

**Regular Meeting
Board of Trustees
Coast Community College District**

Date: **Wednesday, October 21, 2009**

Location: **District Board Room**
 1370 Adams Ave., Costa Mesa, CA

Time: **5:00 p.m. Closed Session**
 6:30 p.m. Study Session

A G E N D A I T E M S

- 1. Call to Order**
- 2. Roll Call**
- 3. Opportunity for Public Comment**

Members of the public have the opportunity to address the Board of Trustees on any item that has been described in this notice, before or during consideration of the item. Persons wishing to make comments are allowed 5-minutes. A "Request to Address the Board of Trustees" card needs to be completed and filed with the Secretary of the Board of Trustees prior to speaking.

- 4. Convene to Closed Session**

The following items will be discussed in Closed Session:

- a. Public Employment (Pursuant to Government Code 54957(b)(1))

Public employment materials are available upon request from the Board of Trustees' Office

1. Faculty Special Assignments
2. Substitute Faculty
3. Full-time Faculty

4. Part-time Faculty
 5. Classified Staff
 - a. Staff Assistant, Sr.
 6. Classified Temporary Assignments
 7. Hourly Staff
 8. Substitute Classified
 9. Student Workers
- b. Conference with Legal Counsel: Anticipated Litigation
(Pursuant to sub-section "b" of Government Code Section 54956.9)

Threatened litigation by Vicki Williams
Claim by Michael Greeley

- c. Conference with Legal Counsel: Anticipated Litigation
(Pursuant to sub-section "c" of Government Code
Section 54956.9)

Potential initiation of litigation - 1 case

- d. Conference with Legal Counsel: Existing Litigation
(Pursuant to sub-section "a" of Government Code Section 54956.9)

Morgenstern v. Orange Coast College et al.,
Orange County Superior Court Case No. 30-2008-00109222
Zandieh v. Coast Community College District,
Orange County Superior Court Case No. 30-2008-00108991
Lewis v. Coast Community College District et al.,
Orange County Superior Court Case No. 30-2008-00114263
Campbell v. Coast Community College District (CFCE Arbitration)
Sleep v. Coast Community College District (CCCA-CTA/NEA Arbitration)
Coast Federation of Educators v. Coast Community College District
(CFE Arbitration)
Faber v. Coast Community College District et al.,
Orange County Superior Court Case No. 30-2009-00126090
Medina v. Coast Community College District et al.,
Orange County Superior Court Case No. 00289630
Jacobson v. Coast Community College District (Arbitration)

- e. Public Employee Discipline/Dismissal/Release (Pursuant to Section 54957)
- f. Public Employee Performance Evaluation (Pursuant to Section 54957)
Position: Educational Administrators
- g. Conference with Labor Negotiator
(Pursuant to Government Code 54957.6)

Agency Negotiator: Joseph Quarles Ed.D., Vice Chancellor, Human Resources
Employee Organizations: Coast Federation of Classified Employees (CFCE),
Coast Community College Association - California Teachers Association/
National Education Association (CCCA-CTA/NEA),
Coast Federation of Educators/American Federation of Teachers (CFE/AFT)
Unrepresented Employees: Association of Confidential Employees (ACE)
Unrepresented Employees: Educational Administrators

- 5. Reconvene to Open Session**
- 6. Report of Action from Closed Session (if any)**
- 7. Acceptance of Retirement:**

Joseph N. Quarles, Ed.D. (DIST), Effective June 30, 2010

Dr. Joseph N. Quarles has made the decision to retire effective June 30, 2010. He is announcing his retirement far in advance in the hopes that the advance notice will benefit the organization. He states, "It is crucial that the Board have the opportunity for thoughtful, deliberate planning, so that the organization does not face unnecessary discontinuity."

Dr. Quarles' career in California Public Education spans four decades beginning in the fall of 1972 in the ABC Unified School District. During his thirty-eight (38) years of K-14 service, he has served in a number of different positions including classroom teacher, counselor, assistant principal, High School Principal, Personnel Director, Assistant Superintendent, Deputy Superintendent, and Vice Chancellor. Although most of his career has been in a K-12 setting, the last five years plus have been in higher education. According to Dr. Quarles, both experiences have been wonderfully challenging.

In retirement, Dr. Quarles plans to travel with his wife of forty-two years (Allene); spend quality time with his seven grandchildren; continue to learn and grow spiritually and intellectually, and simply enjoy life.

8. Authorization for Special Projects - District

Coast Community College District to hold a Manager Workshop on October 26, 2009 at the Ayres Hotel & Suites, 325 Bristol Street, Costa Mesa, CA 92626. Expenses not to exceed \$5,700.00, for hotel, food, and speaker transportation, to be paid from Management Professional Development funds.

9. Authorization to Approve Salary Schedule for 2008-2009

After review by the Vice Chancellor for Human Resources, it is recommended by the Interim Chancellor that the Board of Trustees approve an additional .62% increase to the following 2008-2009 employee salary schedule to become effective retroactive to July 1, 2008:

Schedule	Employee Group
EE	Classified Staff (CFCE)

The additional increase of .62% is the result of an arbitrator's decision which is binding on the District and states, "the CFCE salary schedule shall be adjusted so as to provide the CFCE unit with the same 2.73% salary increase granted to the full-time faculty for 2008-09 with the same effective date."

The salary schedule for Classified Staff was originally enhanced by 2.11% (based on formula); the additional .62% brings to total to 2.73%.

Fiscal Impact: \$302,885.00

10. Authorization to Approve Salary Schedule for 2009-2010

After review by the Vice Chancellor for Human Resources, it is recommended by the Interim Chancellor that the Board of Trustees approve an adjusted increase of .30% to the following 2009-2010 employee salary schedule to become effective retroactive to July 1, 2009:

Schedule	Employee Group
EE	Classified Staff (CFCE)

This .30% increase modifies the action taken by the Board on June 17, 2009; and is the result of the binding decision of an arbitrator which grants to Classified Staff the same salary increase provided to full-time faculty, pursuant to the CFCE collective bargaining agreement. The prior year 2008-2009 salary schedule increase, including the additional .62% increase will roll over for 2009-2010.

Fiscal Impact: \$449,789.00 (includes 0.62% from prior year)

11. Approval of First Amendment to Lease Agreement Between KOCE-TV Foundation and Coast Community College District

After review by the Interim Chancellor and District General Counsel, it is recommended by the Interim Chancellor that the Board approve the first amendment to the lease agreement between KOCE-TV Foundation and the Coast Community College District for real property and improvements at Golden West College. The Board President, or designee, is authorized to sign the first amendment to the lease agreement and any related documents, indicating approval by the Board of Trustees. (See Attachment 4)

FIRST AMENDMENT TO LEASE AGREEMENT

COAST COMMUNITY COLLEGE DISTRICT ("Lessor") and KOCE-TV FOUNDATION ("Lessee"), collectively referred to herein as the "Parties," hereby amend their Lease Agreement, dated November 1, 2007, pertaining to real property and improvements at Golden West College as follows:

1. The term of the Lease Agreement is extended by two years to November 1, 2011.

2. All references in the Lease Agreement to "expiration of the Term" now shall refer to the expiration of the lease term as extended by this First Amendment, and all references to "term" or "Term" now shall refer to the extended term.

3. Paragraph 3.1 of the Lease Agreement is amended to change the monthly rent from \$5,166.67 to \$6,666.67.

4. Paragraph 3.2 of the Lease Agreement is deleted and replaced with the following:

"If this Agreement is not terminated prior to the expiration of the Term, this Agreement thereafter may be extended by Lessee for a period of one year, except that the monthly base rent of \$6,666.67 shall be increased by 15% to \$7,666.67. Lessee must provide written notice to Lessor of its intent to exercise this option to extend no less than 180 days prior to the expiration of the Term. Lessee's failure to exercise this option shall mean that the Lease terminates on October 31, 2011."

5. Paragraph 3.3 is amended so that "\$20,666.65 plus the Base Rent" is replaced with "\$13,333.33."

6. Paragraph 4.2 of the Lease Agreement is deleted and replaced with the following:

"Lessor no longer has any obligation to provide any parking spots or parking permits to Lessee. Lessee shall purchase from Lessor all parking permits required for Lessee's employees and visitors."

7. Paragraph 4.6 is deleted in its entirety.

8. The Music Building is deleted from Exhibit "A," but Lessee's utility cost allocation remains the same.

9. Except as expressly changed by this Amendment, all of the terms and conditions in the Lease Agreement remain in full force and effect.

10. This Amendment is effective as of November 1, 2009.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment as of the dates set forth below.

Fiscal Impact: Monthly rental income from KOCE-TV Foundation in the sum of \$6,666.67 for each of the next twenty-four months, with KOCE-TV Foundation option to extend lease for one additional year with monthly rent increasing to \$7,666.67.

12. Approve Purchase and Sale Agreement between Growth Capitol, LLC and the Coast Community College District for Purchase of Property

After review by the Acting College President, and District General Counsel, it is recommended by the Interim Chancellor that the Board approve the Purchase and Sale Agreement between Growth Capitol, LLC and the Coast Community College District for purchase of real property at 1535 Monrovia Avenue, Newport Beach, California. The Board President, or designee, is

authorized to sign the Agreement and any related documents, indicating approval by the Board of Trustees. (See Attachment 1)

Fiscal Impact: Contingent upon 30-day due diligence period authorization, and a 15-day escrow closing period. Purchase price to be \$1.6 million.

13. Discussion of the Financial Relationship between the District, Orange Coast College (OCC), and the Associated Students of OCC (ASOCC) Regarding the OCC Bookstore and Food Services (Starbucks)

Board Vice President Prinsky and Board Clerk Patterson have placed this item on the Board Agenda for Board discussion, and staff response to the questions posed herein, regarding the handling of the OCC Student Bookstore remodel which was just completed, and the food services operations, specifically the Starbucks coffee concession and income from that operation.

A. OCC Student Bookstore. The District's contract with Follett requires that Follett provide a \$300,000 capital investment in the OCC Student Bookstore, that the District have the responsibility to direct the renovations, and that any unused funds be retained by the District. In other words, the District was to have the authority and discretion to direct the renovations and to keep any unused funds.

1. What was the planning and approval process for the renovations? Did this ever come to the Board of Trustees? If so, what action did the Board take?

2. What renovations were done, who made the decisions, and what were the costs of renovations/remodel?

3. Were there any unused funds remaining from the original \$300,000? If so, how were the remaining and unused funds allocated or distributed?

B. Food Services/Starbucks building. Records indicate that in 1999, the ASOCC provided a significant contribution of student funds to the construction of this building, and also, provided start-up operation funds. In return, the ASOCC was to receive profits from the operation.

1. What was the total amount of funds from the ASOCC that was allocated to this project?

2. What is the amount of the profits, gross or net receipts, or other measure of income which was received from 1999 to the present time?

3. How were/are these profits allocated or distributed?

The Board is aware that the District's Internal Auditor has been investigating this matter. We also understand that other information is forthcoming, including a report at the November 18th meeting. (See Attachment 2)

STUDY SESSION

14. Board of Trustees' Self Evaluation

15. Discussion of District Master Plan

16. Discussion of District Student Learning Outcomes

17. Adjournment

It is the intention of the Coast Community College District to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the Coast Community College District will attempt to accommodate you in every reasonable manner. Please contact the Secretary of the Board of Trustees, (714) 438-4848, at least as soon as possible to inform us of your particular needs so that appropriate accommodations may be made.