

# **Regular/Study Session Meeting**

Board of Trustees

Coast Community College District

District Board Room

4:00 p.m. Closed Session, 6:00 p.m. Open Session

Wednesday, August 7, 2013

## **MINUTES\***

A Regular/Study Session Meeting of the Board of Trustees of the Coast Community College District was held on August 7, 2013 in the Board Room at the District Office.

**1. Call to Order**

Board President Prinsky called the meeting to order at 4:04 p.m.

**2. Roll Call**

Trustees Present: Trustees Prinsky, Hornbuckle, Patterson, Moreno and Grant.  
Student Trustee Kelly joined the meeting at 6:00 p.m.

Trustees Absent: None

**3. 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 Board recessed to Closed Session at 4:06 p.m. to discuss the following:

**a. Public Employee Performance Evaluation**  
(Pursuant to Government Code Section 54957)

Position: Chancellor

**b. Conference with Labor Negotiator**  
(Pursuant to Government Code Section 54957.6)

District Negotiator: Dr. Lorraine Prinsky, Board President  
Unrepresented Employee: Chancellor

District Negotiator: Dr. Deborah Hirsh, Vice Chancellor of Human Resources

Employee Groups:

Educational Administrators,  
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: Coast District Management Association (CDMA)

**c. Public Employment Discipline/Dismissal/Release**

(Pursuant to *Government Code* Section 54957)

**d. Conference with Legal Counsel: Existing Litigation**

(Pursuant to sub-section "d-1" of *Government Code* Section 54956.9)

Coast Community College Association vs. Coast Community College District Public  
Employment Relations Board Case No. LA-CE-5436-E  
Coast Federation of Classified Employees vs. Coast Community College District, Public  
Employment Relations Board Case No. LA-CE-5682-E  
Vector Resources, Inc. vs. Coast Community College District, Orange County Superior  
Court Case No. 30-2012-00600648  
URS Corporation vs. Coast Community College District, Arbitration  
Malinni Roeun vs. Coast Community College District, EEOC Charge No. 480-2013-00219  
American Fire & Casualty Co. vs. Coast Community College District, Orange County  
Superior Court Case No. 30-2013-00625449  
Rikki Selby vs. Coast Community College District, Orange County Superior Court Case  
No. 30-2013-00630181  
City of Huntington Beach et al. vs. California Director of Finance et al., Sacramento  
County Superior Court Case No. 34-2013-8000-1441  
Vidella Waller vs. Coast Community College District et al., Los Angeles County Superior  
Court Case No. BC504096  
Sandra Basabe vs. Coast Community College District et al., DFEH Case No. 85955-39167  
Landmark Site Contractors vs. Coast Community College District, Orange County  
Superior Court Case No. 30-2013-00638489  
Homa Akhondzadeh-Myandoab vs. Coast Community College District et al., Orange  
County Superior Court Case No. 30-2013-00644987  
Coast Federation of Educators vs. Coast Community College District, Public Employment  
Relations Board Case No. LA-CE-5808-E  
Barbara A. Price vs. California Teachers Association et al., Orange County Superior Court  
Case No. 30-2013-00646740  
Patton Sales Corp. vs. Anderson Charnesky Structural Steel, Inc. et al., San Bernardino  
Superior Court Case No. CIVRS1304252  
City of Fountain Valley et al. vs. Matosantos et al., Sacramento County Superior Court Case  
No. 34-2013-80001564

**e. Conference with Legal Counsel: Anticipated Litigation**

Significant exposure to litigation pursuant to sub-section "d-2" of *Government Code*  
Section 54956.9. Two cases including the following:

Construction Delays at Golden West College  
Dispute with Puente Hills Habitat Preservation Authority

- f. **Conference with Legal Counsel: Anticipated Litigation**  
Potential initiation of litigation pursuant to sub-section "d-4" of *Government Code* Section 54956.9. Two cases.

**5. Reconvene Regular Meeting**

The meeting was reconvened by Board President Prinsky at 6:14 p.m.

**6. Pledge of Allegiance**

Student Trustee Kelly led the Pledge of Allegiance.

**7. Report of Action in Closed Session (if any)**

Secretary of the Board, Ms. Frazier-Mathews, reported the following action from Closed Session:

**Item 4b. Conference with Labor Negotiator, Coast Federation of Classified Employees (CFCE)** on a motion by Trustee Hornbuckle, seconded by Trustee Patterson, the Board voted unanimously to approve the MOU between Coast Community College District and the Coast Federation of Classified Employees regarding One Stop Center Training.

Motion carried with the following vote:

Ayes:	Trustees Prinsky, Hornbuckle, Patterson, Moreno and Grant
Noes:	None
Absent:	Student Trustee Kelly
Abstain:	None

Additionally, Ms. Frazier-Mathews reported, for **Item 4d. Conference with Legal Counsel: Existing Litigation, City of Fountain Valley et al. vs. Matosantos et al., Sacramento County Superior Court Case No. 34-2013-80001564**, on a motion by Trustee Patterson, seconded by Trustee Hornbuckle, the Board voted unanimously to defend the District in litigation.

Motion carried with the following vote:

Ayes:	Trustees Prinsky, Hornbuckle, Patterson, Moreno and Grant
Noes:	None
Absent:	Student Trustee Kelly
Abstain:	None

Board President Prinsky reported, for **Item 4b. Conference with Labor Negotiator**, on a motion by Trustee Grant, seconded by Trustee Prinsky the Board voted to give direction to Chief Negotiator to negotiate the awarding of stipends in lieu of returning furlough days to all affected employees unconditionally. The vote was 4-1 with Trustee Patterson opposing.

Motion carried with the following vote:

Ayes: Trustees Prinsky, Hornbuckle, Moreno and Grant  
Noes: Trustee Patterson  
Absent: Student Trustee Kelly  
Abstain: None

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

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

**9. Study Session: Accreditation**

**Discussion and Possible Action on the Recommendations from the Accrediting Commission for Community and Junior Colleges (ACCJC) Regarding the Accreditation Status of Coast Colleges Following the Comprehensive Accreditation Visits of March 2013**

In-depth discussion took place by the Board and staff regarding the following:

- Approach and Suggestion for Addressing the ACCJC District Recommendations
- Proposed Changes to Board Policies and Administrative Procedures Related to Delegation of Authority
- Coordination and Preparation of Follow-Up Reports Due to ACCJC by March 15, 2014, and Follow-Up Visit
- Board Self-Evaluation - Methodology and Timeline
- Goals for 2013-2015

The College Presidents and Vice Presidents of Instruction addressed the Board regarding the accreditation recommendations for the colleges and proposed goals and action plans. Dr. Arismendi Pardi addressed the Board on behalf of the Orange Coast College Faculty Transparency Committee regarding District processes, with a suggestion that the District hire a firm specializing in project management to develop a detailed plan to serve as a blueprint to meet the ACCJC deadline. The Chancellor outlined plans to work with the faculty union to negotiate developing a component to allow SLOs to be part of the evaluation process to meet the current standard.

Updating Board Policies and Administrative Procedures was discussed, including those relating to delegation of authority. It was agreed that the Board Clerk and Board Secretary would work with the Chancellor and his staff to move forward with this project, set a timetable, and demonstrate to the Commission that these have been addressed by evidence in agenda and minutes, resulting in demonstrable changes to meet the standards. A system would also be established to review all policies and administrative procedures every four years.

The Board discussed their current self evaluation process and proposed changes to the tool based on their review of other districts, and those suggested by the CCLC and ACCT. This proposed self evaluation would be brought to the August 21, 2013 agenda with the goal of sending out surveys by early September and sharing results in October. Goals for the next two years would be formulated and a report based on the survey would be posted on the District website.

The Board thanked everyone who had been involved in the accreditation process, stating that they would do everything they could collaboratively to ensure compliance with the accreditation recommendations.

#### 10. Discussion and Possible Action on Chancellor's Goals for 2013-2014

After discussion, on a motion by Trustee Grant, seconded by Student Trustee Kelly, the Board voted to adopt the Chancellor's Goals for 2013-2014 with a modification to #5 to read "The Chancellor will continuously enhance **trust and** relationships with the Board".

Motion carried with the following vote:

Ayes: Trustees Prinsky, Hornbuckle, Patterson, Moreno, Grant and Kelly  
 Noes: None  
 Absent: None  
 Abstain: None

#### 11. District - Approval of Independent Contractor Agreement

On a motion by Trustee Grant, seconded by Trustee Prinsky, the Board voted to approve the Independent Contractor Agreement with Beeson, Tayer and Bodine, APC, to facilitate the negotiations between the Coast Federation of Educators/American Federation of Teachers (CFE/AFT) Local 1911 and the Coast Community College District for the period August 6, 2013 – June 30 2014.

**Payment Schedule/Compensation:** NTE \$20,000 for facilitation of negotiation sessions with CFE/AFT for one facilitator per session at \$750 per day plus 50% of reasonable travel expenses. Payment after services rendered and invoiced.

**Source of Funding:** District Funds

Motion carried with the following vote:

Ayes: Trustees Prinsky, Hornbuckle, Patterson, Moreno, Grant and Kelly  
 Noes: None  
 Absent: None  
 Abstain: None

#### 12. District - Bid Tabulations and Award of Contract: Orange Coast College Interdisciplinary (IDC) Complex Project; Bid No. 2020 Bid Phase I

On a motion by Trustee Grant, seconded by Trustee Hornbuckle, the Board voted to award to the lowest responsible bidder in Bid Package 1, 4, 17, and 20 for the Orange Coast College Interdisciplinary Complex Project, Bid 2020. Additionally, the Board rejected all bidders for Bid Package 3 pending clarification and rebid of the technical specifications related to this trade package.

Furthermore, it was recommended that the President of the Board of Trustees, or designee, be authorized to sign related documents, indicating approval by the Board of Trustees.

<b>Bid Package 1 – SWPPP, Site Maintenance &amp; Temporary Facilities</b>		
<b>1.</b>	<b>Inland Building Construction Co., Inc. 323 South Sierra Way, San Bernardino, CA 92408</b>	<b>\$843,000.00</b>
<b>2.</b>	<b>Heartland Grading, Carlsbad, CA 92010</b>	<b>\$1,282,250.00</b>
<b>3.</b>	<b>Southern California Grading, Inc., Irvine, CA 92606</b>	<b>\$2,200,000.00</b>

4.	Kemp Bros. Construction, Inc. Santa Fe Springs, CA 90607	No Bid
5.	Sanders Construction Services, Inc. Irvine, CA 92630	No Bid
<b>Bid Package 3 - Earthwork &amp; Site Demolition</b>		
	<b>REJECT ALL BIDS</b>	
1.	Southern California Grading, Inc. 16291 Construction Circle East, Ste. A, Irvine, CA 92606	\$650,000.00
2.	Heartland Grading Carlsbad, CA 92010	\$895,700.00
3.	Cattrac Construction, Inc. Fontana, CA 92337	\$1,193,000.00
4.	CS Legacy Construction, Inc. Chino, CA 91710	No Bid
5.	GCI Construction, Inc. Costa Mesa, CA 92626	No Bid
6.	Kemp Bros. Construction, Inc. Santa Fe Springs, CA 90670	No Bid
7.	Bryan Engineering & Grading, Inc. Anaheim, CA 92801	No Bid
8.	West-Tech Contracting, Inc., Escondido, CA 92025	No Bid
<b>Bid Package 4 - Site Utilities</b>		
1.	Interpipe Contracting, Inc. 10870 Hartley Road, Santee, CA 92071	\$467,370.00
2.	GCI Construction, Inc. Costa Mesa, CA 92626	\$480,933.00
3.	JPI Development Group, Inc. Murrieta, CA 92562	\$545,000.00
4.	Bali Construction, Inc., El Monte, CA 91733	\$550,000.00
5.	Atlas-Allied, Inc. Anaheim, CA 92806	\$658,940.00
6.	R Dugan Construction, Mira Loma, CA 91752	No Bid
7.	West-Tech Contracting, Inc., Escondido, CA 92025	No Bid
<b>Bid Package 17 - Fire Protection</b>		
1.	Millennium Fire Protection Corp. 101 Copperwood Way Ste. H, Oceanside, CA 92058	\$318,950.00
2.	JPI Development Group, Inc. Murrieta, CA 92562	\$339,000.00
3.	Cosco Fire Protection, Inc. Brea, CA 92821	\$355,800.00
4.	Link-Nilsen Corporation, Arcadia, CA 91006	No Bid
5.	Wolverine Fire Protection, Co Santee, CA 92071	No Bid
<b>Bid Package 20 - Electrical, Fire Alarm, IT, AV, Security, Structured</b>		
1.	Gould Electric, Inc. 12975 Brookranger Place Ste. 280, Poway, CA 92064	\$3,742,000.00
2.	Bergelectric Corporation, Escondido, CA 92029	\$4,070,000.00
3.	Dennison Electric, Inc., Los Alamitos, CA 90720	\$4,098,000.00
4.	Zolman Construction & Development, Inc., Irvine, CA 92602	\$4,128,000.00
5.	Baker Electric, Inc. Escondido, CA 92029	\$4,219,000.00
6.	Morrow-Meadows Corporation, City of Industry, CA 91789	\$4,387,000.00
7.	Stronghold Engineering, Inc., Riverside, CA 92501	\$5,127,721.00
8.	Rosendin Electric, Inc., La Palma, CA 90623	No Bid
9.	SASCO Fullerton, CA 92833	No Bid

**Fiscal Impact: \$5,371,320**

(Measure M – General Obligation Bond Funds)  
 Master Plan Approved Project  
 OCC Interdisciplinary (IDC) Complex  
 OCC Business, Math, Computing Center

Motion carried with the following vote:

Ayes: Trustees Prinsky, Hornbuckle, Patterson, Grant and Kelly  
Noes: None  
Absent: None  
Abstain: Trustee Moreno

**13. Approval of Employment Agreement - Chancellor**

On a motion by Trustee Grant, seconded by Trustee Hornbuckle, the Board voted to approve the Employment Agreement of Dr. Andrew Jones, Chancellor, commencing on July 1, 2013 and ending on June 30, 2017. The Board President, or designee, was authorized to sign the Agreement and any related documents, indicating approval by the Board of Trustees.

Motion carried with the following vote:

Ayes: Trustees Prinsky, Hornbuckle, Patterson, Moreno, Grant and Kelly  
Noes: None  
Absent: None  
Abstain: None

**14. External Auditor Bids Update**

The Board and Chancellor discussed the External Auditor, and indicated that the District would be going out to bid as was consistent with a three year cycle review.

**15. Public Comment (Items Not on the Agenda)**

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

**16. Adjournment**

On a motion by Trustee Moreno, seconded by Trustee Hornbuckle, the Board voted to adjourn the meeting at 8:15 p.m.

Motion carried with the following vote:

Ayes: Trustees Prinsky, Hornbuckle, Patterson, Moreno, Grant and Kelly  
Noes: None  
Absent: None  
Abstain: None

  
Julie Frazier-Mathews, Secretary of the Board

*\*The Student Trustee of the Coast Community College District is provided with an advisory vote to the Board of Trustees, per Board Policy 2015. As such, the Student Trustee's votes recorded within these minutes are advisory only in nature and are not counted in the final outcome of each action taken by the Board. Additionally, per Board Policy 2015, the Student Trustee does not participate in Closed Session meetings of the Board, therefore, votes reported from Closed Session will not include a reference to the Student Trustee.*

