benefit unfunded liability.

(See Supplemental Minutes #893 for a copy of the Budget Reduction Strategies presentation.)

In the ensuing discussion, clarification was provided on the following: 1) Non-resident available reserves remain with the colleges for their use as needed; 2) the Board at its discretion could expend Board Policy reserves; 3) indirect costs reserves are usually spent the year following the year the indirect costs are earned; 4) personnel reserves are to be spent on personnel items only; 5) personnel reserves balances were as of July 2002; thus, due to the mid-year budget reductions not much of these funds are currently available; 6) retiree benefits are paid from general fund monies; 7) approximately 100 positions (filled and/or vacant) Districtwide may be eliminated during 2003-04 as identified by each cost center; 8) March 15 notices were not sent out this year to faculty because of the current 41 faculty vacancies; 9) two academic managers did receive a

March 15 notice, and layoff notices are being considered for some classified managers; 10) failure to meet the state faculty obligation would require a refund from the District to the state for those positions unfilled – the state is being asked to waive the full-time faculty obligation statewide for this coming year due to the sever budget cuts.

- D. **Chancellor Hunter** requested the Board's direction regarding a request from the Community College League of California (CCLC) for a Board lead contact to work with CCLC in the development of a response to proposed Senate Bill 6. Trustee Nancy Rice agreed to be the Board's lead contact with CCLC.

Student Trustee Briana Padilla left the meeting at 7:58 p.m.

- E. **Michael Viera**, Fullerton College President, **Margie Lewis**, Cypress College President, and **Gary McGuire**, Provost of School of Continuing Education (SCE), reported on activities in their respective areas.

#### COMMENTS:

- A. **Rolando Sanabria** inquired on any possible advertising for the May 27 board meeting discussion on budget reductions. It was agreed that an announcement of the budget reduction discussion scheduled for the May 27 Board meeting will be distributed to all staff.
- B. **Ann-Marie Gabel** invited the Board to the District Management Association's End-of-the-Year Luncheon and Installation on Friday, May 9, at the Radisson Knott's Hotel.
- C. **Vickie McPherson** extended her gratitude to the Board for its continued support of classified employees and its commitment to a fair and equitable budget reduction process.
- D. **Trustee Jeff Brown** read a portion of NAACP President and CEO Kweisi Mfume's keynote address at a recent Innovations 2003 Conference. His speech focused on the importance of community colleges and the impact they make on the lives of students.
- E. **Trustee Leonard Lahtinen** encouraged students to become involved in the SOS-CCC, which is a student organization in support of community colleges. In addition, he commended the colleges on their summer schedules.
- F. **Chancellor Jerome Hunter** called the Board's attention to, and the Board acknowledged receipt of, Student Trustee Drew Shah's e-mailed statement in which he

requests that the District accept the original budget reduction plan presented by Fullerton College.

**MINUTES:** It was moved by Trustee Manny Ontiveros and seconded by Trustee Nancy Rice to accept as submitted the minutes of the Regular Board meeting held on April 8, 2003. **Motion carried unanimously, including the Student Trustee's advisory vote.**

## **FINANCE & FACILITIES**

**Item 3.a:** By the block vote, authorization was granted to extend the contract for four years with Pro-Tech Fire Protection Company, under Bid 2003-4, Fire Protection Equipment Services, Repair and Installation throughout the District, commencing July 1, 2003 through June 30, 2007, at a cost not to exceed \$25,000 per year.

Further authorization was granted for the District Director of Purchasing to execute the agreement on behalf of the District.

**Item 3.b:** By the block vote, authorization was granted to file the Notice of Completion for PW 0102-209, with Viking Insulation Company, as contractor for Package #6 (Insulation), for the NOCCCD Anaheim Campus Interior Renovations, and release the final retention payment when due.

**Item 3.c:** By the block vote, authorization was granted to file the Notice of Completion for PW 0102-209, with CMF, Inc., as contractor for Package #8 (Sheet Metal), for the NOCCCD Anaheim Campus Interior Renovations, and release the final retention payment when due.

**Item 3.d:** By the block vote, authorization was granted to file the Notice of Completion for PW 0102-209, with Dryden Glass Contractor, as contractor for Package #11 (Glass and Glazing), for the NOCCCD Anaheim Campus Interior Renovations, and release the final retention payment when due.

**Item 3.e:** By the block vote, authorization was granted to file the Notice of Completion for PW 0102-209, with Angeles Contractor, as contractor for Package #13 (Tile), for the NOCCCD Anaheim Campus Interior Renovations, and release the final retention payment when due.

**Item 3.f:** By the block vote, authorization was granted to file the Notice of Completion for PW 0102-209, with Angeles Contractor, as contractor for Package #15 (Carpet), for the NOCCCD Anaheim Campus Interior Renovations, and release the final retention payment when due.

**Item 3.g:** By the block vote, authorization was granted for the various change orders for public works projects listed per the attached 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 3.h:** By the block vote, authorization was granted to approve the Certification of Expenditures for Video Conferencing Equipment Upgrade as submitted by the District's Technology Staff.

Further authorization was granted for the District Director, Information Services to sign the agreements on behalf of the District.

Additional authorization was granted to adjust the income and expenditure accounts reflecting the revised amount of grant funds to be received, adopt a resolution to reflect the additional income, increase budgets, and authorize expenditures within the General Fund, pursuant to the California Code of Regulations, Title 5, Section 58308.

Telecommunication & Technology Infrastructure Plan	
Video Conferencing Upgrade	\$25,000 each to Fullerton College, Cypress College, District Offices

**Item 3.i:** It was moved by Trustee Donna Miller and seconded by Trustee Nancy Rice that the Board make a finding pursuant to Government Code Section 54954.2 that the need to consider Addendum Item 3.j arose subsequent to the 72-hour requirement for posting the Agenda for the April 22, 2003, meeting and that Item 3.j be placed on the Agenda for discussion and action. **Motion carried unanimously.**

**Item 3.j:** By the block vote, authorization was granted to enter into a contract with Roto-Rooter Service and Plumbing Company, for emergency repair of the broken sewer line at Cypress College, at a cost not to exceed \$35,000.00

Further authorization was granted for the District Director of Purchasing to execute the contract on behalf of the District.

## **INSTRUCTIONAL RESOURCES**

**Item 4.a:** By the block vote, authorization was granted to accept grant funds, transfer funds and/or enter into agreements, adopt resolutions to accept new income, establish budgets, and authorize 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
FC	Child Development Centers, Instructional Materials Grant	7/1/02 to 6/30/03	\$2,790	<u>For the agreements and any amendments to modify the agreement, and any related documents:</u> Chancellor or Vice Chancellor, Finance and Facilities and <u>for any related documents:</u> District Director, Fiscal Affairs

**Item 4.b:** By the block vote, authorization was granted for Cypress College Forensic Student James Chang and faculty member Dr. Patricia Ganer to attend the out-of-state 131<sup>st</sup> Interstate Oratory Contest, April 26-27, 2003, at Rice University in Houston, Texas, at a cost not to exceed \$1,500 to be paid by the Swap Meet Fund.

**Item 4.c:** By the block vote, authorization was granted for the Cypress College summary of curriculum additions and changes to become effective fall 2003.

(See Supplemental Minutes #893 for a copy of the summary of curriculum additions and changes.)

**Item 4.d:** It was moved by Trustee Molly McClanahan and seconded by Trustee Manny Ontiveros to grant authorization for the dedication of Cypress College Classroom H-108 in memory of William (Bill) Clarke for his outstanding dedication to Cypress College students. All related costs will be paid for by donations from faculty members. **Motion carried unanimously.**

Trustee Molly McClanahan suggested that a plaque or similar item be placed in the classroom so that generations to come will know for whom the classroom was dedicated.

## HUMAN RESOURCES

**Item 5.a:** By the block vote, authorization was given for the following academic personnel matters, which are within budget:



**Item 6.a:** It was moved by Trustee Donna Miller and seconded by Trustee Nancy Rice that the Board mark its ballot for the California Community College Trustees Board of Directors election. The Board cast its vote for the following individuals: Edward C. Ortell, Maria Nieto Senour, John Moore, Mary Mason, Patricia Miljanich, Michele R. Jenkins, Luis Villegas, Charles H. Hayden, Jr, Mark Takano, and Thomas J. Clark. **Motion carried unanimously.**

**Item 6.b:** It was moved by Trustee Nancy Rice and seconded by Trustee Manny Ontiveros that the Board honor the contributions made by faculty members of the District to their students, their colleges and learning centers and adopt Resolution 02/03-08, declaring the week of May 5-11, 2003, as Teacher Appreciation Week. **Motion carried unanimously.**

**Item 6.c:** It was moved by Trustee Nancy Rice and seconded by Trustee Donna Miller that the Board honor the contributions made by the classified employees of the District to the educational community and adopt Resolution 02/03-09, declaring the week of May 19-23, 2003, as Classified School Employee Week. **Motion carried unanimously.**

**CLOSED SESSION:** At 8:31 p.m., Board President Leonard Lahtinen adjourned the meeting to closed session per the following sections of the Government Code:

**Per Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR JEFF HORSLEY, VICE CHANCELLOR, HUMAN RESOURCES, - Employee Organization: United Faculty/CCA/CTA/NEA, Adjunct Faculty United Local 6106, CSEA Chapter #167, and Unrepresented Employees.**

**Per Section 54957: PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE.**

**Per Section 54957: PUBLIC EMPLOYEE EVALUATION: CHANCELLOR**

**RECONVENE OPEN SESSION:** At 11:15 p.m., Board President Leonard Lahtinen reconvened the meeting in open session.

**ADJOURNMENT:** At 11:17 p.m., it was moved by Trustee Molly McClanahan and seconded by Trustee Nancy Rice to adjourn the meeting. **Motion carried unanimously.**

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Otto Lacayo, Secretary  
Board of Trustees