

Regular Meeting

Board of Trustees

Coast Community College District

District Board Room

August 4, 2010

5:00 p.m.

Minutes

A Regular Meeting of the Board of Trustees of the Coast Community College District was held on August 4, 2010 in the Board Office at the District Office.

1. Call to Order

Board President Jerry Patterson called the meeting to order at 5:02 p.m.

2. Roll Call

Trustees Present: Mr. Patterson, Mr. Moreno, Dr. Prinsky, Mr. Howald, Ms. Hornbuckle, and Student Trustee Lee Fuller

Trustees Absent: None

3. Opportunity for Public Comment (Closed Session – Items on Agenda)

4. Recess to Closed Session

Conducted in accordance with applicable sections of California law. Closed sessions are not open to the public.

The meeting convened to Closed Session at 5:04 p.m. to discuss the following items:

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

Coast Federation of Educators v. Coast Community College District
(CFE Arbitration)

Magana v. Coast Community College District et al., Orange County
Superior Court Case No. 30-2010-00346951

5. Reconvene Meeting to Open Session

The meeting reconvened to Open Session at 5:27 p.m.

6. Pledge of Allegiance

Trustee Mary Hornbuckle led the Pledge of Allegiance to the United States of America.

7. Report of Action in Closed Session

Dr. Christian Teeter, Secretary of the Board of Trustees, had no report of action from Closed Session, but deferred to Board President Patterson for additional comments.

Mr. Patterson reported that the Board had been advised about a complaint letter about the Coast Community College District that had been sent to the Orange County Grand Jury. The letter had purportedly been signed by Trustee Prinsky. In fact, Dr. Prinsky did not sign or send any letter to the Grand Jury, and the complaint letter that was sent is a forgery. With respect to this fraudulent letter, a criminal complaint has been made with the Orange County District Attorney's Office. The letter constitutes a number of potential crimes, including criminal libel, forgery, and filing a false report with the Grand Jury. A District Attorney investigation to identify the suspects is pending. The District Attorney also has advised our General Counsel that the Grand Jury will be taking no action on the fraudulent letter.

8. Public Comment (Open Session – Items on Agenda)

STUDY SESSION

9. Presentation to the Board of Trustees on SB 1183 and SB 1440 from Scott Lay, President, Community College League of California

A presentation was made to the Board of Trustees on Senate Bills 1183 and 1440 by Scott Lay, President of the Community College League of California.

10. Presentation to the Board of Trustees from Dean Mancina, President, Coast Federation of Educators

A presentation was made to the Board of Trustees by Dean Mancina, President, Coast Federation of Educators regarding SB 1143, Community College Student Success and Completion.

11. Discussion of Actuarial Study for the Coast Community College District

The Board received a report concerning recent Actuarial Studies conducted by the district.

12. Discussion of Full-Time Faculty Levels Within the Coast Community College District

The Board received a report on Full-Time Faculty levels within the District.

13. Presentation to the Board of Trustees from Doug Bennett, Executive Director, Orange Coast College Foundation on the Orange Coast College Planetarium

A presentation was made to the Board of Trustees by Doug Bennett, Executive Director, Orange Coast College Foundation, on the Orange Coast College Planetarium.

It was moved by Dr. Prinsky and seconded by Mr. Fuller for a recommendation to be received from Staff at the August 18, 2010 Board Meeting.

Motion carried with the following vote:

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

GENERAL BUSINESS ITEMS

14. Approval of Employment Agreement for Joycelyn Groot, Dean, Coastline Community College

It was moved by Dr. Prinsky and seconded by Ms. Hornbuckle to approve the Employment Agreement with Joycelyn Groot, Dean, Coastline Community College. effective July 1, 2010 through June 30, 2011. The Board President, or designee, is authorized to sign the Agreement and any related documents, indicating approval by the Board of Trustees.

Motion carried with the following vote:

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

15. Approval of Employment Agreement for Lois Wilkerson, Director, Coastline Community College

It was moved by Mr. Moreno and seconded by Ms. Hornbuckle to approve the employment agreement with Lois Wilkerson, Director, Coastline Community College effective July 1, 2010 through June 30, 2011. The Board President, or designee, is authorized to sign the Agreement and any related documents, indicating approval by the

Board of Trustees.

Motion carried with the following vote:

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

16. Request of Walter G. Howald regarding his retirement

On a motion by Ms. Hornbuckle and seconded by Mr. Moreno, the Board voted 4-0 to remove this item from the agenda.

Motion carried with the following vote:

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

17. Approval of Revisions to Board Policy 010-2-7, "Compensation for Trustees"

On a motion by Mr. Moreno and seconded by Dr. Prinsky, the Board voted 3-1 to approve the proposed amendment to Board Policy 010-2-7 "Compensation to Trustees" to be effective August 31, 2010.

Motion carried with the following vote:

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

On a second motion by Ms. Hornbuckle and Mr. Howald, the Board voted 4-1 to refer this item to District General Counsel for review.

Motion carried with the following vote:

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

18. Approve Non-Standard Agreement between StreamingMedia Hosting and the Coast Community College District for Online Instructional Materials, Presentations, etc. to be posted Online

It was moved by Mr. Moreno and seconded by Ms. Hornbuckle that this item be continued to the August 18, 2010 Board Meeting.

Motion carried with the following vote:

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

19. Receive and File Report to the Board of Trustees on Coast Community College District Vision, Mission and Goals, and Approve Coast Community College District, Vision, Mission and Goals, and District Logo Format

On a motion by Mr. Moreno and seconded by Mr. Howald the Board voted 4-0 to continue this item to the August 18, 2010 Board Meeting.

Motion carried with the following vote:

Aye: Mr. Patterson, Mr. Moreno, Dr. Prinsky, Mr. Howald
No: None
Absent: None
Abstain: Ms. Hornbuckle

20. Opportunity for Public Comment (Items not on Agenda)

There were no requests to address the Board.

21. Adjournment

There being no further business, it was moved by Mr. Moreno and seconded by Mr. Howald that the meeting be adjourned.

Motion carried with the following vote:

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

The meeting was adjourned at 9:36 p.m.

Secretary of the Board of Trustees

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Appendix A

Statement for the record by Trustee Jerry Patterson
Coast Community College District Board of Trustees
Regular Meeting of August 4, 2010

COMPENSATION FOR TRUSTEES:

1. These are very difficult budget times. Trustees are the elected representatives of the people. We must properly oversee the budget process, and look at all District expenses to examine if they are necessary, fair and just.
2. Current trustee compensation seems appropriate, considering the Budget responsibility, public accessibility, important public decisions, and hours worked per month. If an average of 25 to 30 hours per week are spent on District business, the trustee is receiving the minimum wage.
3. However, the payment of compensation to any trustee who would be eligible to receive service credit in the PERS on the basis of such compensation increases the District's costs for that trustee, and places a huge cost obligation on the public taxpayers for that trustee's service which is paid out in lifetime retirement benefits.
4. This is an elected, part-time position, not a career. The full cost of a trustee's defined benefit retirement can be exponentially increased and manipulated by the affected trustee without public or full governing Board approval. This destroys the public's trust in it's elected representatives.
5. The huge benefits given to the individual trustee are not earned by the trustee, nor are they funded by the District. This unfunded liability will increase the cost to taxpayers for many years to come. No wonder the public is suspicious of public retirement systems in general.

6. The State Legislature wisely ended this abusive practice by excluding all trustees first elected after 1994 from being able to choose PERS retirement benefits for trustee service.

7. These costs are unknown to the public and not easily determined by anyone because of the many variables of different salaries, positions, length of service, age and lifespan. This is further compounded by the public agency or community college "PERS pools" that have been created to spread the costs to various other districts.

8. This complicated practice closes the door on transparency and openness in public matters involving retirement of public elected officials. It has led to corruption and violation of moral and ethical standards.

ONE EXAMPLE of "spiking" retirement (not an actual case):

Elected Trustee in PERS at highest annual salary:

\$ 12,000 year X 2.7% X 24 years = \$ 7,776 per year
(This is the earned retirement)

\$ 137,000 X 2.7% X 5 years = \$ 18,495 per year
(Earned retirement on another full time position)

Combine all years to highest salary (PERS allows)

\$ 137,000 X 2.7% X 29 years = \$ 107,271 per year
(In this hypothetical case, the college district would be
Obligated to pay for the 24 years of unfunded liability)

9. This proposed Board Policy amendment is about good public policy and public trust. It is about local control of trustee salaries. It's about ending an expensive, corrupting practice. This is about doing the right thing. It is not about just one trustee. It is possible that other similar situations may arise. Let's adopt the good government public policy now, and make it effective immediately. Justice delayed is justice denied.