

Regular Meeting

Board of Trustees Coast Community College District

District Board Room

4:30 p.m. Closed Session 6:30 p.m. Regular Meeting

February 4, 2009

MINUTES

A Regular Meeting of the Board of Trustees of the Coast Community College District was held on February 4, 2009 in the Board Room at the District Office.

1. PROCEDURAL MATTERS - 4:30 p.m. Meeting

1.00 Procedural Matters

a. Call to Order

Board President Jim Moreno called the meeting to order at 4:32 p.m.

b. Roll Call

Trustees Present: Mary Hornbuckle, Walter Howald, Jim Moreno, Jerry Patterson and Lorraine Prinsky.

Trustees Absent: Michael Battistone*

Student Trustee Battistone arrived at 6:30 p.m. for the re-convening of the Regular Meeting of the Board of Trustees.

c. Public Comment

There were no requests to speak during Public Comment.

1.01 Recess to Closed Session

The Board recessed to Closed Session to discuss the following items:

1. Conference with Labor Negotiator (pursuant to Section 54957.6 of the *Government Code*):

District's representative: Board President Jim Moreno
Unrepresented employee: Vice-Chancellor, Human Resources

2. Public Employee Discipline/Dismissal/Release

3. Conference with Legal Counsel: Existing Litigation (pursuant to sub-section "a" of Section 54956.9)

Morganstern 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

Orellana v. Coast Community College District, Orange County Superior Court Case No. 30-2008-00114631

Lewis v. Coast Community College District et al., Orange County Superior Court Case No. 30-2008-00114263

Steidinger v. Coast Community College District, Orange County Superior Court Case No. 30-2008-00109197

Nguyen v. Coast Community College District (CFE Arbitration) (Arbitration No. 08-01)

Coast Federation of Educators v. Coast Community College District, PERB Case No. LA-CE-5056-E

Coast Federation of Educators v. Coast Community College District (Arbitration No. 08-02)

4. Conference with Legal Counsel: Anticipated Litigation (pursuant to sub-section "b" of Section 54956.9)

Claim filed by Jessica Medina and Marco Medina

5. Conference with Real Property Negotiators (pursuant to Section 54956.8)

Property: 1527-1533 Monrovia Avenue, Newport Beach, CA

Agency Negotiators: Ding-Jo Currie, Ph.D., President, Coastline College
Patrick Strader, District Land Development Consultant
Toliver Morris, WM Commercial Real Estate

Negotiating Parties: Eric C. Smyth, Michael A. Hefner, VOIT Commercial Brokerage

Under Negotiation: Price and Terms

6. Conference with Real Property Negotiators (pursuant to Section 54956.8)

Properties: 1505 and 1515 Monrovia Avenue, Newport Beach, CA

Agency Negotiators: Ding-Jo Currie, Ph.D., President, Coastline College
Patrick Strader, District Land Development Consultant
Toliver Morris, WM Commercial Real Estate

Negotiating Parties: Kirstin Emershaw, Monrovia Avenue, LLC

Under Negotiation: Price and Terms

7. Public Employment (pursuant to Section 54957(b) (1))

1.02 Reconvene Regular Meeting at 6:30 p.m.

The Board reconvened to Open Session of the Meeting at 6:30 p.m. to report on action taken during Closed Session.

It was reported by Christian Teeter, Manager of Board Operations/Assistant to the Chancellor, that it was moved by Dr. Prinsky and seconded by Mr. Patterson to approve all Public Employment appointments as listed on pages 8-30 of the Agenda. Mr. Teeter stated that a copy of the packet was available for public review, corresponding to Closed Session Item 7, sections A through F. Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

It was also reported by Mr. Teeter that it was moved by Mr. Patterson and seconded by Dr. Prinsky that the claim filed by Jessica Medina and Marco Medina be denied. Motion carried with the following vote: Aye- Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

1.03 Pledge of Allegiance

Board Clerk Patterson led the Pledge of Allegiance to the United States of America.

1.04 Public Comment

There were no requests to address the Board during Public Comment at this time.

1.05 Approval of Minutes

It was moved by Mr. Patterson and seconded by Ms. Hornbuckle to approve the Minutes of the Regular Meeting of January 21, 2009. Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

1.06 Acceptance of Retirements

The Board expressed appreciation and congratulations to the following retiree with 10 or more years of service to the District.

Kay, Cherie S., GWC, Instructor, Physical Education, retirement effective 01/31/09.

It was moved by Mr. Patterson and seconded by Mr. Howald to accept this retirement. Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

2. GENERAL INFORMATION AND REPORTS

2.00 Reports

a. Report from the Chancellor

Acting Chancellor Ding-Jo Currie provided a report to the Board.

b. Reports from the Presidents

The following college presidents provided brief reports to the Board:

Wes Bryan, President, Golden West College (GWC)
Ding-Jo Currie, President, Coastline Community College (CCC)
Bob Dees, President, Orange Coast College (OCC)

c. Reports from the Officers of Student Government Organizations

The following representatives provided reports on behalf of the student government organizations:

Kris Cutting, Student Senate, OCC
David Lopez, President, ASGWC

d. Reports from the Academic Senate Presidents

The following Academic Senate Presidents provided brief reports to the Board:

Diane Restelli, Golden West College (GWC) Academic Senate President
Eduardo Arismendi-Pardi, Orange Coast College (OCC) Academic Senate President
Cheryl Stewart, Coastline Community College (CCC) Academic Senate President

e. Reports from Employee Representative Groups

Reports were presented by:

Dean Mancina, President, Coast Federation of Educators (CFE)
Barbara Price, President, Coast Community College Association/California Teachers Association-National Education Association (CCA/CTA-NEA)
Neal Kelsey, Executive Director, Coast Federation of Classified Employees (CFCE) presented a Resolution to Support the Formation of Student Health Center Advisory Committee. A copy of the Resolution is attached as part of the public record.

f. Reports from the Board of Trustees

Board members provided individual reports.

Martha Parham, District Director, Public Affairs, Marketing and Government Relations, also spoke during this time regarding the Orange County Legislative Task Force.

g. Consideration of Association of Community College Trustees (ACCT) and California Community Colleges League (CCLC) Meetings and Conferences

The Board reviewed the meeting dates listed for the ACCT and CCLC.

h. Review of Board Meeting Dates

- i. The Board reviewed the scheduled Board Meeting dates presented in the February 4, 2009 Agenda.

i. Opportunity for the Board to Review the Board Directives Log

The Board reviewed the Board Directives Log.

j. Opportunity for Board of Trustees' Review and Discussion of Student Representative, Board of Trustees Policy 010-2-14

It was moved by Ms. Hornbuckle and seconded by Mr. Howald that staff return this item to the Action Section of the February 18, 2009 Agenda. Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

k. Opportunity for Board of Trustees' Review and Discussion of Student Representative Selection Process

It was moved by Ms. Hornbuckle and seconded by Mr. Howald that staff return this item to the Action Section of the February 18, 2009 Agenda. Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

Lynne Riddle, Student, Orange Coast College, spoke to the topic.

l. Opportunity for Board of Trustees' Review and Discussion of Policy 010-2-5, General Rules For Meetings

The Board President directed the Acting Chancellor, District General Counsel and the Secretary of the Board to review Policy 010-2-5 to incorporate Trustees' suggested changes, and return the policy to the Inform Section of the February 18, 2009 Agenda.

2.01 Review of the Coast Community College District External Auditor's Report, Fiscal Year 2007-2008

The Board reviewed the External Auditor's Report as presented in the February 4, 2009 Agenda.

2.02 Review of Internal Audit Report

The Board reviewed the Internal Audit Report as presented in the February 4, 2009 Agenda.

2.03 Review of Buildings and Grounds Reports

The Board reviewed the Buildings and Grounds Reports as presented in the February 4, 2009 Agenda.

3.0 CONSENT CALENDAR

It was moved by Mr. Patterson and seconded by Ms. Hornbuckle to approve the Consent Calendar in its entirety. (Note: The Consent Calendar is attached to the Meeting Minutes. All background reports were included with the February 4, 2009 Agenda and are available on request.)

Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howard, Mr. Patterson, Dr. Prinsky and President Moreno.

4.0 ACTION ITEMS

4.01 Authorization to Enter Agreements – Coastline Community College

None

4.02 Authorization to Enter Agreements – Golden West College

None

4.03 Authorization to Enter Agreement – Orange Coast College

- a. Approval to Enter Into a Non-Standard Agreement between Coast Community College District and the SARS Software Products, Inc. for the Purpose of Meeting the Early Alert Requirements of the Title III Grant**

At the request of the Acting Chancellor, Item 403a, Approval to Enter into a Non-Standard Agreement between Coast Community College District and the SARS Software Products, Inc. for the Purpose of Meeting the Early Alert Requirements of the Title III Grant, was pulled and will be continued to the February 18, 2009 Agenda.

4.04 Authorization to Enter Agreement – District

- a. Approve Agreement with Vicenti, Lloyd & Stutzman LLP**

It was moved by Mr. Patterson and seconded by Dr. Prinsky to approve the Agreement without compensation provisions. The Board directed staff to submit an Amendment to the Agreement which would be returned to the February 18, 2009 Meeting. Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

4.05 Buildings and Grounds

- a. Authorization to File Notice of Completion**

It was moved by Ms. Hornbuckle and seconded by Mr. Howald that authorization be given to file the Notice of Completion in compliance with Public Contract Code 7107 allowing for substantial completion by the public agency, or its agent (architect) of the work of improvement. Upon acceptance by the Chancellor or Vice Chancellor of Administrative Services, a Notice of Completion will be filed with the County of Orange Clerk Recorder's Office. Thirty-five (35) days after filing of the Notice of Completion and public notification to all subcontractors, the District is authorized to pay fees due, accepting all work and/or materials as satisfactorily completed by the

contractors. In the event of a dispute between the District and the Contractor, the District may withhold from the retention an amount not to exceed 150 percent of the disputed amount.

GWC Energy Update: Refurbishment of Library Air Handlers/Replacement of Fan Coils.

Contractor: Southland Industries – Phase V
Buildings: Student Center, Bookstore

Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

b. Bid Tabulations and Award of Contract: Orange Coast College Snack Bar Renovation; Bid No. 1956

It was moved by Ms. Hornbuckle and seconded by Mr. Howald to reject all bids for the OCC Snack Bar Renovation, Bid No. 1956, due to bids being in excess of available funding.

Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

Fiscal Impact: None

c. Approve Change Order No. 2; Golden West College Learning Resource Center; Bid No. 1963

It was moved by Ms. Hornbuckle and seconded by Mr. Howald that authorization be given for Change Order No. 2 to Golden West College Learning Resource Center as described in the Change Order document. The Board further authorized the President of the Board of Trustees, or designee, to sign the Change Order and any related documents.

These changes are necessary for the following reasons:

Category G – Glass & Glazing (Best Contracting Services, Inc.)

1. Credit for Deletion of Scope – Stainless Steel Place Closure <\$312,000>

Construction manager negotiated this value engineering for the deletion of the installation of a continuous 1/8” stainless steel plate closure and galvanized metal hat channels.

Contract Amount: \$2,548,000 (C.O. 2: 12% Decrease)

Total Change Orders: <\$251,962>

Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

Fiscal Impact: <\$312,000> (Measure C – General Obligation Bond Fund)
Master Plan Approved Project
GWC Health Science Building

4.06 General Items of Business - District

a. Adoption of Accountability Reporting for Community Colleges

It was moved by Ms. Hornbuckle and seconded by Mr. Howald to adopt the 2008 Accountability for Reporting for Community Colleges (ARCC) self-assessment reports for Coastline Community College, Golden West College and Orange Coast College Accountability Reporting for Community Colleges.

Motion carried with the following vote: Aye- Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

b. Authorization to Provide Life Insurance to Part-time Faculty in the CCA/CTA Bargaining Unit with More Than 3.0 LHE's But Less Than 7.5 LHE's

It was moved by Mr. Howald and seconded by Ms. Hornbuckle that the tentative agreement be ratified in order to provide life insurance to part-time faculty with more than 3.0 LHE's but less than 7.5 LHE's. The life insurance benefit is \$25,000 per employee and will be provided in the Fall and/or Spring semesters through ING Employee Benefits/Reliastar, to begin March 1, 2009.

Motion carried with the following vote: Aye- Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

Fiscal Impact: For 2009, the anticipated fiscal impact will be \$54,000.00 (from General Funds)

c. Authorization to Employ the Services of Townsend Public Affairs (TPA) for District Legislative Advocacy and Public Relations Services

At the request of the Acting Chancellor, this item was removed from this Agenda, and will be returned to the February 18, 2009 Agenda for discussion.

d. Authorization to Employ the Services of CultureSync for Consulting to the Board of Trustees

It was moved by President Moreno and seconded by Mr. Patterson that CultureSync be employed to provide consulting services to the Board, facilitating a retreat for the Board on February 28, 2009 and conducting any necessary advance preparations required in advance of the retreat day.

Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

Fiscal Impact: \$7,000 for FY 2008-09

e. Authorization to Employ the Services of Cambridge West Partnership LLC

It was moved by Ms. Hornbuckle and seconded by Mr. Howald that Cambridge West Partnership LLC be employed for provision of the services of Joyce Black in the capacity of Interim Associate Vice Chancellor of Education Services, effective January 1, 2009 through January 31, 2009.

Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

Fiscal Impact: \$12,600 for the Month of January 2009.

4.07 Resolution

a. Adoption of Resolution #09-11 Expressing Support of the American Recovery and Reinvestment Act

It was moved by Mr. Patterson and seconded by Dr. Prinsky to adopt Resolution #09-11 expressing support of the American Recovery and Reinvestment Act as presented in the February 4, 2009 Agenda.

Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.

5.0 PUBLIC COMMENT

There were no requests from the public to address the Board.

6.0 ADJOURNMENT

There being no further business, it was moved by Mr. Patterson and seconded by Ms. Hornbuckle that the meeting be adjourned.

Motion carried with the following vote: Aye – Ms. Hornbuckle, Mr. Howald, Dr. Prinsky, Mr. Patterson and President Moreno.

The meeting was adjourned at 8:54 p.m.

Secretary of the Board