

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

March 24, 2009

The Board of Trustees of the North Orange County Community College District met for its Regular Meeting on Tuesday, March 24, 2009, at 5:30 p.m. in the Anaheim Campus Board Room.

Board President Leonard Lahtinen called the meeting to order at 5:35 p.m. and Ethan Morse led the Pledge of Allegiance to the Flag.

TRUSTEE ROLL CALL - Present: Jeff Brown, Barbara Dunsheath, Leonard Lahtinen, Michael Matsuda, Molly McClanahan, Donna Miller, M. Tony Ontiveros, and Student Trustees Carissa Clark and Ethan Morse. Absent: None

RESOURCE PERSONNEL PRESENT: Ned Doffoney, Chancellor; Fred Williams, Vice Chancellor, Finance & Facilities; Jeff Horsley, Vice Chancellor, Human Resources; Kathie Hodge, President, Fullerton College; Mike Kasler, President, Cypress College; Christine Terry, Interim Provost, School of Continuing Education; Christie Noring, District Director, Public Affairs; Deborah Ludford, District Director, Information Services; Jorge Gamboa, representing the District Management Association; Andrea Sibley-Smith, representing the School of Continuing Education Academic Senate; Rob Johnson, representing the Cypress College Academic Senate; Ken Collins, representing the Fullerton College Faculty Senate; Fola Odebunmi, representing United Faculty; Rod Lusch, representing CSEA; and Violet Ayon, Recording Secretary.

OTHER ADMINISTRATORS AND EMPLOYEES PRESENT: Toni DuBois, Debra Gerard, Mike Greenhalgh, Andrea Hanstein, Rebecca Morgan, Adam O'Connor, Janet Portolan from Fullerton College; Karen Cant and Bob Simpson from Cypress College; Mary Foster, Anna Garza, Vaniethia Hubbard, Denise Larsen, Jennifer Perez, Valentina Purtell, Julie Schoepf, Greg Schulz, and Terri Taylor from the School of Continuing Education; Claudette Dain, Tami Oh, Melissa Utzuki, and Dorothy Whitehurst from the District Offices.

VISITORS: Ken Bane, Ron Beeler, David and Gayle Gess, Richard Gotauco, Bob Rineer, Jon Schoepf, and Dr. Vurdein.

COMMENTS: MEMBERS OF THE AUDIENCE:

A. **Ken Collins** submitted the following Fullerton College Faculty Senate resolution:

WHEREAS, the facilities at Fullerton College are constructed to serve the educational needs of our students and the mission of the college; and

WHEREAS, the complex process of designing and constructing new and remodeled facilities deserves the best thinking of the college community; and

WHEREAS, the end users of new facilities are in a position to offer insightful and timely feedback throughout the design and construction phases of facilities projects; and

WHEREAS, the Fullerton College community includes staff members that are experts in pedagogy, architecture, construction management, landscape design, and building maintenance, who could contribute significantly to the success of capital improvement projects; and

WHEREAS, change orders on the construction of Fullerton College instructional facilities (200 building, 1400 building, and P.E. projects) have totaled \$1.6 7M in the past calendar year; and

WHEREAS, many of Fullerton College's change orders would have been avoided by allowing staff members to review facilities plans at each stage of the planning, design, and construction processes; and

WHEREAS, the State Academic Senate (ASCCC) publication The Faculty Role in Planning and Budgeting states "Facilities planning should involve extensive interviews with departments, and review and sign-off on the plan by the academic senate, certifying that the proposed plan is a logical product of the specified processes";

THEREFORE BE IT RESOLVED, that the Fullerton College Faculty Senate requests that campus and district administration involve affected faculty and staff members, construction management experts, landscape experts, and maintenance personnel at all stages of facility improvement processes including the Initial Project Proposal (IPP), the Final Project Proposal (FPP), selection of architectural firms, design, review of construction documents, value engineering, change orders, and construction.

- B. **Mike Sturgeon** addressed the Board requesting that his firm's bid bond be returned to his firm – Sturgeon General. A lawsuit against Sturgeon General by the District is currently pending.
- C. **Richard Gotaco** addressed the Board expressing his support of the Fullerton College Physical Education Complex project.

BLOCK VOTE APPROVAL: Trustee M. Tony Ontiveros moved and Trustee Barbara Dunsheath seconded that the following items be approved by block vote.

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

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

REPORTS:

- A. **Chancellor Doffoney** thanked Trustees Ontiveros and Dunsheath for their participation in the recent Community College Leadership Development Institute Summit. He also reported that a meeting of District and Fullerton College staff and consultants was held with members of the community surrounding Fullerton College regarding construction projects on the campus.
- B. As a part of the Chancellor's Report, a presentation from the School of Continuing Education (SCE) entitled "Transitioning Noncredit Students to Credit," conducted by **Anna Garza**, Matriculation Manager, and **Mary Foster**, Special Project Manager for the Adult College & Career Transition (ACCT) Program. The presentation highlighted SCE's efforts to transition noncredit students to credit programs in an attempt to help them reach their educational or career goals. SCE is moving toward a role that is more preventative and proactive in providing student support services for its population. With the establishment of the Provost's DREAM Team (Data, Reporting, Evaluation and Accountability Measures) and ACCT, SCE looks forward to transitioning ever more students to the colleges.

(See Supplemental Minutes #1021 for a copy of the presentation.)

- C. **Mike Kasler**, Cypress College President; **Kathie Hodge**, Fullerton College President; and **Chris Terry**, School of Continuing Education Interim Provost; reported on activities from their respective areas.

As a part of her report, Dr. Hodge introduced Mark Greenhalgh, the new Fullerton College Dean of Mathematics and Computer Science.

COMMENTS:

- A. **Jorge Gamboa** reported on the recent joint staff development workshop for the Orange and Los Angeles Counties community college leadership. The workshop was entitled "The High Achiever's Guide to Happiness," which was presented by Vance Caeser.
- B. **Ken Collins** extended an invitation to the Fullerton College Schlinger seminar.

- C. **Rod Lusch** reported that the statewide CSEA President was invited to the White House. He also reported on his participation in the CSEA Mentor Program.
- D. **Student Trustee Carissa Clark** reported on Cypress College students' participation in the Lobby Day at Sacramento.
- E. **Student Trustee Ethan Morse** reported on Fullerton College campus activities.
- F. **Trustee Jeff Brown** congratulated Fullerton College on its superb High School Theatre Festival. In addition, he, once again, encouraged staff to include something prominent on the web sites for individuals wishing to make donations to the colleges.
- G. **Trustee Michael Matsuda** reported on the play based on Mendez vs. Westminster by Erika Bennett of Fullerton College. He commended staff and students for their involvement with the play.
- H. **Trustee M. Tony Ontiveros** reported on his participation at the Community College Leadership Development Institute Summit.
- I. **Trustee Leonard Lahtinen** reported on his attendance at President Obama's recent townhall meeting in Costa Mesa.

MINUTES: It was moved by Trustee M. Tony Ontiveros and seconded by Trustee Molly McClanahan that the Board approve the minutes of the Regular Meeting of March 10, 2009, as submitted. **Motion carried unanimously, including the Student Trustees' advisory votes.**

FINANCE & FACILITIES:

Item 3.a: By the block vote, authorization was granted to award Bid 2008-003, Printing Equipment for Fullerton College Technology Department, to El DuPont De Nemoors and Company, in the amount of \$108,650, plus tax and shipping.

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

Item 3.b: By the block vote, authorization was granted to amend the performance-based energy conservation contract with ACCO Engineered Systems to design and construct an energy efficient replacement of the existing air conditioning systems for the Cypress College Humanities Lecture Hall, Theater Arts Building, and Continuing Education Buildings, and extend the term of the agreement from July 1, 2009, through September 30, 2009, at no cost to the District, to allow ACCO to close out the project with the Division of the State Architect.

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

Item 3.c: By the block vote, authorization was granted to amend the agreement with ACCO Engineered Systems for the Design and Construction of Energy Efficient Lighting Retrofits, Sump Pump Replacements, and Steam System Repairs at Fullerton College, and extend the term of the agreement retroactive to March 1, 2009, through September 30, 2009, at no cost to the District.

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

Item 3.d: By the block vote, authorization was granted to amend the architectural agreement with tBP/Architecture for the Fullerton College, Remodel for Efficiency – 300/500 Stairs Project, and extend the term of the agreement retroactive from January 1, 2009, through August 31, 2009, at no additional cost to the District.

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

Item 3.e: Upon clarification on some aspects of the project, it was moved by Trustee Leonard Lahtinen and seconded by Trustee Molly McClanahan to amend the architectural agreement with Rossetti Architecture for the Fullerton College Physical Education Complex and increase the contract amount by \$58,500, plus reimbursables in the amount of \$7,500, from \$1,383,278 to \$1,449,278 for additional architectural and engineering services for design changes to the Track Oval, Door Modifications, South Gym Bleachers, Glazing, Artificial Turf Cooling System, and Ballet Room. **Motion carried unanimously, including the Student Trustees' advisory votes.**

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

Item 3.f: By the block vote, authorization was granted to enter into an agreement with Rodriguez Engineering, Inc. to prepare a Schematic Phase Structural package in connection with the rehabilitation of the Warehouse Building, the Office and Maintenance Building, and the Vehicle Repair Shop Building located in La Habra, for a fee of \$27,500, plus reimbursables in the amount of \$1,500. The term of the agreement shall commence on March 25, 2009, and terminate on September 30, 2009.

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

Item 3.g: By the block vote, the Board ratified the current change orders for the public works projects listed per the Change Order Request, with a total of \$26,442.65.

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

Item 3.h: Upon clarification on the value of a Notice of Preparation at this time and the depth of notices to the Fullerton College surrounding community, it was moved by Trustee Leonard Lahtinen and seconded by Trustee Jeff Brown to award a consulting agreement with UltraSystems Environmental, Inc., in the amount of \$25,035, plus reimbursables in the amount of \$750, to prepare an Initial Study in order to make a determination of the type of California Environmental Quality Act (CEQA) document required for the project and prepare the required recommendation to change the proposed practice sports field at Fullerton College to a football field that would include lighting stanchions (100 Ft. High) and approximately 2,000 new bleacher seats. The term of the contract will be retroactive from March 1, 2009, through December 31, 2009.

Ken Bane addressed the Board requesting the community's input, specifically, a Notice of Preparation (NOP), before the Initial Study is initiated. He cautioned the Board against approving item 3.h.

During discussion, the Board requested that community individuals who signed the petition submitted to the Board at a previous meeting receive the Notice of Preparation and that staff report back at the next meeting a recommendation for the appropriate time and cost of distributing an NOP.

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

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

INSTRUCTIONAL RESOURCES

Item 4.a: By the block vote, the Board granted authorization to make adjustments to revenue and expenditure budgets, adopted resolutions to adjust the budgets and authorized expenditures within the General Fund, pursuant to the California Code of Regulations Title 5, Section 58308.

Item 4.b: By the block vote, retroactive authorization was granted for Fullerton College to sponsor the KinderCaminata event on March 20, 2009, for 1400 kindergartners from three local school districts at a cost not to exceed \$7,500.

HUMAN RESOURCES:

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

CHANGE IN RETIREMENT DATE

O'Brien, Noreen	CC	Nursing Instructor From: 06/01/2009 To: 05/22/2009 PN CCF844
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STIPEND FOR ADDITIONAL DUTIES

Bonilla, Irma	FC	Campus Safety Officer Coordinator (100%) 6% Stipend Eff. 3/02/2009 – 3/31/2009
McKamy, James	FC	Campus Safety Officer Coordinator (100%) 6% Stipend Eff. 3/02/2009 – 3/31/2009

LEAVE OF ABSENCE WITHOUT PAY

Bradshaw, John	FC	Admissions & Records Technician (100%) Personal Leave Eff. 7/27/2009 – 1/03/2010
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VOLUNTEER PERSONNEL WITHOUT PAY

Gonzales, Martha	SCE	Older Adults Program Eff. 3/10/2009 – 6/30/2009
Gunderson, Michael	SCE	Basic Skills Program Eff. 2/26/2009 – 6/30/2009
Hawekotte, Caitlin	SCE	Older Adults Program Eff. 3/02/2009 – 6/30/2009
Higgins, Sylvia	SCE	Older Adults Program Eff. 3/02/2009 – 6/30/2009
Lih, Ching-Yin	SCE	ESL Eff. 2/06/2009 – 5/29/2009
Mitchell, Jennifer	SCE	Older Adults Program Eff. 3/11/2009 – 6/30/2009
Sexton, Margret	SCE	Older Adults Program Eff. 3/02/2009 – 6/30/2009
Shah, Ravi	CC	Physical Sciences Department Eff. Spring Semester, 2009
Smith, Bonnie	SCE	Older Adults Program Eff. 3/02/2009 – 6/30/2009

Young, Carla

SCE Older Adults Program
Eff. 3/19/2009 – 6/30/2009

Item 5.c: By the block vote, authorization was granted for the hourly personnel per the hourly personnel listing.

(See Supplemental Minutes #1021 for a copy of the hourly personnel listing.)

GENERAL

Item 6.a: It was moved by Trustee Donna Miller and seconded by Trustee Michael Matsuda that the Board adopt revised Board Policy 4400, Community Services Programs, and that it be placed on the District's web site where it will be accessible to students, faculty, staff, and the public. **Motion carried unanimously, including the Student Trustees' advisory votes.**

Item 6.b: The Board received as a first reading proposed, revised Board Policy 4300, Field Trips and Excursions, and directed it be placed on the April 14, 2009, agenda for action thereby allowing the Board sufficient time for a first and second reading on policy matters.

It was suggested that section 2.0 be separated into two sentences and the sections renumbered.

Item 6.c: The Board received as a first reading proposed, revised Board Policy 5040, Student Records Privacy, and directed it be placed on the April 14, 2009, agenda for action thereby allowing the Board sufficient time for a first and second reading on policy matters.

CLOSED SESSION: At 7:10 p.m., Board President Lahtinen adjourned the meeting per the following sections of the Government Code:

Per Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR JEFF HORSLEY, VICE CHANCELLOR, HUMAN RESOURCES: Employee Organizations: United Faculty/CCA/CTA/NEA, Adjunct Faculty United Local 1606, CSEA Chapter #167, and Unrepresented Employees.

Per Section 54957: PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE.

Per Section 54957: PUBLIC EMPLOYEE APPOINTMENT: PROVOST, SCHOOL OF CONTINUING EDUCATION.

Per Section 54957.5: PUBLIC EMPLOYEE PERFORMANCE EVALUATION: CHANCELLOR.

Per Section 54956.95: LIABILITY CLAIMS: Lenton Aikins vs. NOCCCD.

RECONVENE OPEN SESSION: At 11:10 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 Molly McClanahan and seconded by Trustee Donna Miller to reject the Claim presented by Lenton Aikins. **Motion carried unanimously.**

ADJOURNMENT: At 11:12 p.m., it was moved by Trustee M. Tony Ontiveros and seconded by Trustee Michael Matsuda to adjourn the meeting. **Motion carried unanimously.**

Prepared By Recording Secretary for
Barbara Dunsheath, Secretary, Board of Trustees