

**APPROVED**

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

November 22, 2005

The Board of Trustees of the North Orange County Community College District met for its Regular Meeting on Tuesday, November 22, 2005, at 5:30 p.m. in the Fullerton College Campus Theatre.

Board President Molly McClanahan called the meeting to order at 5:35 p.m. and Kathie Hodge led the Pledge of Allegiance to the Flag.

**TRUSTEE ROLL CALL:** Present: Jeff Brown, Barbara Dunsheath, Leonard Lahtinen, Michael Matsuda, Molly McClanahan, Donna Miller, Manny Ontiveros, and Student Trustees Elsa Garcia and Victoria Rizo. Absent: None.

**RESOURCE PERSONNEL PRESENT:** Jerome Hunter, Chancellor; Fred Williams, Vice Chancellor, Finance & Facilities; Steve Duncan, District Director, Human Resources; Kathie Hodge, President, Fullerton College; Mike Kasler, Executive Vice President, Cypress College; Gary McGuire, Provost, School of Continuing Education; Christie Wallace Noring, Public Affairs Officer; Bob Simpson, representing the District Management Association; Andrea Sibley-Smith, representing the School of Continuing Education Academic Senate; Fola Odeunmi, representing the Cypress College Academic Senate; Joumana McGowan, representing the Fullerton College Faculty Senate; Tony Jones, representing United Faculty; Rod Lusch, representing CSEA; and Violet Ayon, Recording Secretary.

**OTHER ADMINISTRATORS AND EMPLOYEES PRESENT:** Jeff Courchain, Peter Fong, Andrea Hanstein, Carol Mattson, Kenneth Meehan, Adam O'Connor, Janet Portolan, Miguel Powers, Richard Ramirez, Jane Troop, and Dan Willoughby from Fullerton College; Peggy Austin, Nancy Byrnes, Karen Cant, Rene Harter, Pat Humpres, and Marc Posner from Cypress College; Anna Anderson, Jorge Gamboa, and Greg Schulz from the School of Continuing Education; and Ron Beeler, Mike Kavanaugh, and Dorothy Owens-Whitehurst from the District Offices.

Kalugin, Karen Keene, Beverly Koohs, Ross Lagana, Eric Licon, Jeremy Licon, Valerie Licon, Breton Link, Shely Lummus, Frank Magura, Judy Magura, Tony Maurice, Robin Miller, Lori Olmeda, Ronald Paquette, Chris Pianke, Thomas Siket, Robert Spohn, Tadiuesz Udala, Bailey Walker, Jane Weber, Eitan Weisner, Rachel Weisner, and Michael White.

**COMMENTS: MEMBERS OF THE AUDIENCE:** A number of individuals addressed the Board regarding agenda item 3.b, Professional Services for the Operation and Management of the Regularly Scheduled Weekend Swap Meet at Cypress College (see pages 209 through 211).

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

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

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

#### **REPORTS:**

- A. As a part of the Chancellor's Report, Fullerton College President **Kathie Hodge** presented Fullerton College's Annual Report, which included an overview of the college's *Report to the Fullerton College Community 2005*, the *Fullerton College Environmental Scan 2005*, and the *Fullerton College Student Equity Plan Update, Fall 2005*. Dr. Hodge provided a "Year in Review," which highlighted the reaffirmation of accreditation, the dedication of the Library Learning Resource Center, a growth rate of 4%, the college's ranking of #2 in the state for students transferring to California state universities, the formation of a Classified Senate, the reorganization to a three vice president administration, student profiles, faculty and staff profiles, budget allocations, and the reports previously identified above.

(See Supplemental Minutes #951 for a copy of the presentation or a copy of the various reports.)

In response to Trustee inquiries, Dr. Hodge stated that the *Report to the Community* will be used as a public relations document; the 2005-06 Annual

Members of the Board commended Dr. Hodge and Fullerton College staff and faculty on the excellence of the reports presented.

**COMMENTS:**

- A. **Dr. Gary McGuire**, Provost of the School of Continuing Education; **Dr. Mike Kasler**, Executive Vice President at Cypress College; and **Dr. Kathie Hodge**, President of Fullerton College, reported on activities in their respective area.
- B. **Rod Lusch** announced his re-election as CSEA President for 2006.
- C. **Student Trustee Victoria Rizo** reported on Fullerton College Associated Students activities.
- D. **Student Trustee Elsa Garcia** reported on Cypress College Associated Students activities, as well as her involvement in the Statewide Student Senate.
- E. **Trustee Michael Matsuda** suggested that the Pre-School for All initiative that will be on the June election ballot could present a huge opportunity for community college pre-school teacher preparation programs and he requested consideration of agendizing this issue for a Board discussion at the Board's December 13 meeting.
- F. **Trustee Leonard Lahtinen** reported on his participation at the recent Community College League of California Convention in San Francisco and the informative sessions provided. He also noted the Library Learning Resource Centers on each campus and encouraged their availability to community individuals.

In response to Mr. Lahtinen's comment, Dr. Hodge responded that community organizations have been extended an invitation to host their meetings on campus. Dr. Kasler indicated community individuals already make use of the current Library.

- G. **Trustee Jeff Brown** reported on his attendance of the recent meeting of the County Committee on Election of Members of the County Committee on School District Organization.

November 8, 2005. **Motion carried, including the Student Trustees' advisory votes.**

**FINANCE AND FACILITIES:**

**Item 3.a:** By the block vote, the Board adopted a resolution establishing separate bank, saving, clearing, and revolving accounts pursuant to the California Community College Budget and Accounting Manual as authorized by §84030 of the Education Code, and in accordance with Education Code §58311 of Title 5 of the California Code of Regulations.

The Board further rescinded previous resolutions on any accounts not listed on the current resolution and still open be closed immediately.

Further authorization was granted that in order to adequately safeguard and manage District assets, two authorized signatures be required on each check on every account.

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

Further authorization was granted to submit revised signature cards to banking institutions for accounts that have been affected by personnel changes.

**Item 3.b:** The following individuals addressed the Board:

- A. **Dr. Cynthia Coad**, a member of the board of Pathways, an organization under the umbrella of Straight Talk, expressed her concern regarding the loss of funding to Straight Talk, and in turn to Pathways, due to the possible non-renewal of its contract with Cypress College. She requested that the Board renew Straight Talk's contract because the support from the swap meet funds Pathways activities.
- B. **Bruce Robbins**, Executive Director of Straight Talk, spoke regarding his involvement with the Cypress College Swap Meet for the last 23 years, with all profits going to community non-profit organizations. He expressed his dismay at the devastation the non-renewal of Straight Talk's swap meet contract would have on the ability to provide the much-needed services to the community.

- E. **Jeff Howell**, Gerry House client, spoke of the valuable services he has received through Straight Talk and the needed funding for the services.
- F. **Ronald Paquette**, Straight Talk client, expressed his gratitude for the services received through Straight Talk and the positive impact the services have had on his life. He asked for the Board's consideration in continuing its contract with Straight Talk.
- G. **Art Holden**, Straight Talk supervisor, spoke of his involvement with Straight Talk and the services provided through Straight Talk, which are only available through two other organizations.
- H. **Michael White**, an employee at Straight Talk, expressed his concern at losing his employment if the swap meet contract is not renewed.
- I. **Ross Lagana**, Straight Talk client, expressed his concern at losing services through Straight Talk if the swap meet contract is not renewed.
- J. **Breton Link**, Gerry House graduate, expressed his concern at the loss of funding to Gerry House if the swap meet contract is not renewed, which provides clients with food, housing, and life-skill tools.
- L. **Shelly Lunnus**, Straight Talk advisor, spoke of the intern training available through Straight Talk and the free counseling services provided to at-risk youth. She encouraged the Board's support to continue its swap meet contract with Straight Talk.
- M. **Rick Landus**, Division Manager for California Open Air Markets (COAM), expressed his belief that COAM would provide better services for the Cypress College Swap Meet and provide Cypress College with twice the income it is currently receiving through its contract with Straight Talk.
- N. **Champagn Arias**, Straight Talk client, expressed the positive impact she has had on her life because of the services provided through Straight Talk.
- O. **Deborah Kelsey**, urged the Board not to make this a money issue but to consider the services to the community provided through Straight Talk.

- R. **Rick Burch**, Straight Talk client, expressed his gratitude to Straight Talk for the important services provided.
- S. **Mike Kasler**, Executive Vice President at Cypress College, stated that the mission of community colleges is to provide services to its students and this is an opportunity for Cypress College to receive twice the income from the swap meet. He added that it is the college's fiduciary responsibility to meet some of the unmet needs for Cypress College students; thus, the additional income is very important to the college.

Upon conclusion of public comments on this issue, it was moved by Trustee Donna Miller and seconded by Trustee Jeff Brown to award RFP #2005-04, Professional Services for the Operation and Management of the Regularly Scheduled Weekend Swap Meet at Cypress College, to California Open Air Markets, a division of Newport Diversified, with Cypress College receiving 42.5% of the gross revenues with a minimum guarantee of \$25,000 per month, which is estimated at \$680,000 for the first year with the contract effective January 1, 2006, through December 31, 2011.

A lengthy discussion ensued with Straight Talk representatives, Cypress College and District Office personnel, and District's legal counsel responding to Board of Trustee inquiries. The discussion centered on the following: 1) financial implications to Cypress College vs. community services through Straight Talk; 2) unresolved issues related to the management of the swap meet; 3) notice to Straight Talk during the summer of 2004 regarding the RFP process to be pursued in 2005; 4) the adherence to the RFP process and the legality of changing the proposed RFP contract period; 5) the suggestion of extending Straight Talk's contract and the Board waiving the required \$1500 bid security that should have been included with Straight Talk's proposal; 6) the importance of services provided through Straight Talk; and 7) California Open Air Markets' proposal, which was the highest revenue-generating opportunity for the college.

**Upon conclusion of extensive discussion, the motion carried with Trustees Jeff Brown, Barbara Dunsheath, Donna Miller, and Molly McClanahan voting yes and Trustees Leonard Lahtinen, Michael Matsuda, and Manny Ontiveros voting no, and Student Trustee Victoria Rizo's advisory vote of yes and Student Trustee Elsa Garcia's advisory vote of no.**

#685734	Ernest Milton Jr	Issued 01/02/2001	\$ 961.08
#752420	Ernest Milton Jr	Issued 02/28/2001	\$1271.71
#788040	Ernest Milton Jr	Issued 03/30/2001	\$1271.71
#822610	Ernest Milton Jr	Issued 04/30/2001	\$1271.71
#857444	Ernest Milton Jr	Issued 05/31/2001	\$1271.71

**Item 3.d:** By the block vote, the Board ratified the change orders for the public works projects listed per the Change Order Request, with a cumulative total of \$139,817.46.

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

**Item 3.e:** Upon clarification on the awarding of the agreement to the highest bidder, it was moved by Trustee Donna Miller and seconded by Trustee Manny Ontiveros to grant authorization to enter into a consulting agreement with tBP/Architecture to provide the interior design of the furniture, fixtures, and equipment for Fullerton College for the period starting November 23, 2005, and ending December 31, 2007. The fees for these services are as follows:

Classroom Office Building	\$71,040
Reimbursable Expenses	<u>2,100</u>
Subtotal	\$73,140
Campus Commons	\$57,150
Reimbursable Expenses	<u>1,725</u>
Subtotal	\$58,875
<b>Grand Total</b>	<b><u>\$132,015</u></b>

**The motion carried unanimously, including Student Trustee Victoria Rizo's advisory vote of yes and Student Trustee Elsa Garcia's advisory vote of no.**

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

**Item 3.f:** By the block vote, authorization was granted to amend the current agreement with Diana C. Stroud, Inc. from \$24,999 to an amount not to exceed \$180,000 for the

**INSTRUCTIONAL SERVICES:**

**Item 4.a:** By the block vote, authorization was granted to accept new revenue and to make adjustments to expenditure and revenue budgets, by increasing the current budget from \$60,000 to \$212,000, to cover the costs of the Center for Applied Competitive Technologies training program in partnership with Boeing.

The Board further adopted resolutions to accept new revenue, establish and/or adjust budgets, and authorize expenditures within the General Fund, pursuant to the California Code of Regulations Title 5, Section 58308.

Authorization was further granted for the Vice Chancellor, Finance and Facilities, and the District Director, Fiscal Affairs, to execute any agreements and related documents and any amendments to modify the agreements on behalf of the District.

SITE	PROJECT NAME	LENGTH OF CONTRACT	TOTAL CONTRACT INCREASE	AUTHORIZED SIGNATORIES ON BEHALF OF DISTRICT
SCE	Boeing Employees Training Contract through the School of Continuing Education Training and Development Institute  Budget Augmentation	07/01/05-06/30/06	\$152,000	<u>For the agreements and any amendments to modify the agreement, and any related documents:</u> Chancellor; Vice Chancellor, Finance and Facilities; or District Director, Fiscal Affairs.

**Item 4.b:** By the block vote, the Board approved the School of Continuing Education summary of curriculum additions and changes, to be effective in the winter 2006 trimester.

(See Supplemental Minutes #951 for a copy of the curriculum summary.)

**HUMAN RESOURCES:**

**Item 5.a:** By the block vote, authorization was granted for the following academic personnel items within budget;



CC IT Specialist, Systems Applications  
12-month position (100%)  
Range 44, Step A  
Eff. 11/30/2005

**Item 5.c:** By the block vote, authorization was given to employ the 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 #951 for a listing of hourly personnel.)

**GENERAL:**

**Item 6.a:** It was moved by Trustee Donna Miller and seconded by Trustee Leonard Lahtinen that the Board establish Tuesday, December 13, 2005, as the date of the Board's Organizational Meeting and so inform the County Superintendent. **Motion carried unanimously, including the Student Trustees advisory votes.**

**Item 6.b:** It was moved by Trustee Leonard Lahtinen and seconded by Trustee Michael Matsuda that the Board adopt revised Board Policy 2360, Minutes, and that the proposed, revised policy be placed on the District's website where it will be accessible to students, faculty, staff, and the public. **Motion carried unanimously, including the Student Trustees advisory votes.**

**CLOSED SESSION:** At 8:25 p.m., Board President Molly McClanahan 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 54956.9: ANTICIPATED LITIGATION: ONE POTENTIAL CASE**

**RECONVENE OPEN SESSION:** At 9:50 p.m., Board President Molly McClanahan

**ADJOURNMENT:** At 9:53 p.m., it was moved by Trustee Manny Ontiveros and seconded by Trustee Michael Matsuda to adjourn the meeting. **Motion carried unanimously.**

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Jeffrey P. Brown,  
Secretary  
Board of Trustees