

APPROVED

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

June 24, 2003

The Board of Trustees of the North Orange County Community College District met for the Regular Meeting on Tuesday, June 24, 2003, at 5:30 p.m. in the Board Room at the Anaheim Campus.

Board President Leonard Lahtinen called the meeting to order at 5:34 p.m. Student Trustee Carlos Ayon 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 Karen Johnson and Carlos Ayon. Absent: None.

RESOURCE PERSONNEL PRESENT: Jerome Hunter, Chancellor; Rod Fleeman, Vice Chancellor, Finance & Facilities; Jeff Horsley, Vice Chancellor, Human Resources; Sam Schauerman, Interim 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; Shirley Lewerenz, representing the School of Continuing Education Academic Senate; Rolando Sanabria representing the Fullerton College Faculty Senate; Steve Gold, representing the Cypress College Academic Senate; Lisa Campbell, representing United Faculty; Shannon Ellis, representing CSEA, Chapter #167; Sam Russo, representing ADFAC; Violet Ayon, Recording Secretary.

OTHER ADMINISTRATORS AND EMPLOYEES PRESENT: Ron Beeler, Beth Mooney, Dorothy Owens-Whitehurst, and Fred Williams from the District Offices; Jim Arbogast, Nancy Byrnes, Robert Chavez, Tom Enders, Betty Germanero, Mike Kasler, Denny Konshak, and Gary Schello from Cypress College; Susan Clifford from Fullerton College; Greg Schulz from the School of Continuing Education.

VISITORS PRESENT: Robert Engen from Lee & Associates; Robert Jorasnian from the Liberty Training Institute.

COMMENTS: MEMBERS OF THE AUDIENCE:

1. **Denny Konshak**, CoChief Negotiator for ADFAC, addressed the Board regarding ADFAC negotiations. He stated that negotiations have been difficult, specifically as

it relates to longevity steps for adjunct faculty. He stated that 70 of the 72 statewide community college districts offer longevity steps for adjunct faculty.

2. **Robert Chavez**, from Cypress College, addressed the Board regarding the building projects at Cypress College and the impact they have on the looks of the campus grounds.
3. **Jim Arbogast**, from Cypress College, addressed the Board regarding potential cost-savings measures such as removing refrigerators and turning off computers. In addition, he requested information regarding the basis for the contract extensions for the executive officers of the District.

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

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

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

REPORTS

- A As a part of the **Chancellor's Report**, Vice Chancellor Rod Fleeman presented a collage of photos of the remodeled/refurbished Cypress College Theatre.

Also included in the **Chancellor's Report**, was the report by Dr. Hunter of the pending visit of representatives from the State Chancellor's Office regarding the concurrent enrollment issue. In addition, Dr. Hunter asked the Board's direction in reviewing staff response to the 29 cost-saving measures identified by the joint unions at the June 10, 2003, Special Board meeting. Dr. Hunter expressed his concern about the process to be followed in responding to the 29 suggestions.

Trustees Nancy Rice and Donna Miller indicated that the Board does not want to supersede the decisions made at the campus level, but for the Board to determine if and how much of the reserves will be used.

Faculty representatives indicated their support for the Board to make decisions at the District level and to provide the campuses with direction in identifying additional cost savings options. In addition, the faculty representatives agreed that the District Planning Council is the body for identifying District-wide cost savings measures and providing assistance in balancing the budget.

Upon conclusion of discussion, it was agreed that the Board will review staff responses to the 29 cost-savings ideas and provide feedback/direction to staff. The Board indicated its support for providing the constituent groups with a summary of the information related to the 29 issues. Trustee Jeff Brown stated his desire to hear a response from the constituent groups regarding the Board's inquiry of possible savings measures.

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

COMMENTS:

- A. **Ann-Marie Gabel** reported that as of July 1 Karen Cant assumes the responsibilities as President of the District Management Association.
2. **Student Trustee Karen Johnson** reported on the Cypress College Associated Student Body activities, her participation in the Community College League of California Lobby Day in Sacramento on June 25, 2003, as well as her candidacy for the California Community College Trustees Board of Directors Student Trustee position.
3. **Student Trustee Carlos Ayon** reported that the Associated Student Body Officers are currently finalizing the Student Planner and that Michael Beener and Sharece Mathews have been selected as the student representatives to the Fullerton College Accreditation Committee.
4. **Trustee Molly McClanahan** commended the School of Continuing Education on its graduation ceremony and the excellent program brochure.
5. **Trustee Leonard Lahtinen** commended Donna Hatchett on the recent publication of the *Anaheim Campus Newsletter* and noted the article on Beth Mooney's efforts to save the cats on the Anaheim Campus. Mr. Lahtinen stated that channel 98 on Adelphia cable features flipcharts of the District's campuses, programs, and services.
6. **Donna Hatchett** reported on the new District web site and indicated it was a collaborative effort.
7. **Rod Fleeman** reported on the bid process for the Fullerton College Library Learning Resource Center project and indicated that it looks very promising for bringing the project within the established budget.

MINUTES: It was moved by Trustee Manny Ontiveros and seconded by Trustee Jeff Brown that the Board approve the minutes of the Board's Regular Meeting held on June 10, 2003,

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

FINANCE & FACILITIES

Item 3.a: By the block vote, authorization was granted to adopt the resolution authorizing the County Superintendent of Schools to make any necessary transfers between contingencies and expenditure classifications.

Resolution adopted (See Supplemental Minutes #898).

Item 3.b: By the block vote, authorization was granted to approve the resolution establishing separate bank, saving, clearing, and revolving accounts pursuant to the California Community College Budget and Accounting Manual as authorized by Section 84030 of the Education Code, and in accordance with Education code Sections 85410 and 58311 of Title 5 of the California Code of Regulations.

It was further granted that previous resolutions be rescinded and that any accounts not listed on this resolution and still open be closed immediately.

It was further granted that in order to adequately safeguard and manage District assets, two authorized signatures are required on each check on every account.

It was further granted that account signers, banks, and savings & loans are not authorized to issue counter checks or cashier's checks on any of the accounts.

It was further granted that approval be given to submit revised signature cards to banking institutions for accounts that have been effected by personnel changes.

Resolutions adopted (See Supplemental Minutes #898).

Item 3.c: Upon a presentation on the District's 2003-04 Tentative Budget, which indicates a budget shortfall of approximately \$2.4 million from the \$11,638,900 target reduction, and a question and answer session, it was moved by Trustee Nancy Rice and seconded by Trustee Molly McClanahan to approve the Tentative Budget for Fiscal Year 2003-2004 for all funds of the District and to set a public hearing for September 9, 2003, at the Anaheim Campus Board Room at or about 6:00 p.m. pursuant to Section 58301 of Title 5, California Code of Regulations, to provide the public with an opportunity to comment on the budget prior to the adoption of the Proposed Budget.

Motion carried unanimously, including the Student Trustees' advisory votes.
(See Supplemental Minutes #898 for a copy of the presentation.)

Item 3.d: By the block vote, authorization was granted to participate in a cooperative purchasing contract provided by the General Services Group, County of San Bernardino, for procurement of copy machines and maintenance agreements under authority of Section 20652 of the Public Contract Code. The following vendors were awarded contracts under the original proposal, which expires on June 30, 2006:

- Advanced Copy System Agreement #03-157
- Burtronics Business System Agreement #03-158
- Cook/Arthur, Inc. Agreement #03-159
- Minolta Business Systems Agreement #99-1179
- Ikon Office Solutions Agreement #03-160

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

Item 3.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 3.f: By the block vote, and contingent upon the California Community College Chancellor's Office, authorization was granted for the Vice Chancellor, Finance and Facilities, to award PW 0203-308, Pkg. #4 (Structural, Miscellaneous and Ornamental Steel) to the lowest overall responsive and responsible bidder.

Item 3.g: By the block vote, authorization was granted to file the Notice of Completion for PW 0102-214, with Helix Electric, Inc., as contractor, for the Fullerton College Electrical Distribution System Upgrade, and release the final retention payment when due.

Item 3.h: By the block vote, authorization was granted to file the Notice of Completion for PW 0102-221, with the following contractor and release the final retention payment when due:

Bid Package #	Bid Package Description	Contractor Name
4	Site Electrical	Sage Electric Company

Item 3.i: Upon clarification on the priority order of the projects, it was moved by Trustee Molly McClanahan and seconded by Trustee Manny Ontiveros to acknowledge and accept the North Orange County Community College District 2005/06-09/10 Five Year Construction Plan (5YCP), 2005-06 First State-Funding Year, prepared and submitted in compliance with California Education Code 81800, et al., and the California Community Colleges Chancellor's Office directives and submittal deadline of July 1, 2003. Included

with the 5YCP submittal, are four 2006-07 Initial Project Proposals (IPPs): one for the Child Development Center and one for the Science Building Replacement at Fullerton College and, one for the Humanities Building Renovation and one for the Science/Math Building Renovation at Cypress College, along with one revised Final Project Proposal (FPP) for the Fullerton College Classroom/Faculty Office Building previously approved by the Board on April 9, 2002. **Motion carried unanimously, including the Student Trustees' advisory votes.**

Further authorization was granted for any adjustments to the Plan, prior to its final submittal to the State, be authorized by the Vice Chancellor of Finance and Facilities.

Item 3.j: Upon considerable discussion on the need for a balance between proprietary and upper division tenants at the Anaheim Campus, the need for guidelines for the selection of tenants for the Anaheim Campus, and a question and answer period with Robert Deseranian from Liberty Training Institute, it was moved by Trustee Otto Lacayo and seconded by Trustee Jeff Brown to reject the recommendation to lease the 10th floor of the Anaheim Campus to the Liberty Training Institute. **Motion failed with the following votes cast: Trustees Jeff Brown, Otto Lacayo and Leonard Lahtinen voting yes; Trustees Donna Miller, Manny Ontiveros, Molly McClanahan, and Nancy Rice voting no.**

It was then moved by Trustee Donna Miller and seconded by Trustee Manny Ontiveros to lease 6,600 rentable square feet on the 10th floor of the Anaheim Campus to Liberty Training Institute. **The motion carried, contingent upon legal counsel opinion on the required vote (majority vs two-thirds majority) with the following vote: Trustees Manny Ontiveros, Donna Miller, Molly McClanahan, and Nancy Rice voting yes; Trustees Jeff Brown, Otto Lacayo, and Leonard Lahtinen voting no.**

Subsequently, legal counsel concluded that a majority vote of all the board members was the vote needed to approve the proposed lease. Because there are seven members of the Board of Trustees, four (4) votes were needed to approve the proposed lease to Liberty Training Institute. Thus, the motion stands approved.

Further authorization was granted that the Vice Chancellor, Finance and Facilities, be approved to execute the agreement. The lease commencement date is estimated to begin upon completion of tenant improvements, for a five-year term with an option to renew for five years by giving six month written notice. The initial monthly rate will be \$1.65 per rentable square feet for the first year which is estimated to bring in revenue of \$119,790; month two has the monthly rate waived. Future rental payments will be increased according to the rate schedule in the contract.

INSTRUCTIONAL SERVICES

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
CC	Teacher Prep Program MOU with OC Board of Education's Paraprofessional Teacher Training Program	7/1/02 – 6/30/03	\$8,279	<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
CC	Teacher Prep Program MOU with OC Board of Education's Paraprofessional Teacher Training Program	7/1/03 – 6/30/04	\$8,279	<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
FC	Child Development Playground Compliance Funds	5/1/03 – 6/30/05	\$20,502	<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

HUMAN RESOURCES

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

CHANGE IN MANAGEMENT POSITION TITLES

(No Change in Job Description or Salary Range)

Eff. 07/01/2003

From: Coordinator, Matriculation

To: Manager, Matriculation

From: Coordinator, SCE ESL-SpEd Programs

To: Manager, SCE ESL-SpEd Programs

From: Coordinator, SCE Seniors Programs

To: Manager, SCE Seniors Programs

From: Coordinator, Vocational/Medical Education Programs

To: Manager, SCE Vocational/Medical Education Programs

From: Coordinator, EOPS

To: Manager, EOPS

From: Director, Campus Diversity

To: Director, Equity and Diversity

Item 5.b: It was moved by Trustee Leonard Lahtinen and seconded by Trustee Otto Lacayo that the following classified personnel matters, which are within budget, be approved. **Motion carried unanimously.**

RESIGNATION

Fisher, Jennifer AC Bookstore Assistant (50%)
Eff. 6/12/2003

McGraw, Sonja FC Child Care Aide (100%)
Eff. 6/20/2003

RETURN TO REGULAR POSITION

Grimes, Kelly CC Temporary Special Projects Manager (100%)
Workforce Preparation

To: CC Student Services Specialist/Care
12-month position (100%)

Koo, Joke	From: CC	Child Care Teacher I (100%)
	To: FC	Child Care Teacher I 12-month position (100%) Range 22, Step D+15% Long (\$2,623) Eff. 7/04/2003
Meinert, Gail	From: CC	Child Care Teacher (75%)
	To: FC	Child Care Teacher I 12-month position (100%) Range 22, Step D+15% Long (\$2,623) Eff. 7/04/2003
Mestemacher, Karen	From: CC	Child Care Teacher I (100%)
	To: FC	Child Care Teacher I 12-month position (100%) Range 22, Step E+5% Long (\$2,511) Eff. 7/04/2003
Montano, Diane	From: CC	Manager, Child Care Center (100%) (Management Position)
	To: FC	Manager, Child Care Center (Management Position) 12-month position (100%) Range 5, Step H (\$5,006.67) Eff. 7/04/2003

LAYOFF AND PLACEMENT ON 39-MONTH REEMPLOYMENT LIST

Hase, Adriana	FC	Child Care Teacher I (100%) Eff. 7/04/2003
Richard, Traci	FC	Child Care Teacher I (100%) Eff. 7/04/2003
Sherard, Janette	CC	Child Care Teacher I (50%) Eff. 7/04/2003

VOLUNTARY DEMOTION IN LIEU OF LAYOFF

Leonard, Linda From: FC Manager, Child Care Center (100%)
(Management Position)

To: FC Child Care Teacher I
12-month position (100%)
Range 22, Step E+5% Long+PG&D
(\$2,569.34)
Eff. 7/04/2003

Pavelek, Karin From: FC Child Care Teacher I (100%)

To: FC Child Care Aide
12-month position (100%)
Range 16, Step A (\$1,718)
Eff. 7/04/2003

VOLUNTARY REASSIGNMENT IN LIEU OF LAYOFF

Lord, Tammy From: CC Child Care Aide/Child Care Kitchen
Attendant (75%)

To: FC Child Care Aide
12-month position (100%)
Range 16, Step B (\$1,801)
Eff. 7/04/2003

Item 5.d: By the block vote, authorization was given to employ hourly personnel for the dates indicated and contracting out of specialists for the EOPS and Disabled Student Centers in accordance with the Agreement between the District and CSEA.

(See Supplemental Minutes #898 for a listing of hourly personnel.)

Item 5.e: It was moved by Trustee Donna Miller and seconded by Trustee Molly McClanahan to adopt Resolution 02/03-11, Election to be Subject to Section 22873 of the Public Employees' Medical and Hospital Care Act, to amend the District's contract with CalPERS by electing, as a CalPERS Contracting Agency, to provide health benefit

coverage for the domestic partners of eligible employees and annuitants as authorized by Government Code section 22873. **Motion carried with the following vote: Trustees Jeff Brown, Otto Lacayo, Leonard Lahtinen, Molly McClanahan, and Donna Miller voting yes; Trustees Manny Ontiveros and Nancy Rice voting no.**

GENERAL

Item 6.a: It was moved by Trustee Molly McClanahan and seconded by Trustee Otto Lacayo that the Board adopt the proposed policies in Chapter Two, Board of Trustees, and that the policies and related procedures be placed on the District's web site, where they will be accessible to students, faculty, staff, and the public.

Upon discussion on Board Policy 2725, Board Member Compensation, Trustee Donna Miller moved and Trustee Manny Ontiveros seconded to amend the motion by changing the wording in section 1.0 of Board Policy 2725 as follows:

- 1.0 In accordance with provisions of the Education Code stipulating compensation based on average daily attendance between 25,000 and 60,000, members of the Board who attend all regular board meetings, as identified on the Board meeting calendar adopted at the Board's Annual Organizational Meeting, shall receive \$750 per month and the student member, \$187.50 per month. A member of the Board who does not attend all regular meetings held by the Board in any month shall receive, as compensation, an amount not greater than the pro rata share of the number of meetings actually attended.

Motion carried unanimously to amend section 1 of Board Policy 2725, Board Member Compensation as noted above.

The main motion to adopt all policies and procedures in Chapter 2, Board of Trustees, as amended, was carried unanimously.

CLOSED SESSION: At 8:13 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 54945.8: CONFERENCE WITH REAL PROPERTY NEGOTIATOR Rod Fleeman, Vice Chancellor, Finance & Facilities, regarding:

Property:	1830 W. Romneya Drive Anaheim, CA 92801
Negotiating Parties: Under Negotiation:	Liberty Training Institute Terms and Conditions

RECONVENE OPEN SESSION: At 9:55 p.m., Board President Leonard Lahtinen reconvened the meeting in open session and reported the following action taken in closed session:

It was moved by Trustee Nancy Rice and seconded by Trustee Manny Ontiveros to reject the Application for Permission to Present Late Claim presented by Richard Gary Cazier and Louse Cazier. **Motion carried unanimously.**

ADJOURNMENT: At 9:56 p.m., it was moved by Trustee Molly McClanahan and seconded by Trustee Nancy Rice to adjourn the meeting. **Motion carried unanimously.**

Otto Lacayo, Secretary
Board of Trustees