

MEETING OF THE BOARD OF TRUSTEES

MONDAY, SEPTEMBER 29, 2003

ROOM 105, LIBRARY BUILDING, SADDLEBACK COLLEGE
28000 MARGUERITE PARKWAY, MISSION VIEJO, CALIFORNIA 92692

CALL TO ORDER (FOLLOWED BY PUBLIC COMMENTS/CLOSED SESSION): 5:00 P.M.
RECONVENE OPEN SESSION: 6:30 P.M.

AGENDA

CALL TO ORDER: 5:00 P.M.

PUBLIC COMMENTS

Members of the public may address the board on items listed below to be discussed in closed session. **Speakers are limited to two minutes each.**

RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

- A. Public Employee Appointment, Employment, Evaluation of Performance, Discipline, Dismissal, Release (GC 54957):
 - 1. Public Employee Appointment
 - a. Interim Vice President of Instruction, SC
 - 2. Public Employee Employment
 - a. Custodian, SC
 - b. Counselor, IVC
 - 3. Public Employee Evaluation
 - a. Athletic Equipment Specialist/Driver, SC
 - 4. Public Employee Discipline/Dismissal/Release (5)

- B. Conference with Labor Negotiators (GC 54957.6):
 - 1. Negotiators - Dr. Raghu Mathur; California School Employees Association (CSEA), Chapter 586
 - 2. Negotiators - Dr. Raghu Mathur; SOCCCD Faculty Association
 - 3. Negotiators - Dr. Raghu Mathur; SOCCCD Police Officers Association

- C. Conference with Real Property Negotiators (GC 54956.8):
 - 1. Portion of Tustin MCAS -
Negotiators - Dr. Raghu Mathur; City of Tustin
Under Negotiation - Price and Payment Terms

2. Approximately 2 Acres at Saddleback College, 28000 Marguerite Pkwy., Mission Viejo, CA
Negotiators - Dr. Raghu Mathur; Sempra Energy Utilities
Under Negotiation - Price and Payment Terms of Ground Lease

D. Conference with Legal Counsel (GC 54956.9)

1. Pending Litigation (GC 54956.9[a]) -
 - a. Mora v. Mathur
 - c. Franzoni v. SOCCCD
 - d. IVC Academic Senate, etc., et al., v. SOCCCD Board of Trustees
 - e. Faculty Association v. SOCCCD, Unfair Practice Charge No. LA-CE-4514-E
 - f. CSEA v. SOCCCD, Unfair Practice Charge No. LA-CE-4475-E
 - g. Carl v. SOCCCD
2. Initiation of Litigation (GC 54956.9[c]) - One New Case

RECONVENE OPEN SESSION: 6:30 P.M.

ACTIONS TAKEN IN CLOSED SESSION

INVOCATION

Led by Trustee Wagner

PLEDGE OF ALLEGIANCE

Led by Trustee Lang

RESOLUTIONS/PRESENTATIONS/INTRODUCTIONS

Resolution: Mildred Landecker

PUBLIC COMMENTS

Members of the public may address the board on any item on the agenda at this time or during consideration of the item. Items not on the agenda that are within the subject matter jurisdiction of the board may also be addressed at this time. **Speakers are limited to two minutes each.**

BOARD REPORTS/BOARD REQUESTS FOR REPORTS

Section 54954.2(a) of the Ralph M. Brown Act states that "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff

or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda."

Speakers are limited to two minutes each.

1. BOARD REPORTS/REQUESTS FOR REPORTS
 - a. BOARD REPORTS
 - b. BOARD REQUESTS FOR STAFF REPORTS

APPROVAL OF CONSENT CALENDAR ITEMS (Items 2 through 37)

All matters on the consent calendar are to be approved in one motion unless a board member requests separate action on a specific item.

2. MINUTES
Minutes of the regular meetings of June 30, July 28, and August 25, 2003.
3. SADDLEBACK COLLEGE: SPANISH LANGUAGE STUDIES IN SALAMANCA, SPAIN
Study abroad program from January 30 - April 25, 2004.
4. SADDLEBACK COLLEGE: VTEA TITLE IC GRANT ACCEPTANCE
Acceptance of tentative allocation to the district of \$284,254.
5. SADDLEBACK COLLEGE: STUDENT-OUT-OF-STATE TRAVEL
Attendance of up to 5 students and the Radio Operations Director at the Collegiate Broadcasters Assoc. Collegiate Press/College Media Advisors Conference in Dallas 22/5-11/9/03 at a cost not to exceed \$8,000.
6. SADDLEBACK COLLEGE: STUDENT-OUT-OF-STATE TRAVEL
Attendance of up to 10 students, a staff member and advisor, at the Collegiate Broadcasters Assoc. Collegiate Press/College Media Advisors Conference in Dallas 11/5 - 11/9/03 at a cost not to exceed \$9,000.

7. SADDLEBACK COLLEGE: EARLY CHILDHOOD MENTOR PROGRAM
Participation by the college in the program 9/1/03 - 6/30/04.
8. SADDLEBACK COLLEGE: LETTER OF AGREEMENT
Agreement between Yosemite CCD, the Child Development Training Consortium, and the college to assist students in obtaining new Child Development Permits.
9. IRVINE VALLEY COLLEGE: EARLY CHILDHOOD MENTOR PROGRAM
Participation by the college in the program 9/1/03 - 6/30/04.
10. IRVINE VALLEY COLLEGE: CHILD DEVELOPMENT TRAINING CONSORTIUM
Agreement between Yosemite CCD, the Child Development Training Consortium, and the college to assist students in obtaining new Child Development Permits.
11. IRVINE VALLEY COLLEGE: 2003-04 OUT-OF-STATE STUDENT TRAVEL
Participation by IVC students and advisors in the out-of-state travel program at a cost not to exceed \$30,495.
12. IRVINE VALLEY COLLEGE: REVISED FEES
Withdrawal of certain instructional materials fees for the fall 2003 semester per the State Chancellor's Office.
13. SOCCCD: SUBCONTRACTOR AGREEMENT
Agreement with North Orange CCD to fund the continuation of the Orange County Multimedia Center for a reimbursable amount up to \$14,250.
14. SOCCCD: WORKERS' COMP. LOSS REDUCTION PLAN
Contract with Keenan and Associates to implement the program over the next four fiscal years at a cost not to exceed \$130,000.

15. SOCCCD: BUILDER'S RISK INSURANCE

Purchase of builder's risk insurance through the Statewide Educational Wrap-Up Program for the Health Sci./District Ofcs. project for \$43,432.

16. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT

Bid 1026, Package AA, Fire Sprinklers, to AAA Action, Inc., for \$129,372.

17. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT

Bid 1026, Package BB, Plumbing, to Plumbing, Piping, and Construction, Inc., for \$376,280.

18. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT

Bid 1026, Package C, Cast-in Place Concrete Piles, to Malcolm Drilling Co., Inc., for \$345,000, and reject bid as nonresponsive by SJA, Inc., dba Anderson Drilling.

19. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT

Bid 1026, Package CC, Heating, Ventilation, and Air Conditioning, to Control Air Conditioning Corp. for \$1,292,400.

20. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT

Bid 1026, Package DD, Electrical/Fire/Alarm/Low Voltage Systems, to Anderson & Howard Electric, Inc., for \$1,844,500.

21. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT

Bid 1026, Package G, Masonry/CMU, to New Dimension Masonry, Inc., for \$218,880.

22. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT

Bid 1026, Package H, Structural Steel/Miscellaneous Metal/Steel Decking, to McMahon Steel Co., Inc., for \$1,599,200.

23. SOCCCD: REJECT ALL BIDS, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Rejection of Bid 1026, Package F,J, and R, Structural Concrete/Site Concrete/Rebar, Interior Architectural Woodwork, and Epoxy Terrazzo, for the Health Sci./District Ofcs. Bldg. project because all bids were over budget.
24. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package K, Roofing/Waterproofing, to Troyer Contacting Company, Inc., for \$141,690.
25. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package L, Sheet Metal/Expansion Joints and Louvers, to C.M.F., Inc., for \$67,071.
26. SOCCCD: AWARD OF BID, HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package M, Glass and Glazing, to Artesia Glass, Inc., for \$500,000.
27. SOCCCD: AWARD OF BID FOR HEALTH SCI./DISTRICT OFCS. BUILDING PROJECT
Bid 1026, Package Z, Elevator, to Inland Acoustics, Inc., for \$98,425.
28. SOCCCD: RESOLUTION, FEDERAL SURPLUS PERSONAL PROPERTY PROGRAM
Adoption of Resolution 03-42 naming representatives authorized to acquire federal surplus property.
29. SOCCCD: COURSE MANAGEMENT/DISTANCE ED. SOFTWARE UPGRADE
Contract with Blackboard in the amount of \$72,250 for a software license for the Blackboard Course Management System.

30. SOCCCD: PHONE SYSTEM REPLACEMENT CONSULTING SERVICE

Agreement with PlanNet Consulting, Inc., for the purpose of providing additional telephone consulting services at a cost not to exceed \$50,000.

31. IRVINE VALLEY COLLEGE: ARCHITECT FOR PERFORMING ARTS/THEATER PROJECT

Agreement with LPA, Inc., to provide architectural services in the amount of \$903,521.

32. TRANSFER OF BUDGET APPROPRIATIONS

Budget transfers as delineated.

33. BUDGET AMENDMENT: RESTRICTED GENERAL AND CAPITAL OUTLAY FUNDS

Adoption of Resolution 03-43 to amend the 2003-04 Adopted Budget.

34. PURCHASE ORDERS/CONFIRMING REQUISITIONS

Purchase orders 00953 through 01231 totaling \$1,168,161.36; and confirming requisitions dated 8/12/03 through 9/15/03 totaling \$189,515.81.

35. PAYMENT OF BILLS

Checks 022684 through 022405 totaling \$3,084,761.63; and Saddleback College Community Education checks 7061 through 7082 totaling \$56,992.44; and IVC Community Education checks 7050 through 7061 totaling \$12,832.31.

36. GIFTS TO THE DISTRICT AND FOUNDATIONS

Acceptance of various donated items.

37. TRUSTEES' REQUESTS FOR TRAVEL AND/OR LOCAL MILEAGE REIMBURSEMENT

Requests to attend upcoming conferences/events, and/or local mileage reimbursement.

INFORMATION ITEMS

ITEMS FOR INFORMATION ONLY

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38. SOCCCD: BASIC AID REPORT
Information on projected basic aid receipts and the possible impact of the "Pool Case."
39. MONTHLY FINANCIAL STATUS REPORT
Adopted budget, revised budget, and transactions through the end of the prior month.
40. CONTRACTS UNDER \$5,000
Summary of contracts for August/September 2003.
41. BOARD REQUESTED REPORTS: ONLINE BOARD AGENDA; MYSITE CREDIT/NO CREDIT OPTIONS; AND EFFECT OF INCREASED ENROLLMENT FEES
Information as requested.
42. BOARD REQUESTED REPORT: UPDATE ON BLUE SHIELD MEDICAL PLAN
Information as requested.
43. IRVINE VALLEY COLLEGE: RELEASE TIME AND/OR STIPENDS
Release time/stipends for 2002-03.
44. SADDLEBACK COLLEGE: RELEASE TIME AND/OR STIPENDS
Release time/stipends for 2002-03.

CHANCELLOR'S ITEMS (Item 45)

ITEMS RECOMMENDED FOR APPROVAL

45. ADVANCED TECHNOLOGY AND EDUCATION PARK (ATEP) LAUNCH PLAN
Contract with STRATUS to develop a plan to integrate district programs into physical facilities at ATEP for an amount not to exceed \$35,000.

DEPUTY CHANCELLOR'S ITEMS (Items 46 through 50)

ADOPT FOR NEGOTIATION PURPOSES/SET PUBLIC HEARING

46. DISTRICT PROPOSAL TO SOCCCD POLICE OFFICERS ASSOCIATION INITIAL PROPOSAL TO SOCCCD
Adopt the district's initial proposal to the SOCCCD POA for negotiations and set a public hearing on 10/27/03.

ITEMS RECOMMENDED FOR APPROVAL

47. ACADEMIC PERSONNEL ACTIONS
Change in Administrative Position Title; Additional Compensation; Academic Temporary Part-Time/Substitute Staff; OSH Banking Leave Provision; Leave Without Pay.
48. CLASSIFIED PERSONNEL ACTIONS
New Personnel Appointments; Volunteers; Change of Status; Out-of-Class Assignment; Leave of Absence; Authorization to Establish and Announce Classified Position; Authorization to Abolish Classified Positions; Resignation/Retirement/Conclusion of Employment; Change in Organizational Reporting Structure (SC).
49. BUDGET AMENDMENT: UNRESTRICTED GENERAL FUND
Adoption of Resolution 03-47 to amend the 2003-04 Unrestricted General Fund Budget to reflect \$1,035,956 of additional Partnership for Excellence funds.
50. REALLOCATION OF BASIC AID FUNDS
Recommendation of allocation of \$641,983 to the renovation of the Advanced Technology Education Park.

VICE CHANCELLORS' ITEMS (Items 51 through 53)

EDUCATIONAL SERVICES

ITEMS RECOMMENDED FOR DISCUSSION/APPROVAL

51. BOARD POLICY REVISIONS: 100 SERIES, BYLAWS
Amendments to BP102 and 106, and deletion of 107 and 108.

52. BOARD POLICY REVISIONS: 1000 SERIES,
COMMUNITY RELATIONS, AND 2000 SERIES,
ADMINISTRATION
Amendments to BP1311, 1400, 1415, 1500, 2001, and 2102,
and deletion of BP1220 and 1415.
53. BOARD POLICY REVISIONS: 3000 SERIES, BUSINESS
SECTION
Amendments to BP3001, 3002, 3100, 3101, 3102, 3201, 3205,
3206, 3210, 3220, 3300, 3400, 3401, 3450, 3500, 3510, 3520,
and 3600, and deletion of BP3200, 3200.1, 3800, and 3801.

REPORTS

Per unanimous board approval, the reports by the following individuals should be written and submitted to the board prior to board meetings. The reports may be given verbally, however, if enough time remains prior to the board approved meeting adjournment time of 10:00 p.m.

Speakers are limited to two minutes each.

54. CHANCELLOR/PRESIDENTS' /GOVERNANCE
GROUPS' REPORTS
 - a. Chancellor
 - b. Presidents
 - c. Student Government Reports
 - Associated Student Government of
Saddleback College
 - Associated Students of Irvine Valley College
 - d. Academic Senates' Reports
 - Saddleback College Academic Senate
 - Irvine Valley College Academic Senate
 - e. Faculty Association Report
 - f. California School Employees Association Report
 - g. Classified Senates' Reports
 - Saddleback College Classified Senate
 - Irvine Valley College Classified Senate
 - District Classified Senate

h. Police Officers' Association Report

CORRESPONDENCE

55. CORRESPONDENCE

Items of correspondence submitted by the district and colleges for the board's information.

ADJOURNMENT (OR RECESS TO CONTINUE CLOSED SESSION IF REQUIRED): 10:00 P.M.

dm

**ADDITIONAL ITEMS FOR THE 9/29/03 REGULAR BOARD
MEETING AGENDA**

ITEMS RECOMMENDED FOR APPROVAL

56. SADDLEBACK COLLEGE: DEDICATION OF TRAFFIC SIGNAL EASEMENT TO THE CITY OF MISSION VIEJO
Approval of easement for the installation of the traffic signal to proceed.
57. PROCESS TO FILL VACANCY IN TRUSTEE AREA 3
Adoption of Resolution 03-45 establishing the procedure for the appointment of a provisional board member and delegation of authority to Chancellor to fulfill requirements in the resolution.
58. PASSAGE OF SENATE BILL 328, ELIGIBILITY FOR STUDENT FINANCIAL AID
Authorization for Chancellor to take appropriate action.