

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

November 26, 2002

The Board of Trustees of the North Orange County Community College District met for the Regular Board Meeting on Tuesday, November 26, 2002, at 5:30 p.m. at the Board Room of the Anaheim Campus.

Board President Manny Ontiveros called the meeting to order at 5:32 p.m. Rolando Sanabria 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 Briana Padilla and Drew Shah. Absent: None.

**RESOURCE PERSONNEL PRESENT:** Jerome Hunter, Chancellor; Rod Fleeman, Vice Chancellor, Finance & Facilities; Jeff Horsley, Vice Chancellor, Human Resources; Michael Viera, President, Fullerton College; Mike Kasler, Executive Vice President, Cypress College; Tom Parisi, Dean, 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; Jesse Saldana, representing the Cypress College Academic Senate; Rolando Sanabria, representing the Fullerton College Faculty Senate; Vickie McPherson, representing CSEA, Chapter 167; and Violet Ayon, Recording Secretary.

**OTHER ADMINISTRATORS AND EMPLOYEES PRESENT:** Fernando Bautista, Richard Bettendorf, Pam Bettendorf, Ken Burnett, Karen Cant, Marcia Clarke, Virginia Derakshanian, Michele Dugan, Mary Lou Giska, Betty Germanero, Sue Head, Barbara Hunt, Jackie Jackson, Joe Martinez, Hortensia ModregonJann Nelson, Johna Reynolds, Rebecca Sandoval, Susie Simmons, Wayne Todd, Marina Valdez, Rick VanBeynen, Michele Warren, and Jennifer Wheeler from Cypress College; Adam O'Connor and Janet Portolan from Fullerton College; Greg Schulz from the School of Continuing Education; Ron Beeler, Steve Duncan, Dorothy Owens-Whitehurst, and Fred Williams from the Anaheim Campus.

**VISITORS PRESENT:** Deborah Shepley and Carol Minning from tBP Architects; Golden West College students Katherine Agregado, Ed Boadarrana, Don Dominguez, Linda Le, Danny Nguyen, Tung Nguyen, Southideth Phim, Jennifer See, Catherine Truong, and Lien Vu.

**COMMENTS: MEMBERS OF THE AUDIENCE:****A. Marcia Clarke**, addressed the Board and made the following statement for the record:

There were some classified office workers who asked to have their jobs reevaluated about five years ago. They weren't asking for an across the board job study, but within a couple of years the District brought in the Hay Study and those people found themselves a little closer to having satisfaction.

Years later, the Hay study has come back in favor of promoting these office positions, and that's a good thing, but I don't think any of my CSEA brothers and sisters anticipated that just as many maintenance type positions would be demoted by the study.

We're told that if we vote to implement the Hay Study, none of the people currently holding the demoted jobs will be affected. I have a moral problem with this as it will mean that we okay a lesser contract for our co-workers. They may be faceless at this moment, but they will soon be our new union brothers and sisters. What about unity?

Meanwhile a cost of living wage compensation is something we should be able to count on every year, but instead it is being kept from us so that we'll ratify a lesser version of our contract. We didn't go into negotiations asking for anything special. The District, on the other hand has all kinds of ways they'd like to scale back our contract.

The classified workers have supported the District by helping make Anaheim a reality with the loan from our retirement fund and support of Measure X that will bring expansion to Cypress and Fullerton and a greater work load for existing employees. I hope the District will show us the respect and appreciation we deserve by keeping our contract intact and not demoting any of our positions. And while the money is sitting there already, our cost of living increases should be paid without further delay!

**B. Jennifer Wheeler** addressed the Board with her concerns regarding the slow progress of CSEA negotiations.

- C. **Michelle Warren** addressed the Board regarding classified staff's dedication to the District and the District's slow-moving negotiations process, which has been detrimental to classified staff, as well as to the services provided to students.
- D. **Jim Arbogast** addressed the Board regarding his concerns with the dismal state of classified negotiations during the last two years. He emphasized the damaging impact the stalled negotiations has on classified staff. He requested the Board's removal of a mean-spirited negotiations process and urged them to bring the 2001-02 negotiations to a prompt resolution.

**BLOCK VOTE APPROVAL:** Trustee Nancy Rice moved and Student Trustee Briana Padilla seconded to approve by block vote the following items:

Finance and Facilities:	3bc
Instructional Services:	4.a
Human Resources:	5.a, 5.b

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

## REPORTS

- A. As a part of the **Chancellor's Report**, tBP Architects Deborah Shipley and Carol Minning presented the North Orange County Community College District Master Plan Update; specifically, for Fullerton College and Cypress College. Highlights of the presentation included a review of the following: 1) Cypress College's Library/Learning Resource Center, Children's Center, Student Center, and School of Continuing Education Facility; 2) Fullerton College's Parking Structure I, Library/learning Resource Center, Physical Education Complex, District Education Center Remodel for Cosmetology, and the Wilshire School of Continuing Education Center. Additional projects for Cypress College include the Maintenance & Operations facility and the Access Plan Projects. Additional projects for Fullerton College include a Classroom & Office Building, Child Development Center, Campus Commons, Campus Image Plan Projects and Remodels for Efficiency.

During the ensuing discussion, clarification was provided on 1) the process for implementation of facilities recommendations; 2) funding of the Piazza repair/removal; 3) the need for narrative on the criteria established for the recommended facilities remodel/construction.

(See Supplemental Minutes #886 for a copy of the presentation.)

B. Also included in the Chancellor's Report, was **Dr. Rod Fleeman's** report on the state budget in which the Department of Finance and Analysts' Office projects up to a \$15 billion budget deficit for fiscal year 2003-04, along with a \$5 billion deficit for the current year. Dr. Fleeman stated that as a result of the budget deficits the state might see major reductions and/or new taxes. It is anticipated that approximately \$1.9 billion from Prop. 98 funds would be paid to community colleges in July 2003 instead of June 2003. Dr. Hunter noted recent that a recent communication from Chancellor Nussbaum does not include any indication of where the state budget cuts will be. However, the communication identified three areas that are central to a community college education.: transfer courses, basic skills courses, and vocational training.

C. **Fred Williams**, as a part of the Chancellor's Report and in response to a trustee inquiry, distributed and led a review of a handout on the General Fund Comparison with Prior Year's Actuals.

(See Supplemental Minutes #886 for a copy of the General Fund Comparison with Prior Year's Actuals.)

D. **Dr. Hunter** entertained a discussion on the Investment Advisory Committee, which was established through the District's Investment Policy Statement Committee, and afforded Trustee McClanahan the opportunity to share her thoughts regarding obtaining individuals with investment expertise to be on the Investment Advisory Committee. Discussion ensued on what the expectation is from the Investment Advisory Committee. Dr. Fleeman stated that it would review the current District Investment Policy, make modifications as appropriate, and then identify the experts to assist the District in conducting its investments. Upon conclusion of discussion, it was agreed to add an additional outside representative, as well as an investment expert. Trustees Otto Lacayo and Nancy Rice were appointed to serve on this Committee. Thus the Investment Advisory Committee will be composed of Chancellor Hunter, Trustee Lacayo, Trustee Rice, Vice Chancellor Fleeman, two outside representatives, and an investment expert.

E. **Dr. Hunter** requested the board's direction on the following items: Nameplates and a possible walk-through of the Anaheim Campus by Board members. Upon conclusion of discussion, the following was agreed upon: 1) Nameplates and seating chart to be used with larger lettering and less wording on the nameplates; 2) that a Board tour of the Anaheim Campus be conducted in conjunction with a future Board meeting.

F. **Mike Kasler**, Cypress College Executive Vice President; **Michael Viera**, Fullerton College President; and **Tom Parisi**, School of Continuing Education Dean, reported on activities in their respective areas.

As a part of his report, Dr. Kasler introduced the new Cypress College Health Services Director Marylou Giska.

**COMMENTS:**

- A. **Vickie McPherson** announced the resignation of CSEA President Regina Ford upon her acceptance of an interim management position. Vickie as the CSEA 1<sup>st</sup> Vice President has stepped into the CSEA President position and expressed her disappointment with the Board's written response to her presentation to the Board at the previous meeting. She indicated she will pursue this further at a future date and informed the Board that the classified staff will be creative in their attempt to obtain the Board's attention regarding classified negotiations.
- B. **Lisa Campell**, United Faculty 1<sup>st</sup> Vice President, addressed the Board and made the following statement for the record on behalf of United Faculty President Barbara Bennett:

Here it is, the end of November, and Faculty as yet do not have a salary settlement for this year, 2002-2003. As you might expect, people are becoming frustrated, or angry, or discouraged. The District has proposed a 2% salary increase; the dilemma for faculty is if the 2%, or COLA, goes on the salary schedule, then there will be no increase on the other salary schedules, such as summer intersession or overload. As it is, adjunct faculty earn more on most of the steps on the summer intersession schedule than full time faculty do. And, if we safely assume that adjunct faculty will also receive a raise this year, that will mean that full time faculty will earn less for overload classes than adjunct faculty do for their classes. This is an untenable situation for full-time faculty, and I do not know of another community college district in California where the adjunct faculty earn more than the full-time faculty do!

Let me also include a word about comparability. Many of you were not here when United Faculty and the District agreed to a comparability study with 14 similar districts, and further agreed to bring North Orange up to the 75<sup>th</sup> percentile. In 1992, North Orange and United Faculty agreed to begin this comparability study, and in 1999, after a lot of hard work and the commitment of revenues to achieve this comparability position, both parties agreed that the goals had been achieved. Even though this commitment took a number of years to achieve, the Board of Trustees honored that commitment and are to be congratulated for accomplishing the goal. After those goals were achieved, frankly, we expected that we would continue to maintain that hard earned position

relative to the other districts in the study. Unfortunately, I am here to tell you that in the past four years, we have watched that achievement being eroded year after year as we continue to lose ground compared with other districts, and we have the data to support this. It is very disheartening to see this happen, and, it is all the more reason why faculty must receive a reasonable settlement this year. Added to the fact that faculty so well supported this district last year with the purchase of Anaheim and the passage of the bond, I think you can begin to understand why faculty are disturbed by the failure of the district to make faculty salaries one of the priorities of this district.

- C. **Trustee Donna Miller** extended her gratitude to all involved in the development of the Anaheim Campus. She reported that the Board Strategic Conversation Subcommittee met and has begun the initial planning stages of the annual Strategic Conversation with the next one scheduled for the 2003 fall semester at the Anaheim Campus.

In addition, she expressed her gratitude to Trustee Leonard for his never-ending advocacy to get a District facility in the City of Anaheim; thus, making the Anaheim Campus a reality.

- D. **Trustee Leonard Lahtinen** extended his gratitude to Donna Hatchett for her leadership in planning the Anaheim Campus dedication ceremony.
- E. **Trustee Nancy Rice** noted an article in the Orange County Register on the El Toro photo exhibit created by students of Cypress College instructor Jerry Burchfield.
- F. **Trustee Molly McClanahan** reported on her attendance at the recent Community College League of California conference.
- F. **Trustee Jeff Brown** also commended staff for the excellent Anaheim Campus dedication ceremony.
- G. **Student Trustee Briana Padilla** reported on Cypress College Associated Students recent activities.
- H. **Trustee Manny Ontiveros** reported on his recent participation in a PUENTE Program Training session and also commended staff on the successful Anaheim Campus dedication ceremony.

- I. **Donna Hatchett** acknowledged the participation of various staff from Fullerton College, Cypress College, the School of Continuing Education, and the Anaheim Campus who were instrumental in achieving the successful Anaheim Campus dedication ceremony.

**MINUTES:** It was moved by Trustee Leonard Lahtinen and seconded by Trustee Jeff Brown to accept as amended the minutes of the Regular Board meeting held on November 12, 2002. **Motion carried unanimously, including the Student Trustees' advisory votes.**

## **FINANCE AND FACILITIES**

**Item 3.a:** Upon clarification on the CEQA requirement and the composition of the evaluation committee, it was moved by Trustee Leonard Lahtinen and seconded by Trustee Molly McClanahan to enter into a contract with Ultra Systems for CEQA Compliance Consulting Service for Phase I, II and III at a total cost not to exceed \$300,000 effective November 27, 2002 through December 31, 2003. The \$300,000 is to be allocated at a cost not to exceed \$150,000 for completion of Phase I, II, and III for environmental consulting services at Fullerton College and at a cost not to exceed \$150,000 for completion of Phase I, II and III for environmental consulting services at Cypress College. **Motion carried unanimously, including the Student Trustees' advisory votes.**

**Item 3.b:** By the block vote, authorization was granted for approval of 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.

(See Supplemental Minutes #886 for a copy of the Change Order Request.)

## **INSTRUCTIONAL SERVICES**

**Item 4.a:** By the block vote, authorization was granted to enter into a travel contractor agreement with American Institute for Study (AIFS) for the 2003 Summer Abroad Program in Madrid, Spain, beginning July 4, 2003 and ending August 9, 2003. The basic program fee is \$3,690 to be paid by the student, and includes travel, housing, three meals per day, and side excursions.

Further authorization was granted for the Vice Chancellor, Finance & Facilities, to execute the Travel Contractor Agreement on behalf of the District.

**Item 4.b:** Upon clarification on the catering services available, it was moved by Trustee Leonard Lahtinen and seconded by Trustee Otto Lacayo to enter into an agreement with Affordable Catering to provide food and services for the School of Continuing Education's Holiday Open House on Saturday, December 7, 2002, at a cost not to exceed \$2,400. **Motion carried unanimously, including the Student Trustees' advisory votes.**

## **HUMAN RESOURCES**

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

### PHASE-IN RETIREMENT

Reichart, Elizabeth Sue	CC	Court Reporting Instructor From: Fall Sem. 100% / Spring Sem. 100% To: Fall Sem. 52% / Spring Sem. 52% Eff. 2003 Spring Semester
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Storm, Barbara	FC	Counselor From: Fall Sem. 100% / Spring Sem. 100% To: Fall Sem. 60% / Spring Sem. 60% Eff. 01/01/2003
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### REHIRE

O'Brien, Patrick	CC	Interim Division Dean, Language Arts Temporary Management Contract \$325.89 per day, as needed Eff. 11/18/2002-01/31/2003
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### LEAVE OF ABSENCE WITHOUT PAY

Merickel, Karen	CC	Biology Instructor Personal Leave (43.333%) Eff. 2003 Spring Semester
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**Item 5.b:** By the block vote, authorization was given for the following classified personnel matters, which are within budget:

### RESIGNATION

Rendon, Carmen                      FC    Student Services Technician (100%)  
Eff. 11/29/2002

Simoos, Tony                          CC    Secretary (80%)  
Eff. 11/29/2002

#### REHIRE

Riffle, Robert                        CC    Interim Manager, Maintenance & Operations  
Temporary Management Contract  
\$197.30 per day+stipend in lieu of benefits  
Eff. 12/2/2002-03/14/2003

#### TEMPORARY REASSIGNMENT

Ford, Regina                          CC    Evaluator/Records Specialist (100%)  
Range 37, Step E+25% Long+PG&D  
(\$4,159.18)

To:        CC Interim Registrar  
              (Management Salary Schedule)  
              Range 9, Step B+PG&D (\$4,579.66)  
              Eff. 11/19/2002-06/30/2003

#### CORRECTION TO NOVEMBER 12, 2002, BOARD AGENDA (PROMOTION)

Ho, Co-Nghiep                        To:    FC Manager, Systems Technology Services  
    12-month position (100%)  
    Range 17, Step D+PG&D (\$6,264.91)  
    Eff. 11/12/2002

#### **GENERAL**

**Item 6.a:** It was moved by Trustee Jeff Brown and seconded by Trustee Molly McClanahan that the Board establish December 10, 2002, as the date of its Organizational Meeting and the County Superintendent be so informed. **Motion carried unanimously, including the Student Trustees' advisory votes.**

In reviewing the Tentative 2003 Board Meeting Calendar, the Board agreed to delete the January 14 and July 8, 2003 meeting dates from the schedule.

**Item 6.b:** It was moved by Trustee Otto Lacayo and seconded by Trustee Leonard Lahtinen that the Board received as an information item Board Policy 3006, Unlawful Discrimination, and Administrative Procedure 3006, Procedure for Reporting Charges of Unlawful Discrimination and requested the policy and procedure be placed on the December 10, 2002, board agenda for action. **Motion carried unanimously, including the Student Trustees' advisory votes.**

**CLOSED SESSION:** At 7:30 p.m., Board President Manny Ontiveros 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 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATOR Rod Fleeman, Vice Chancellor, Finance & Facilities, regarding:**

<b>Property:</b>	<b>4175 Fairmont Blvd. Yorba Linda, CA 92886</b>
<b>Negotiating Parties:</b>	<b>To Be Determined</b>
<b>Under Negotiation:</b>	<b>Terms and Conditions</b>

**Per Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATOR Rod Fleeman, Vice Chancellor, Finance & Facilities, regarding:**

<b>Property:</b>	<b>1000 S. Leslie La Habra, Ca 90631</b>
<b>Negotiating Parties:</b>	<b>To Be Determined</b>
<b>Under Negotiation:</b>	<b>Terms and Conditions</b>

**RECONVENE OPEN SESSION:** At 9:38 p.m., Board President Manny Ontiveros reconvened the meeting in open session.

**ADJOURNMENT:** At 9:40 p.m., Trustee Otto Lacayo moved and Trustee Jeff Brown seconded to adjourn the meeting. **Motion carried unanimously by those members present.**

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Nancy Rice, Secretary  
Board of Trustees