

APPROVED

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

August 26, 2003

The Board of Trustees of the North Orange County Community College District met for the Regular Meeting on Tuesday, August 26, 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. Trustee Jeff 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 Karen Johnson. Absent: Student Trustee Carlos Ayon.

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; Karen Cant, representing the District Management Association; Steve Gold, representing the Cypress College Academic Senate; Rolando Sanabria, representing the Fullerton College Faculty Senate; Lisa Campbell, representing United Faculty; Shannon Ellis, representing CSEA, Chapter #167; Sam Russo, representing ADFAC; Sandy Cotter, Recording Secretary.

OTHER ADMINISTRATORS AND EMPLOYEES PRESENT: Robert Chavez, Rod Lusch, Angie Rios, Cathy San Roman, Mary Rothera, and Fran Wahl from Cypress College; Susan Clifford, Glenda Fries, Andrea Hanstein, Adam O'Connor and Janet Portolan from Fullerton College; Chuck Helms and Christine Terry from School of Continuing Education; Andriana Flores-Church, Beth Mooney, Dorothy Owens-Whitehurst, Julie Schoepf and Fred Williams from the District Offices.

VISITORS PRESENT: Larry Mercandante, Paul Silva; and Bob Engen from Lee and Associates.

COMMENTS: MEMBERS OF THE AUDIENCE:

1. **Fran Wahl**, from Cypress College addressed the Board regarding the lay off of classified positions and her concern for the impact on services and students. She

asked the Board to be mindful to make as few cuts as possible to minimize the affect on students.

2. **Shannon Ellis**, from the School of Continuing Education, presented the following resolution from CSEA Chapter 167 for the record.

WHEREAS, the collective bargaining agreement between North Orange County Community College District and CSEA article 21.4 provides Order of Layoff: Any layoff shall be effected within a classification. The order of layoff shall be based on seniority within that classification and higher classifications throughout the District. A Unit Member with the least seniority within the classification plus higher classifications shall be laid off first; and

WHEREAS, the district and CSEA has not come to a mutual agreement on the layoff order and the bumping process as provided in article 21.5 of the collective bargaining agreement; and

WHEREAS, the Board of Trustees has adopted a tentative budget and initiated layoffs based on such budget; and

WHEREAS, the signed governor's budget was passed by both houses at a minimal reduction to community colleges of 1.7%; and

WHEREAS, it is now not necessary to eliminate certain classified positions and to layoff affected employees due to the previous "lack of funds" as estimated with the May revise budget analysis; and

WHEREAS, the North Orange County Community College District Board of Trustees I the governing body and control of the North Orange County Community College District is thus vested in the Board of Trustees; now

THEREFORE, BE IT RESOLVED, that the Board of Trustees of North Orange County Community College District rescind the layoffs to classified bargaining unit members taken on July 22, 2003 and restore the classified employees to their previous status.

After clarification of CSEA's expectation for this resolution, **Board President Lahtinen** instructed that the resolution be placed on the agenda for the next Board of Trustees meeting to allow consideration by the Board.

3. **Rod Lusch**, from Fullerton and Cypress Colleges, made the following statement for the record:

My name is Rod Lusch, Fullerton and Cypress College Welder-Metal Fabricator. On July 22, 2003 the Board of Trustees approved layoffs. Classified and other staff asked you to reconsider the layoffs. Administration said 'don't you dare reconsider the layoffs'; you did not dare reconsider the layoffs. I spoke to a trustee a couple of days after the meeting, he said 'you are not supposed to interfere with administrative decisions'. And yet you vote to approve these administrative decisions. Negative comments on the Trustee's behavior that night made by those in attendance were: apparent disinterest, like reading and doing other things while being spoken to; asking how much time is going to be allowed for listening to comments. The reduction time allowed for comments was reduced from 5 to 3 minutes. All these things give the impression and imply that the North Orange County Community College District Board of Trustees are rubber-stamped to give administrative decisions the appearance of legitimacy.

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

Finance & Facilities: 3.b, 3.c, 3.d, 3.e
Human Resources: 4.a, 4.c, 4.d

Motion carried unanimously by Board Members present, including the Student Trustee's advisory vote.

REPORTS

- A. As a part of the Chancellor's Report, **Mr. James "Bob" Ratcliffe and Mr. Herb Warren**, members of the Board of Trustees when the college district was formed, shared with the current Board of Trustees their recollection of those early years. Both Mr. Ratcliffe and Mr. Warren served on the joint board of the elementary school district and moved over to the new District Board when it was formed in 1965. Mr. Warren discussed the effort during the 60's to establish one community college district for Orange County, and the statewide emphasis on establishing community college districts throughout California, as well as the growth at Fullerton College that spurred the establishment of Cypress College, the development of processes to select a Chancellor, and the acquisition of the property in Yorba Linda.
- B. Ms. Kristin Franklin, Cypress College student and Student Member of the California Community Colleges Board of Governors, was not present due to illness. Ms. Franklin will attend the September 9, 2003 meeting where she will be introduced to the Board of Trustees.

- C. As a part of the **Chancellor's Report**, the following retirees were honored for their years of service to the District:

From Cypress College: Charlene Felos, Kenneth Hinkson, Larry Mercadante, and Gilibaldo Silva.

Director of Public Affairs Donna Hatchett read a letter to the Board from retiring instructor John Buchanan from Cypress College who was unable to attend the meeting.

- D. **Vice Chancellor Rod Fleeman**, as a part of the Chancellor's Report, provided an update on the status of the State Budget, noting the impact in revenue (\$7 million reduction) and expenses (\$2.3 million increase). Dr. Fleeman, joined by **Fred Williams, District Director of Fiscal Affairs**, conducted a presentation outlining changes in both unrestricted and restricted funds, PfE funds, and apportionment funding differences related to concurrent enrollment and deficits in property tax revenue, with a \$2.2 million decline in apportionment funding in addition to mid-year cuts. Increases in anticipated expenditures include an increase in health and welfare benefits by 17% for employees and retirees, a PERS increase of 7.526%, and increased utility costs of \$400,000. Dr. Fleeman and Mr. Williams emphasized that more information will be available after the State Chancellor's Office Budget Workshop on September 3, 2003; however, significant mid-year cuts are expected after the current governor recall is completed.

(See Supplemental Minutes #900 for a copy of the presentation.)

In response to questions from the Trustees, Mr. Williams reported a \$6 million unrestricted Board Discretionary Account ending balance, plus carry-overs and 5% in reserves. He clarified that the expected Yorba Linda and La Habra property sale revenues are not reflected in these figures and would be classified as one-time funds, with use to be determined by the Board. Bargaining unit interest in exploring the application of the proceeds of property sales to the health and welfare and retiree benefits deficits was discussed.

- E. Also included in the Chancellor's Report was Dr. Fleeman's report on his recent meeting with Greg Hastings, Director of Zoning for the City of Anaheim, and the City's acceptance of the resolution requesting exception from city regulations for the Anaheim Campus. Chancellor Hunter also commented briefly on Fullerton College construction issues, including the Wilshire Auditorium and proposed parking structures. Dr. Hunter and Interim President Sam Schauerman reported that legal counsel is looking into the issue in which the City of Fullerton Planning Department believes that their authority extends over campus structures that are not directly instructional related, such as the parking structures. Dr. Schauerman also noted that

the Fullerton College final Environmental Impact Report will be published in September and public hearings will be held.

- E. **Sam Schauer**man, Interim Fullerton College President; **Margie Lewis**, Cypress College President; and **Gary McGuire**, School of Continuing Education Provost, reported on activities in their respective areas.
- F. **Karen Cant** questioned if the District Management Association response to the recent inquiry by the Board on possible pay cuts is still being considered.
- G. **Lisa Campbell** responded that her understanding of the United Faculty response to the Trustee inquiry memo was the list of several items presented in May for possible cost savings to be explored in lieu of discussing pay cuts. She recommended that the District staff work within existing shared governance groups to develop options and alternatives, using an inclusive approach in the participatory process. Ms. Campbell also stated she is concerned about the recent classified layoffs not following established processes, and supports the CSEA resolution to rescind layoffs.
- H. **Shannon Ellis** stated she believes there should be continued workshop meetings to discuss items such as layoffs and budget reductions before they come before the Board for action, and that she is concerned that items are pushed through too quickly and without opportunities for full discussion.
- I. **Student Trustee Karen Johnson** reported on the Cypress College welcome back activities, including student gift bags, Club Rush to promote student club membership, and a campus blood drive. Ms. Johnson also reported on the Student Trustee Workshop sponsored by the Community College League of California that both she and Student Trustee Carlos Ayon attended in Sacramento earlier this month.
- J. **Trustee Jeff Brown** stated he is very glad to return after his recent surgery and thanked the Board and staff for their good wishes, cards and flowers.
- K. **Trustee Molly McClanahan** reported she recently enjoyed a visit with retired Cypress College Dean Kay Bruce.
- L. **Trustee Nancy Rice** congratulated Fullerton College staff for the successful Library Learning Resource Center creative groundbreaking ceremony.
- M. **Trustee Manny Ontiveros** reported on the recent Orange County Legislative Task Force planning meeting, where both the mission and current structure of the Task Force was discussed.

- N. **Trustee Otto Lacayo** commented on the tough times ahead for the District, and that when the shared governance process is followed in respect to personnel and budget decisions he feels more comfortable when making a difficult decision.

- O. **Trustee Donna Miller** commented on her support of shared governance, noting that constituent and resource tables staff be reminded the importance of dialog on the processes so they are clear on the authority and responsibility of each group to the process.

- P. **Trustee Leonard Lahtinen** commented on the Board’s decision to forgo travel and conferences sponsored by organizations such as Association of Community College Trustees where they have usually participated. He also commented positively on the opening day events at both campuses, as well as the creativity and energy evident in their kick-off events for the fall semester.

MINUTES: It was moved by Trustee Otto Lacayo and seconded by Trustee Molly McClanahan that the minutes of the Regular Meeting of August 12, 2003, be approved as submitted. **Motion carried unanimously by those members present, including the Student Trustee’s advisory vote.**

FINANCE & FACILITIES

Item 3.a: Upon discussion and clarification by Dr. Fleeman and Mr. Bob Engen of Lee and Associates on the agreement timeline and fees, it was moved by Trustee Donna Miller and seconded by Trustee Molly McClanahan to amend the agreement with Lee & Associates Commercial Real Estate Services, Inc. to provide an exclusive marketing program to find tenants for excess space at the North Orange County Community College District Anaheim Campus. **Motion carried, including the Student Trustee’s advisory vote, with Trustee Otto Lacayo voting no.**

Further authorization was granted for the Chancellor or Vice Chancellor, Finance & Facilities, to execute the amendment.

Item 3.b: 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.c: By the block vote, authorization was granted to file the Notice of Completion for PW 0102-209, with the following contractor and release the final retention payment when due:

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Bid Package #	Bid Package Description	Contractor Name
24	Elevators	Mitsubishi Electric

Item 3.d: 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
5	Roofing	Best Roofing and Waterproofing

Item 3.e: By the block vote and contingent upon approval by the California Community College Chancellor's Office, authorization was granted to PW 0203-308, Fullerton College Library/Learning Resource Center, Part 2 to the following contractors as the lowest overall responsive and responsible bidders per the plans and specifications included in each bid package, and issue agreements as follows:

Bid Package #	Bid Package Description	Contractor Name	Bid Amount
9	Aluminum Framed Windows, Automatic Sliding Door, Glass & Glazing, Aluminum Studs/Gypboard	Padua Glass	\$ 774,700
11	Sprayed on Cementitious Fireproofing, Fire Stopping, Access Doors, Metal Lath, Lath & Plaster, Gypsum Board, Gypsum Board Shaft Wall Assemblies, GFRP & GFRG	Standard Drywall	\$3,407,128
12	Tile & Granite	To be awarded at a later time	
21	Electrical, Fire Alarm, Security Data, Telecommunications & Library Book Theft Protection Equipment	Snowden Electric	\$1,859,000
		GRAND TOTAL	\$6,040,828

Further authorization was granted for the Vice Chancellor, Finance and Facilities, to execute the agreements for the District and approve any further specification changes up to 10% of the contract amount for the District.

HUMAN RESOURCES

Item 4.a: By the block vote, authorization was given for the following academic personnel matters, which are within budget:

CHANGE IN SALARY CLASSIFICATION

(Change in class and step placement pursuant to verification of education and experience.)

Alvarez, Kathleen	CC	Dental Hygiene Instructor From: Class B To: Class C Eff. 08/15/2003
Castle-Donovetsky, V.	CC	Physical Sciences Instructor From: Class B To: Class C Eff. 08/15/2003
Davino, Dennis	CC	English Instructor (ADJ) From: Grade 1 To: Grade 2 Eff. 08/18/2003
Gonsalves, Ricardo	CC	Social Sciences Instructor (ADJ) From: Grade 2 To: Grade 3 Eff. 08/18/2003
Halfon, Martin	CC	Religious Studies Instructor (ADJ) From: Grade 1 To: Grade 2 Eff. 08/18/2003

PAYMENT FOR INDEPENDENT LEARNING CONTRACTS-2003 SUMMER INTERSESSION

Freer, Carolee	CC	\$195.00
Greico, Laura	CC	\$40.00
Mercer, Robert	CC	\$20.00

LEAVE OF ABSENCE WITHOUT PAY

Clahane, Dana	FC	Mathematics Personal Leave (10%) Eff. 2003 Fall Semester
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LEAVE OF ABSENCE WITH PAY

Clahane, Dana	FC	Mathematics Instructor Load Banking Leave (40%) Eff. 2003 Fall Semester
Crocoll, Allan	FC	Mathematics Instructor Load Banking Leave (26.7%) Eff. 2003 Fall Semester

Engstrom, Kathleen	FC	Reading Instructor (100%) Load Banking Leave Eff. 2003 Fall Semester
Facer, Carolyn	FC	Mathematics Instructor Load Banking Leave (100%) Eff. 2003 Fall Semester
Forman, Mary	CC	English Instructor Load Banking Leave (6.67%) Eff. 2003 Fall Semester
Germond, Jeanne	FC	Foreign Language Instructor Load Banking Leave (53.34%) Eff. 2003 Fall Semester
Henderson, Bruce	FC	English Instructor Load Banking Leave (100%) Eff. 2003 Fall Semester
Levesque, Richard	FC	English Instructor Load Banking Leave (100%) Eff. 2003 Fall Semester
Lewis, Melvin	FC	Machine Technology Instructor Load Banking Leave (100%) Eff. 2003 Fall Semester
Lozinsky, Richard	FC	Earth Sciences Instructor Load Banking Leave (100%) Eff. 2003 Fall Semester
Ramsey, Peggy	FC	Nutrition & Foods Instructor Load Banking Leave (86.68%) Eff. 2003 Fall Semester

POSTPONEMENT OF SABBATICAL LEAVE

Owens, Cynthia	CC	Specialist/Learning Disabilities From: Academic Year 2003-2004 To: Academic Year 2004-2005
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Sharum, Kenneth	FC	Manager, Maint & Operations (100%) Eff. 9/02/2003
Stoner, Christine	FC	Special Projects Coordinator/ Economic Development Eff. 8/22/2003

NEW PERSONNEL

Hernandez, Ruth	CC	Laboratory Technician/Biology 12-month position (100%) Range 36, Step A Eff. 8/22/2003
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REHIRE AND REMOVAL FROM 39-MONTH REEMPLOYMENT LIST

Fletcher (Hase), Adriana	FC	Child Care Aide 12-month position (100%) Range 16, Step A Eff. 8/25/2003
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PROMOTION

Reza, Alan	SCE	Instructional Aide (45%) Range 30, Step A+5% Shift (\$1,129.75)
		To: CC Financial Aid Technician 12-month position (100%) Range 36, Step A (\$2,763) Eff. 9/02/2003

VOLUNTARY CHANGES IN ASSIGNMENTS

Cotter, Gary	FC	Facilities Custodian II (100%) Ranges 28/29, Step E+10% Shift+ 20% Long (\$3,694)
		Temporary Change in Assignment To: FC Facilities Custodian II (50%) Range 29, Step E+10% Shift+ 20% Long (\$1,869.50) FC Facilities Custodian II (25%) Range 28, Step E+10%Shift+ 20% Long (\$911.50)

		FC Pool Mechanic (25%) Range 37, Step B+10% Shift+ 20% Long (\$978) 12-month position (100%) Eff. 8/04/2003 - 10/31/2003
Guillen-Soto, Teresita	FC	Student Services Tech/Couns (100%) Range 33, Step C (\$2,833) Temporary Change in Assignment To: FC Student Services Spec/Couns 12-month position (100%) Range 36, Step C (\$3,036) Eff. 7/01/2003 - 12/31/2003
Sanchez, Sandra	SCE	Student Records Technician (100%) Temporary Decrease in Percent Employed From: 100% To: 50% Eff. 8/21/2003 - 12/20/2003

LAYOFF DUE TO LACK OF WORK AND/OR LACK OF FUNDS

Extension of effective date for layoff of positions

From: Eff. 9/01/2003

To: Eff. 9/10/2003

Instructional Assistant/Electronics (1 position, 1.00 FTE)	Fullerton College
Media Production Specialist (1 position, 1.00 FTE)	Cypress College
Receptionist (1 position, 0.55 FTE)	Fullerton College
User Support Analyst (1 position, 1.00 FTE)	DST/Anaheim
Vehicle & Equipment Mechanic Coordinator, (1 position, 1.00 FTE)	Cypress College
Vehicle & Equipment Mechanic Coordinator (1 position, 1.00 FTE)	Fullerton College
Warehouse Assistant-Driver (1 position, 1.00 FTE)	DST/Anaheim

Welder /Metal Fabricator (1 position, 0.50 FTE)

Cypress College

Welder/Metal Fabricator (1 position, 0.50 FTE)

Fullerton College

BUMPING DUE TO SENIORITY RIGHTS

Helms, Charles

From: SCE/CC Instructional Assistant/Computer Lab
12-month position (100%)
Range 37, Step E (\$3,430)

To: FC Instructional Assistant/Computer Lab
12-month position (100%)
Range 37, Step E (\$3,430)
Eff. 9/02/2003

Triefenbach, Laurie

From: SCE/AC Catalog & Schedule Coordinator
12-month position (100%)
Range 40, Step C (\$3,349)

To: FC Catalog & Schedule Coordinator
12-month position (100%)
Range 40, Step C (\$3,349)
Eff. 9/02/2003

VOLUNTARY DEMOTION IN LIEU OF LAYOFF

Marvulli, Mary Jo

From: FC Catalog & Schedule Coordinator
12-month position (100%)
Range 40, Step A (\$3,036)

To: SCE/AC Admissions & Records Technician
12-month position (100%)
Range 33, Step A (\$2,571)
Eff. 9/02/2003

INVOLUNTARY LATERAL TRANSFER

Dropulic, Arcelia

From: FC Administrative Assistant I
10-month position (50%)
Range 33, Step B (\$1,349)

To: CC Administrative Assistant I
11-month position (50%)
Range 33, Step B (\$1,349)
Eff. 9/19/2003

McClure, Marjorie	From: FC	Clerical Assistant II 12-month position (100%) Range 33/31, Step E+20% Long (\$3,643)
	To: AC	Purchasing Assistant 12-month position (100%) Range 33, Step E+20% Long (\$3,731) Eff. 9/18/2003
Schwiebert, Laurie	From: SCE/CC	Clerical Assistant I 11-month position (100%) Range 29, Step E+10% Long (\$3,116)
	To: FC	Clerical Assistant I 12-month position (100%) Range 29, Step E+10% Long (\$3,116) Eff. 9/02/2003

LAYOFF AND PLACEMENT ON 39-MONTH LIST

Arya, Neha	FC	Instructional Assistant/Computer Lab (100%) Eff. 9/02/2003
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STIPEND FOR ADDITIONAL DUTIES

Giacalone, Mary Frances	FC	Bookstore Operations Spec (100%) 6% Stipend Eff. 8/25/2003 - 12/31/2003
Grimes, Kelly	CC	Student Services Specialist/CARE 6% Stipend Eff. 7/01/2003 - 9/30/2003

LEAVE OF ABSENCE WITHOUT PAY

Hower, Heidi	SCE	Instructional Aide (75%) Family Medical Leave Eff. 9/04/2003 - 11/30/0/2003
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CANCELLATION OF UNPAID LEAVE OF ABSENCE

Arya, Neha

FC

Instructional Assistant/Computer
Lab (100%)
Eff. 9/02/2003

Motion carried unanimously by those members present, including the Student Trustee advisory vote.

Item 4.c: There were no items submitted.

Item 4.d: By the block vote, authorization was given to employ the following hourly personnel for the dates indicated and contracting out of the following specialists for the EOPS and Disabled Student Centers in accordance with the Agreement between the District and CSEA:

(See Supplemental Minutes #901 for a listing of hourly personnel.)

GENERAL

Item 5.a: It was moved by Trustee Manny Ontiveros and seconded by Trustee Otto Lacayo that the Board adopt Resolution 03/04-03, Trustee Absence, verifying that Trustee Jeff Brown was ill on August 12, 2003, and therefore, eligible to receive compensation for the Board meeting held on that date. **Motion carried unanimously by Board Members present, including the Student Trustee's advisory vote.**

Item 5.b: During discussion of possible community/business appointees representing the District on the Orange County Legislative Task Force, the Board recommended that Dean Olson of Anaheim be contacted for his availability to serve.

Item 5.c: It was moved by Trustee Otto Lacayo and seconded by Trustee Donna Miller that the following individuals be confirmed as members of the Board of Directors of the Community College Foundation of North Orange County: Dr. Jerome Hunter, Chancellor; Dr. Rod Fleeman, Vice Chancellor, Finance and Facilities; Donna Hatchett, Director of Public Affairs and Executive Director of the Foundation; and Leonard Lahtinen, President of the Board of Trustees, North Orange County Community College District. **Motion carried unanimously by Board Members present, including the Student Trustee's advisory vote.**

CLOSED SESSION: At 8:55 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.

RECONVENE OPEN SESSION: At 9:55 p.m., Board President Leonard Lahtinen reconvened the meeting in open session.

ADJOURNMENT: At 9:57 p.m., it was moved by Trustee Donna Miller and seconded by Trustee Nancy Rice to adjourn the meeting. **Motion carried unanimously by those Board Members present.**

Otto Lacayo, Secretary
Board of Trustees