

APPROVED

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

June 26, 2007

The Board of Trustees of the North Orange County Community College District met for its Regular Meeting on Tuesday, June 26, 2007, at 5:30 p.m. at the Board Room at the Anaheim Campus.

President Jeff Brown called the meeting to order at 5:30 p.m. and 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 David Adame and Sabrina Tinsay. Absent: None.

RESOURCE PERSONNEL PRESENT: Jerry Hunter, Chancellor; Jeff Horsley, Vice Chancellor, Human Resources; Fred Williams, Vice Chancellor, Finance & Facilities; Lis Leyson, Interim Vice President of Instruction, Fullerton College; Margie Lewis, President, Cypress College; Gary McGuire, Provost, School of Continuing Education; Christie Noring, District Director, Public Affairs; Deborah Ludford, District Director, Information Services; Frank Smith, representing the District Management Association; Andrea Sibley-Smith, representing the School of Continuing Education Academic Senate; Cherie Dickey, representing the Cypress College Academic Senate; Ken Collins, representing the Fullerton College Faculty Senate; Dale Craig representing United Faculty; Rod Lusch, representing CSEA; Sam Russo, representing Adjunct Faculty United; and Violet Ayon, Recording Secretary.

OTHER ADMINISTRATORS AND EMPLOYEES PRESENT: Ron Beeler, Claudette Dain, Steve Duncan, Rodrigo Garcia, and Dorothy Owens-Whitehurst from the District Office; Andrea Hanstein, Bob Jensen, Chris Kiger, Adam O'Connor, and Janet Portolan from Fullerton College; Pat Humpres, Mike Kasler, and Marc Posner from Cypress College; and Terri Taylor from the School of Continuing Education.

COMMENTS: MEMBERS OF THE AUDIENCE: There were no comments from the audience.

BLOCK VOTE: It was moved by Trustee Barbara Dunsheath and seconded by Trustee Molly McClanahan to approve by block vote the following items:

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

Motion carried unanimously.

REPORTS:

- A. As a part of the Chancellor's report, **Vice Chancellor Fred Williams** responded to a Trustee's question from the previous Board meeting regarding the funding of fixtures, furniture, and equipment through capital outlay funding.
- B. Also as a part of the Chancellor's report, **Vice Chancellor Fred Williams** distributed and led a review of the recaps from the Retiree Unfunded Liability meetings held on June 5 and June 19. In addition, he distributed a timeline for future tasks the group will embark upon, which he believes will lead to the development of a plan to resolve the unfunded retiree liability.

(See Supplemental Minutes #985 for a copy of recaps and timeline.)

- C. **Gary McGuire**, School of Continuing Education Provost; **Margie Lewis**, Cypress College President; and **Lis Leyson**, Fullerton College Interim Vice President of Instruction, reported on activities from their respective areas.

COMMENTS:

- A. **Frank Smith** announced that Carol Mattson will assume the responsibilities of the District Management Association President.
- B. **Ken Collins**, commended Lis Leyson for her valuable assistance as the Fullerton College Interim Vice President of Instruction. In addition, he requested an update on the class size issue that arose at the last Board meeting. Chancellor Hunter responded that he will be discussing the issue with the Board.
- C. **Dale Craig** expressed his concern regarding the possible shift of class size determination responsibility from the faculty to the negotiation team and he requested the Academic Senates be included in discussions related to class size.
- D. **Andrea Sibley-Smith** echoed Mr. Craig's sentiments and encouraged the Board to include the Academic Senates in deliberations regarding class size.
- E. **Student Trustee Sabrina Tinsay** reported on Cypress College summer school activities.
- F. **Student Trustee David Adame** reported on Fullerton College summer activities.
- G. **Trustee Michael Matsuda** encouraged the Board and staff to review the Grand Jury's report regarding best and worst practices surrounding difficult facilities' construction decisions.
- H. **Trustee Barbara Dunsheath** announced that a dedication ceremony will be held for a new Cypress Community Center and a Cypress festival coming up this summer.

- I. **Trustee Molly McClanahan** announced the “20 Women of the 20th Century” exhibit at the Muckenthaler Center.

MINUTES: It was moved by Trustee Leonard Lahtinen and seconded by Trustee Molly McClanahan that the Minutes of the Regular Meeting of June 12, 2007, be approved as submitted. **Motion carried unanimously, including the Student Trustees’ advisory vote.**

Item 5.d: This item was entertained at this point in the agenda and Steve Duncan, District Director, Personnel, presented information on the selection of ComPsych Corporation.

Upon conclusion of a question and answer session, it was moved by Trustee Donna Miller and seconded by Trustee Leonard Lahtinen to enter into a contract for up to five years with ComPsych Corporation to provide an Employee Assistance Program for the District at a base cost of \$17.04 per covered employee per year, effective July 1, 2007. **Motion carried unanimously, including the Student Trustee’s advisory vote.**

Further authorization was granted for the Vice Chancellor of Human Resources to execute the contract on behalf of the District.

FINANCE & FACILITIES:

Item 3.a: Claudette Dain, District Director, Fiscal Affairs, conducted a presentation on the District’s 2007-08 Tentative Budget. The 2007-08 Tentative Budget is based on the following assumptions: 1) a rollover budget; 2) the Governor’s May Revise Budget; 3) position control; 4) on-going resources; 5) 2006-07 estimated actual FTES achievement, which pulls the District out of stability and is funded \$1.7 million for growth; and 6) a .85% increase in FTES budgeted District-wide for 2007-08. Major revenue assumptions include: 1) a base revenue of \$148.6 million, including SB361 Non-Credit Rate Enhancement funding; 2) Cost of Living Adjustment of 4.53%; and 3) growth funding of \$1.1 million. The Unrestricted General Fund Revenue Summary totals \$165,508,163.

Major expenditure assumptions include: 1) salary and benefits increase of \$8.9 million; 2) retiree medical costs increased by 10%; 3) extended day budgets increased by \$2.8 million for growth and salary increases; 3) operating allocation increased by \$1.1 million; and 4) District-wide expenses increased by 6%. The Unrestricted General Fund Expenditure Summary totals \$159,655,288.

Ms. Dain also noted that an \$80 million reduction in apportionments for 2006-07 could impact on-going resources as these would carry forward to lower apportionment funding for 2007-08. A \$364 million error in funding for K-12 programs and actual 2006-07 property tax revenues have fallen \$764 million below their projected forecast and that both of these could impact one-time resources.

(See Supplemental Minutes #985 for a copy of the presentation.)

Upon conclusion of the presentation and a question and answer session, it was moved by Trustee Molly McClanahan and seconded by Trustee Donna Miller that the Board:

1. Approve the Tentative Budget for Fiscal Year 2007-08 for all funds of the District.
2. Set a public hearing for September 11, 2007, at the Anaheim Campus Board Room at or about 5:30 p.m. pursuant to §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 Trustee's advisory vote.

Item 3.b: By the block vote, authorization was granted for the 2006-07 General Fund, Bond Fund, and Capital Outlay Fund Budget Transfers netting to the amount of \$334,984 and the Board adopted the resolutions showing the summary, pursuant to the California Code of Regulations, Title 5, §58307.

Item 3.c: By the block vote, authorization was granted to award Bid 2007-21, Furnish Elevator Safety and Maintenance for the Anaheim Campus, Cypress College, Fullerton College, and the Berkeley Center, to RS Elevator Corporation in the amount of \$48,010 per year. Repair work that goes beyond the scope of maintenance is on a time and material basis at a fixed rate. The agreement will be for one year with the option to renew for four years, effective July 1, 2007.

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

Item 3.d: By the block vote, authorization was granted to award Bid 2007-22, Science Equipment and Supplies, to the following companies:

Arbor Scientific	\$ 194.00
Art Supply Warehouse	409.88
Auric Enterprises Inc., d.b.a. Thorn Smith Lab.	116.25
Benz Microscope Optics Center, Inc.	391.37
Bio Corp.	3,896.10
Bio Rad Laboratories	282.40
Carolina Biological Supply Co.	2,265.50
Cynmar Corp.	1,034.72
Educational Innovations, Inc.	793.05
Flinn Scientific	46.00
Hardy Diagnostics	1,511.71
Master Lock Co.	427.50
Oceanside Photo & Telescope (OPT)	320.00
Pasco Scientific	3,836.99
Sargent-Welch/VWR International	9,511.26
Science Kit & Boreal Lab.	4,285.16
Science Labs	487.76
Shamrock Scientific Specialty System, Inc.	410.35
Sigma Chemical Co.	303.20
Spectrum Laboratory Products, Inc.	15,004.42
Thomas Scientific	224.85

United States Plastic Corp.	934.18
VWR International	20,646.52
Wards Natural Science Est. LLC	<u>1,766.67</u>
Total	\$69,099.84

Plus tax and shipping.

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

Item 3.e: By the block vote, authorization was granted to participate in a cooperative bid with Western States Contracting Alliance Master Agreement Number 91-00151, to purchase computer equipment and services for various sites throughout the District, effective July 1, 2007, through June 30, 2009.

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

Item 3.f: By the block vote, the Board ratified the current change order for the public works project listed per the Change Order Request for a time extension at no cost to the District.

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

Item 3.g: Upon clarification on the amount, it was moved by Trustee Barbara Dunsheath and seconded by Trustee Donna Miller to grant authorization to amend the master agreement with Day Construction Inspection to increase the approved costs per fiscal year from \$500,000 to up to \$750,000, retroactive to April 1, 2007, and ending December 31, 2008. **Motion carried unanimously, including the Student Trustee's advisory vote.**

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

Item 3.h: By the block vote, authorization was granted to purchase a support agreement from MTM Technologies, Inc. for Cisco network hardware and software support for a one-year period beginning July 1, 2007, through June 30, 2008, for a total cost of \$100,902.03.

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

Item 3.i: Upon clarification on the potential use of the system, it was moved by Trustee Leonard Lahtinen and seconded by Trustee Michael Matsuda to grant authorization to enter into an agreement with Dean Evans and Associates, Inc. for an amount not to exceed \$37,972 for the purchase, maintenance, and training of the Event Management System Enterprise software system for Fullerton College. **Motion carried unanimously, including the Student Trustee's advisory vote.**

		Eff. 09/04/2007 PN SCF975
Klyde, Michael	CC	Automotive Technology Instructor First Year Probationary Contract Class B, Step 1 Eff. 08/15/2007 PN CCF982
Ninh, Khanh	SCE	Vocational Counselor First Year Probationary Contract Class B, Step 1 Eff. 07/01/2007 PN SCF974
Ramos, Larry	CC	Automotive Collision Repair Instructor First Year Probationary Contract Class B, Step 1 Eff. 08/15/2007 PN CCF893

REHIRE

Aguirre, Yolanda	FC	Cal/WORKS Counselor Temporary Contract (100%) Specially-funded pursuant to E.C. 87470 Class B, Step 10, Stipend in lieu of benefits Eff. 07/01/2007-06/30/2008
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TEMPORARY MANAGEMENT CONTRACT

White, Vincent	FC	Interim Director, Transfer Center Temporary Management Contract (100%) Range 12, Step A Management Salary Schedule Eff. 07/01/2007-11/02/2007 PN FCM969
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Item 5.c: By the block vote, the Board authorized the hiring of hourly personnel.

(See Supplemental Minutes #985 for a copy of the hourly personnel listing.)

Item 5.d: This item was discussed earlier in the meeting. Please refer to page 226 for this item.

GENERAL:

Item 6.a: It was moved by Trustee Barbara Dunsheath and seconded by Trustee Donna Miller that the Board adopt the Board policies listed below and that they be placed on the District's web site, where they will be accessible to students, faculty, staff, and the public.

Board Policy 7110	Authority to Hire
Board Policy 7130	Compensation
Board Policy 7220	Classified Employees
Board Policy 7310	Nepotism
Board Policy 7370	Political Activity

Upon considerable discussion in possibly amending Board Policy 7110, and the Board's intent to have employment based on the District's mission, vision, and values statements, **the motion on the original recommendation was carried unanimously, including the Student Trustees' advisory votes.**

Item 6.b: It was moved by Trustee Leonard Lahtinen and seconded by Trustee Manny Ontiveros that the Board adopt Resolution No. 06/07-09, Student Trustee Absence, verifying that Student Trustee David Adame was ill on June 12, 2007, and therefore, eligible to receive compensation for the Board meeting held on that date. A signed Affidavit from Mr. Adame verifying his absence due to illness will be on file in the Chancellor's Office. **Motion carried unanimously, including the Student Trustees' advisory votes.**

Item 6.c: It was moved by Trustee Leonard Lahtinen and seconded by Trustee Michael Matusda that the Board adopt revised Board Policy 2725, Board Member Compensation, which increases the Student Member compensation from \$196.88 to \$393.75 per month. **Motion carried with Trustee Molly McClanahan voting no, all other Trustees voting yes, including the Student Trustees' advisory votes of yes.**

Item 6.d: It was moved by Trustee Barbara Dunsheath and seconded by Trustee Manny Ontiveros that the Board adopt Resolution No. 06/07-10, Honoring Dr. Marjorie Lewis as Cypress College President Emeritus, for her years of service and contributions to the North Orange County Community College District. **Motion carried unanimously, including the Student Trustee's advisory votes.**

(See Supplemental Minutes #985 for a copy of the resolution.)

Item 6.e: The Board received the District-wide Strategic Plan Second-Phase: Implementation chart, containing 2006-07 Summary and 2007-08 Projections. During review of the document, several trustees shared suggestions for future implementation efforts. These will be forwarded to the campuses by the Chancellor.

CLOSED SESSION: At 7:56 p.m., Board President Jeff Brown 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 54957.5: PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CHANCELLOR.

Per Section 54956.9: ANTICIPATED LITIGATION: TWO POTENTIAL CASES.

RECONVENE OPEN SESSION: At 9:44 p.m., Board President Jeff Brown reconvened the meeting in open session.

ADJOURNMENT: At 9:45 p.m., it was moved by Trustee Michael Matsuda and seconded by Trustee Manny Ontiveros to adjourn the meeting in memory of Ed Clardy, a 17-year District Printing & Design printer, who recently passed away. **Motion carried unanimously.**

Prepared by Recording Secretary for
Leonard Lahtinen, Secretary, Board of Trustees