

Regular Meeting

Board of Trustees
Coast Community College District

District Board Room

5:00 p.m. Closed Session 6:30 p.m. Regular Meeting

March 4, 2009

MINUTES

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

1. PROCEDURAL MATTERS – 5:00 p.m. Meeting

1.00 Call to Order

Board President Jim Moreno called the meeting to order at 5:02 p.m.

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.

1.01 Public Comment (Items on the Agenda)

Ann Nicholson, CFCE President, and Lynn Riddle, OCC Student, addressed the Board.

1.02 Recess to Closed Session – 5:11 p.m.

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

- a. Public Employment (pursuant to Section 54957(b)(1))
 - 1. Faculty Special Assignments
 - 2. Substitute Faculty
 - 3. Full-time Faculty
 - 4. Part-time Faculty
 - 5. Classified Staff
 - a. Child Care Center Eligibility Assistant
 - b. Instructional Associate, Learning Disabilities
 - 6. Classified Temporary Assignments
 - 7. Hourly Staff
 - 8. Substitute Classified
 - 9. Student Workers
 - 10. Professional Experts
 - 11. Educational Administrator Appointments
 - a. Administrative Dean
 - b. Associated Dean
 - c. Dean
 - d. Director
 - e. Vice President
- b. 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)
Kimball v. Golden West College, DFEH Case No. E-200809-K-1099-00

- c. Conference with Labor Negotiator (pursuant to Section 54957.6)
 Agency Negotiator: Dr. Joseph Quarles, Vice Chancellor of Human Resources
 Employee Organization: Coast Federation of Classified Employees (CFCE)
 Employee Organization: Coast Federation of Educators (CFE)
- d. Public Employee Performance Evaluation (pursuant to Section 54957)
 - a. Vice President
 - b. Executive Dean
 - c. Dean
- e. Employee Discipline/Dismissal Release (pursuant to Section 54957)

1.03 Reconvene Regular Meeting at 6:38 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 regarding the February 18, 2009 Meeting Closed Session Item #2, Conference with Legal Counsel, the Board voted 4-0 to approve the Memorandum of Understanding with the Coast Federation of Educators regarding counselor exchange days. Motion carried with the following vote:

Aye: Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno

No: None
Absent: Ms. Hornbuckle

Mr. Teeter also reported that it was moved by Mr. Patterson and seconded by Dr. Prinsky to approve all Public Employment appointments as listed on section 1.02 of the Agenda, with the exception of Item #11. Mr. Teeter stated that a copy of the packet was available for public review. Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno
No: None

Mr. Teeter reported that it was moved by Mr. Patterson and seconded by Dr. Prinsky to approve educational administrator contract amendments recommended by legal counsel, which stipulate that the educational administrator employment contracts will no longer be subject to automatic renewal, and that the causes for dismissal during the contract will be specifically defined as proposed by legal counsel for all educational administrator contracts. Motion carried with the following vote:

Aye: Mr. Patterson, Dr. Prinsky and President Moreno
No: Ms. Hornbuckle, Mr. Howald

1.04 Pledge of Allegiance

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

1.05 Public Comment (Items on the Agenda)

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

1.06 Approval of Minutes

It was moved by Mr. Patterson and seconded by Dr. Prinsky to approve the Minutes of the Regular Meeting of February 18, 2009. Motion carried with the following vote:

Aye: Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno
Abstain: Ms. Hornbuckle

1.07 Acceptance of Retirements

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

Richey, Ardith, DIST, Director, Facilities & Planning, retirement effective 05/01/09.

It was moved by Mr. Howald and seconded by Dr. Prinsky to accept this retirement. Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno.
No: None

2.0 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:

Reema Chand, Student Advisory Council, CCC
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:

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)

f. Reports from the Board of Trustees

Board members provided individual reports.

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

The Board reviewed the scheduled Board Meeting dates presented in the March 4, 2009 Agenda.

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

The Board reviewed the Board Directives Log.

j. Opportunity for the Board to Review Proposed Policy 10-2-20, Guide for Placing Items on the Consent Calendar of the Board of Trustees' Agenda

Trustees reviewed the proposed policy 10-2-20, Guide for Placing Items on the Consent Calendar of the Board of Trustees Agenda, and asked that it be returned to a future meeting for review.

2.01 Review of Buildings and Grounds Reports

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

2.02 Review of Quarterly Financial Status Report

The Board reviewed the Quarterly Financial Status Report as presented in the March 4, 2009 Agenda.

3.0 CONSENT CALENDAR

It was moved by Ms. Hornbuckle and seconded by Mr. Howald to approve the Consent Calendar in its entirety. (Note: The Consent Calendar and all background reports were included with the March 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
No : None

4.0 ACTION ITEMS

4.01 Authorization to Enter Agreements – Coastline Community College

a. Approve Amendment to the Agreement between Cengage Publishing and the Coast Community College District to Publish the Second Edition of the Student Guide for Physical Anthropology: The Evolving Human

It was moved by Mr. Battistone and seconded by Mr. Howald to approve the Amendment to the Agreement between Cengage Publishing and the Coast Community College District to publish the second edition of the Student Guide, presently titled Student Guide for Physical Anthropology: The Evolving Human for use with Introduction to Physical Anthropology. The Board further authorized the Board President, or designee, to sign the Amendment to the Agreement and any related documents. (Prior Board Approval: 7/20/05) Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno
No: None

Fiscal Impact: \$7,500 grant income

b. Approve Agreement between the County of Orange and the Coast Community College District to Provide Specialized Services to Recently-Separated Veterans at the Orange County One-Stop Centers

It was moved by Mr. Howald and seconded by Mr. Patterson that the Board approve the Agreement between the County of Orange and the Coast Community College District January 1, 2009 through December 31, 2010, to provide specialized employment services and assistance to recently-separated Veterans in the Orange county area through the Orange County One-Stop Centers. The Board further authorized the Board President, or designee, to sign the Agreement and any related documents. Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno
No: None

Fiscal Impact: The County of Orange will reimburse Coastline Community College \$261,000 for operation of this program.

c. Approve Amendment to Real Property Purchase and Sale Agreement and Joint Escrow Instructions between Monrovia, LLC and the Coast Community College District for the Purpose of a Higher Education Learning Center

It was moved by Ms. Hornbuckle and seconded by Mr. Howald that the Board approve the Amendment to Real Property Purchase and Sale Agreement pertaining to the property located at 1505 to 1515 Monrovia Street, Newport Beach, California to amend the last sentence of Section 3.1 and to agree on February 12, 2009, as the opening date of escrow. The original Real Property Purchase and Sale Agreement was approved by the Board of Trustees on January 6, 2009. The Board further authorized the Board President, or designee, to sign the Amendment and any related documents indicating approval. Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno
No: None

Fiscal Impact: No additional cost resulting from amendment.

d. Authorization to Appoint Architectural Firm for Coastline Community College Newport Beach Learning Center

It was moved by Mr. Patterson and seconded by Mr. Howald that the Board approve the appointment of LPA, Inc. for architectural and engineering services for the Coastline Community College Newport Beach Learning Center. The Board further authorized the Board President, or designee, to sign the Agreement and any related documents indicating approval. Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno
No: None

Fiscal Impact: \$1,618,300 (Measure C – General Obligation Bond Fund)
Master Plan Approved Project
CCC Newport Beach Learning Center

4.02 Approval of Agreements – Golden West College

a. Approve Agreement Renewal with Streaming Media Hosting

At the request of Acting Chancellor, Ding-Jo Currie, this item was pulled in order to obtain more background information.

4.05 Buildings and Grounds

a. Authorization to File Notice of Completion

It was moved by Mr. Patterson and seconded by Ms. Hornbuckle that authorization be given to file a Notice of Completion on the following projects 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.

OCC ABC Building Site Preparation; Bid No. 1961

Contractor: U.S. Demolition
Category A – Demolition

Doja, Inc.
Category C – Earthwork/Grading

Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno
No: None

b. Approve Change Order No. 1; Orange Coast College ABC Building Site Preparation; Bid No. 1961

It was moved by Ms. Hornbuckle and seconded by Mr. Howald that authorization be given for Change Order No. 1 to Orange Coast College ABC Building Site Preparation; Bid No. 1961 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:

Doja, Inc. – Category C – Earthwork/Grading

- | | | |
|----|--------------------------------|-------------|
| 1. | Closeout Credit for Allowances | <\$100,800> |
| 2. | Credit for Work Not Performed | <\$484,289> |

Contract Amount: \$595,000 (C.O. 1: 98.3% Decrease)
Total Change Orders: <\$585,089> (98.3% Decrease)

Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno
No: None

Fiscal Impact: <\$585,089> (Measure C – General Obligation Bond Fund)
Master Plan Approved Project
OCC Science Facilities

c. Bid Tabulations and Award of Contract: Orange Coast College Softball Field; Bid No. 1964

It was moved by Mr. Moreno and seconded by Mr. Howald that a contract be awarded to the lowest qualified base bid in Categories A, B, C, and E as shown below. The Board further authorized the Board President, or designee, to sign the contract documents. Trade Categories D, F, G and H are still under due diligence review and will be recommended for award at the Board of Trustees' meeting on April 1, 2009.

	<u>Base Bid</u>
<u>Category A – Demolition/Earthwork/Grading</u>	
1. GCI Construction Inc.	\$ 131,469
245 Fischer Avenue, #B3, Costa Mesa, CA 92626	
<u>Category B – Site Utilities</u>	
1. ERRG	\$ 174,839
4585 Pacheco Blvd., Martinez, CA 94553	
<u>Category C – Concrete/Masonry</u>	
1. MJ Contractors Inc.	\$ 290,000
9 Orchard Rd., Suite 106, Lake Forest, CA 92630	
<u>Category E – Carpentry/Steel</u>	
1. MJ Contractors Inc.	\$ 190,000
9 Orchard Rd. , Suite 106, Lake Forest, CA 92630	

Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno

No: None

Fiscal Impact: \$786,308 (Measure C – General Obligation Bond Fund)
Master Plan Approved Project
OCC Upgrade Health/Wellness Facilities
OCC Softball Field

d. Approve Energy Project with Southland Industries; Golden West College Energy Upgrade

At the request of the Ding-Jo Currie, Acting Chancellor, Item 405 d. Approval of Energy Project with Southland Industries, Golden West College Energy Update, was pulled for further review. After additional review by legal counsel, it was moved by Mr. Moreno and seconded by Dr. Prinsky the project be awarded to Southland Industries as a qualified energy services company with changes made to the contract language. The Board further authorized the Board President, or designee, to sign the Agreement and any related documents.

Scope of work as follows:

1. Retrofit Fine Arts air handler, add 8 VAVs and associated piping
2. Install new chilled and hot water valves from central plant loop to new air handler.
3. Connect new system to Central Plant system and add system and graphics to central plant scheduler.

Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Dr. Prinsky and President Moreno

No: Mr. Patterson

Fiscal Impact: Not to Exceed \$258,024 (State Scheduled Maintenance Program for 2007-08)

e. Approve Independent Contractor Agreement with LPA Architecture; Golden West College Criminal Justice; Final Project Proposal

It was moved by Mr. Patterson and seconded by Mr. Moreno that authorization be given to employ LPA Architecture for architectural services for the Golden West College Criminal Justice Final Project Proposal.

The scope of services is to include the following tasks:

1.Final Project Proposal	\$ 55,370
2.Reimbursable Expenses	\$ 5,000

The Golden West College Criminal Justice project will be funded with both State Capital Outlay and District funds. The State Chancellor's Office accepted the Initial Project Proposal (IPP) in January 2009 with a deadline of June 2009 to have the completed Final Project Proposal (FPP) submitted to the State. The College Facilities Selection Committee reviewed the Requests for Proposal and interviewed firms for this project and has selected LPA Architecture because of their extensive experience in designing classrooms and laboratories. If the Criminal Justice FPP is accepted by the State, the project would be funded in the 2011/2012 budget year.

The Board further authorized the Board President, or designee, to sign the agreement. Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno

No: None.

Fiscal Impact: \$60,370 (State Capital Outlay Funding)
Master Plan Approved Project
GWC Criminal Justice

f. Approve Independent Contractor Agreement with Cambridge West Partnership, LLC; Orange Coast College, Golden West College and Coastline College Building/Facilities Program Implementation

It was moved by Mr. Howald and seconded by Ms. Hornbuckle that authorization be given to employ Cambridge West Partnership, LLC for planning and implementation services for Orange Coast College, Golden West College and Coastline College.

The District has requested services to support the planning/implementation effort focused on not only the dynamics of construction/rehabilitation of on-campus buildings but also assistance with financial assistance/augmentation from the State Chancellor's Office. The services would include generation, filing and qualifying planning documents for all three campuses for Scheduled Maintenance projects, Hazardous Substance projects, updating yearly the Space Inventory and 5-Year Capital Outlay Plan.

The scope of service is to include the following tasks:

1.	Five (5) project proposals			
a.	Criminal Science Building	New Construction	FPP	\$60,000
b.	Language Arts Building	New Construction	IPP	\$12,000
c.	Chemistry Building	Renovation/Expand	FPP	\$18,000
d.	Maritime Academy	New Construction	IPP	\$ 3,000

The Board further authorized the Board President, or designee, to sign the agreement and any related documents. Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno
No: None.

Fiscal Impact: Not to Exceed \$93,000 (District Funds)

4.06 General Items of Business – Orange Coast College

a. Orange Coast College Vision Statement and Mission Statement

It was moved by Mr. Howald and seconded by Mr. Patterson that the Orange Coast College Vision Statement and Mission Statement be approved as presented in the March 4, 2009 Agenda. Motion carried with the following vote:

Aye: Ms. Hornbuckle, Mr. Howald, Mr. Patterson, Dr. Prinsky and President Moreno
No: None

4.07 Resolutions

a. Coast Community College District Board of Trustees #09-13 Adoption of Resolution Authorizing Payment to Trustee Absent from Board Meeting

b. Coast Community college District Board of Trustees Resolution #09-14 Adoption of Resolution Authorizing Payment to Trustee Absent from Board Meeting

It was moved by Mr. Patterson and seconded by Mr. Moreno to adopt Resolution #09-13 and Resolution #09-14 authorizing payment to Trustees Hornbuckle and Moreno for absence from the February 26, 2009 Special Board Meeting due to hardship, as presented in the March 4, 2009 Agenda. Motion carried with the following vote:

Aye: Mr. Howald, Mr. Patterson and Dr. Prinsky
Abstain: Ms. Hornbuckle and President Moreno

c. Coast Community College District Board of Trustees Resolution #09-16 Adoption of Resolution to Increase Income and Expenditure Budget for 2008-2009

It was moved by Mr. Howald and seconded by Mr. Patterson to adopt Resolution #09-16, Adoption of Resolution to Increase Income and Expenditure Budget for 2008-2009, as presented in the March 4, 2009 Agenda. Motion carried with the following vote:

Aye: Mr. Howald, Mr. Patterson, Dr. Prinsky, Mr. Howald and President Moreno
No: None

d. Coast Community College District Board of Trustees Resolution #09-17 Adoption of Resolution of October 2008 through December 2008 Budget Transfers

It was moved by Mr. Howald and seconded by Mr. Moreno to adopt Resolution #09-17, Adoption of Resolution of October 2008 through December 2008 Budget Transfers, as presented in the March 4, 2009 Agenda. Motion carried with the following vote:

Aye: Mr. Howald, Mr. Patterson, Dr. Prinsky, Mr. Howald and President Moreno
No: None

e. Resolution 09-15 Authorizing and Approving the Borrowing of Funds for Fiscal Year 2009-2010; The Issuance and Sale of a 2009-2010 Tax and Revenue Anticipation Note Therefore and Participation in the Community College League of California Tax and Revenue Anticipated Notes Program

It was moved by Mr. Howald and seconded by Mr. Moreno to adopt Resolution 09-15, Authorizing and Approving the Borrowing of Funds for Fiscal Year 2009-2010; the Issuance and Sale of a 2009-2010 Tax and Revenue Anticipation Note Therefore and Participation in the Community College League of California Tax and Revenue Anticipated Notes Program, as presented in the March 4, 2009 Agenda. Motion carried with the following vote:

Aye: Mr. Howald, Mr. Patterson, Dr. Prinsky, Mr. Howald and President Moreno
No: None

4.08 Policy Implementation

a. Adoption of Policy 010-2-19, General Counsel

It was moved by Mr. Patterson and seconded by Dr. Prinsky to adopt Policy 010-2-19, General Counsel, as presented in the March 4, 2009 Agenda. Motion carried with the following vote:

Aye: Mr. Patterson, Dr. Prinsky and President Moreno
No: Ms. Hornbuckle and Mr. Howald

b. Adoption of Policy 010-2-5, Board Meetings

It was moved by Mr. Patterson and seconded by Mr. Moreno to adopt Policy 010-2-5, Board Meetings, as presented in the March 4, 2009 Agenda. Motion carried with the following vote:

Aye: Mr. Howald, Mr. Patterson, Dr. Prinsky, Mr. Howald and President Moreno
No: None

5.0 PUBLIC COMMENT

Mackenzie Powers, student at Golden West College, spoke off agenda regarding the GWC Honors Program.

After the Public Comment, the Board recessed to Closed Session at 9:37 p.m.

6.0 ADJOURN

At 10:26 p.m., the Board concluded its Closed Session discussion. There were no actions reported. There being no further business, it was moved by Mr. Patterson and seconded by Mr. Howald that the meeting be adjourned in memory of Orange Coast College student, Jourdan Watanabe. Motion carried with the following vote:

Aye: Mr. Howald, Mr. Patterson, Dr. Prinsky, Mr. Howald and President Moreno
No: None

Secretary of the Board