### **REGULAR MEETING MINUTES\***

# Board of Trustees Coast Community College District

3:45 p.m. Closed Session, 5:00 p.m. Open Session Wednesday, August 19, 2020

A Regular Meeting of the Board of Trustees of the Coast Community College District was held on August 19, 2020 via telephone. In light of the potential for temporary or rolling power blackouts that could disrupt the Board meeting, participants were advised that in the event that the meeting was disrupted and could not continue with a quorum of the Board within 75 minutes, that the meeting would be adjourned and continued to a later date and time, to be determined.

#### 1.00 Preliminary Matters

#### 1.01 Call to Order

Board President Grant called the meeting to order at 3:50 p.m.

#### 1.02 Roll Call

Trustees Present: Trustees Grant, Hornbuckle, Moreno, Patterson and Prinsky Trustees Absent: Student Trustee Finkley joined the meeting at 5:06 p.m.

1.03 Public Comment (Items on Closed Session Agenda)

There were no requests to address the Board.

#### 1.04 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 to discuss the following:

- a. Public Employee Discipline/Dismissal/Release
  Pursuant to Government Code Section 54957(b)(1)
- b. Conference with Legal Counsel: Anticipated Litigation Significant exposure to litigation pursuant to sub-section "d-2" of Government Code Section 54956.9. One case: Dispute with Anderson Charnesky Structural Steel

#### c. Conference with Legal Counsel: Existing Litigation

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

Coast CCD et al. vs. Commission on State Mandates, California Supreme Court Case No. S262663

Stephen O'Connor vs. Coast CCD, EEOC Charge #480-2020-00802

Stephen O'Connor vs. Orange County Superintendent of Schools et al., Orange County Superior Court Case No. 30-2020-01144768

Gwendolyn Conway vs. Golden West College, Orange County Superior Court Case No. 30-2020-01143365

Sandra Basabe vs. Coast CCD, California Department of Fair Employment and Housing Case No. 202002-09286616

Trent Younkin vs. Coast CCD, Orange County Superior Court Case No. 30-2020-01152541

Workers' Compensation Appeals Board ("WCAB") Cases: Mitra Aghaei vs. Coast CCD, WCAB Case No. 12954390 Jamie Blair vs. Coast CCD. WCAB Case No. 12973118 Anthony Bryant vs. Coast CCD, WCAB Case No. 12007849 Thomas Flood vs. Coast CCD, WCAB Case No. 9347588 Ildefonso Flores vs. Coast CCD, WCAB Case No. 11921849 Francisco Fonseca, Sr. vs. Coast CCD, WCAB Case No. 7699536 Constance George vs. Coast CCD, WCAB Case No. 9152145 Michael Hemphill vs. Coast CCD, WCAB Case No. 10708125 Vincent Martinez vs. Coast CCD, WCAB Case No. 10547972 Elizabeth Ann Myers vs. Coast CCD, WCAB Case No. 12704896 Luis Ortiz vs. Coast CCD, WCAB Case No. 8113171 Mercedes Pacheco vs. Coast CCD, WCAB Case No. 12281988 Thai Pham vs. Coast CCD, WCAB Case No. 11064970 Scott Ringwelski vs. Coast CCD, WCAB Case No. 12221708 Evangelina Rosales vs. Coast CCD, WCAB Case No. 12018020 Lim Schramm vs. Coast CCD, WCAB Case No. 11409468 Cheryl Schriefer vs. Coast CCD, WCAB Case No. 11234906 Elizabeth Sykes vs. Coast CCD, WCAB Case No. 8672113

#### d. Public Employment

Pursuant to Government Code 54957(b)(1)

- 1. Approval of Appointment of Full Time Faculty
- 2. Ratification of Appointment of Substitutes, Academic Staff
- 3. Ratification of Appointment of Part Time Faculty
- 4. Approval of Appointment of Educational Administrators
- 5. Approval of Appointment of Classified Management
- 6. Approval of Appointment of Classified Staff
  Administrative Clerk
- 7. Approval of Appointment of Confidential Staff

- 8. Approval of Reclassification and Reorganization/Reassignment, Classified Staff Course Assistant
- 9. Ratification of Temporary Out of Class Assignments, Classified Management
- 10. Ratification of Project-Specific Assignment, Classified Management
- 11. Ratification of Temporary Out of Class Assignments, Classified Staff IT Database Analyst
- 12. Ratification of Project-Specific Assignment, Classified Staff
  Administrative Clerk, Sr.
  Student Success & Equity Specialist, Sr.

#### e. Conference with Labor Negotiator

Pursuant to Government Code Section 54957.6

#### **District Negotiators:**

Dr. Marco Baeza, Vice Chancellor Human Resources Dr. John Weispfenning, Chancellor Crystal Crane, Executive Director Human Resources (for CCCA-CTA/NEA)

#### **Employee Groups:**

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: Classified Managers and Educational
Administrators

#### 1.05 Reconvene to Open Session

The meeting was reconvened by Board President Grant at 5:06 p.m.

#### 1.06 Report of Action in Closed Session

General Counsel, Dr. Jack Lipton, reported the following action from Closed Session:

For Item 1.04 c. Conference with Legal Counsel: Existing Litigation, on a motion by Trustee Hornbuckle, seconded by Trustee Prinsky, the Board voted to respond to the lawsuit filed by Trent Younkin.

Motion carried with the following vote:

Aves: Trustees Grant, Hornbuckle, Moreno, Patterson and Prinsky

Noes: None Abstain: None Absent: None For Item 1.04 c. Conference with Legal Counsel: Existing Litigation, on a motion by Trustee Prinsky, seconded by Trustee Hornbuckle, the Board voted to respond to the complaint of discrimination by Sandra Basabe.

Motion carried with the following vote:

Ayes: Trustees Grant, Hornbuckle, Moreno, Patterson and Prinsky

Noes: None Abstain: None Absent: None

For **Item 1.04 d. Public Employment**, on a motion by Trustee Prinsky, seconded by Trustee Hornbuckle, the Board voted to approve and ratify the public employment items. (See Appendix pages 13-15)

Motion carried with the following vote:

Ayes: Trustees Grant, Hornbuckle, Moreno, Patterson and Prinsky

Noes: None Abstain: None Absent: None

#### 1.07 Public Comment

Jerry Raburn submitted a written comment to the Board.

#### 2.00 Informational Reports, Matters for Review, Discussion and/or Action

## 2.01 Staff Board Deliverables Per Enterprise Master Agreement Requirements for Sections 8, 10, 11, 13, 20, 22 and 28

Reports on the Enterprise Staff Board Deliverables for Enterprise Master Agreement Requirements for Sections 8, 10, 11, 13, 20, 22 and 28 for the quarter ending December 31, 2019 and quarter ending March 31, 2020 were reviewed.

#### 2.02 Workers' Compensation Self-Insured Open Claims: Annual Status Report

Dr. Andy Dunn, Vice Chancellor of Finance and Administrative Services provided the District Workers' Compensation Self-Insured Claims: Annual Status Report.

#### 2.03 Board Meeting Dates

The Board reviewed upcoming meeting dates.

#### 2.04 Meetings and Conferences of the AACC, ACCT, CCLC and CCCT

The Board reviewed upcoming Meetings and Conferences of the AACC, ACCT, CCLC and CCCT.

#### 2.05 Board Directives Log

The Board reviewed the Board Directives Log.

#### 3.00 Consent Calendar (Items 4.01 - 11.01)

On a motion by Trustee Moreno, seconded by Trustee Hornbuckle, the Board voted to approve the Consent Calendar.

Motion carried with the following vote:

Ayes: Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes: None Abstain: None Absent: None

#### 12.00 Discussion Calendar

#### 13.00 Approval of Standard Agreements in Excess of \$95,200

### 13.01 DIS - Approval of Standard Independent Contractor Agreement with Strata Information Group

On a motion by Trustee Hornbuckle, seconded by Trustee Moreno, the Board voted to approve the Standard Independent Contractor Agreement with Strata Information Group for functional and technical consulting for Banner Financial Aid. The support would assist the colleges with setup, configuration, testing, and processing for financial aid and functional and technical consulting.

**Term:** September 1, 2020 - August 31, 2021

**Fiscal Impact:** NTE \$103,200 paid at \$175/hour and including travel expenses based on approved invoices. Paid from the general fund.

Motion carried with the following vote:

Ayes: Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes: None Abstain: None Absent: None

#### 14.00 Ratification/Approval of General Items of Business

### 14.01 DIS- Approval of Interim Educational Administrator Employment Agreement (Foster, Rodney OCC)

On a motion by Trustee Moreno, seconded by Trustee Hornbuckle, the Board voted to approve the employment agreement with Rodney Foster as Interim Dean, Consumer Health & Sciences at Orange Coast College at an annual salary of \$164,536.

On August 5, 2020 the Board approved the appointment of Rodney Foster to the position of Interim Dean, Consumer Health & Sciences at Orange Coast College, commencing on August 15, 2020 and ending on May 29, 2021.

Motion carried with the following vote:

Ayes: Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes: None Abstain: None Absent: None

### 14.02 DIS - Approval of Proposed Change Order No. 1 for Orange Coast College Language Arts and Social Sciences Project - Bid No. 2141 - Bid Package 22

On a motion by Trustee Moreno, seconded by Trustee Hornbuckle, the Board voted to approve Proposed Change Order No. 1 to the Standard Contractor Agreement with Anderson & Howard Electric, Inc. and authorized the Board President or designee to sign any related documents.

On August 21, 2019, the Board of Trustees approved twenty-two multi-prime contracts to construct the new three-story, 107,760sf Language Arts and Social Sciences Building. As a whole, the awarded contracts totaled \$57,916,880 for the complete construction of the project, with Bid Package #22 – Electrical, Fire Alarm, AV & Telecom (BP#22) being awarded to Anderson & Howard Electric, Inc in the amount of \$8,499,400.

With approval of Proposed Change Order No. 1, Anderson & Howard Electric would install additional electrical and data cabling throughout classrooms to provide sufficient power and data connectivity to support the computer lab furniture and additional wireless access points.

Term: October 1, 2019 - June 1, 2021

#### Fiscal Impact:

Original Project Contract Amount: \$8,499,400

Total Change Order No. 1: \$139,827

New Contract Total: \$8,639,227 (1.64% Increase)
Paid from General Obligation Measure M Bond Funds

Motion carried with the following vote:

Ayes: Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes: None Abstain: None Absent: None

### 14.03 DIS - Approval of Proposed Change Order No. 1 for Orange Coast College Student Union Complex - Bid No. 2119 - Bid Package 1

On a motion by Trustee Hornbuckle, seconded by Trustee Moreno, the Board voted to approve Proposed Change Order No. 1, Orange Coast College Student Union Complex, Bid No. 2119, Bid Package 1 and authorized the President of the Board of Trustees or designee to sign any related documents.

On August 15, 2018 the Board of Trustees awarded Bid No. 2119, Bid Package 1 – General Requirements, to Inland Building Construction Co, Inc for the construction of Orange Coast College's new 119,000 square foot, three-story College Center building and a new 40,600 square foot two-story Student Life building.

Responding to the COVID-19 pandemic, additional cleaning standards were necessary to ensure the safety of onsite staff and contractors. These measures required contractor to conduct constant cleaning of high contact areas such as doors, handrails and stairways, installation of hand sanitizing stations and installation of signage and social distancing measures as recommended by health authorities.

**Term**: August 23, 2019 – January 5, 2021

#### **Fiscal Impact:**

Original Contract Amount: \$2,337,600

Change Order No. 1: \$154,605

New Contract Total: \$2,492,205 (~6.61% Increase)
Paid from General Obligation Measure M Bond Funds

Motion carried with the following vote:

Ayes: Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes: None Abstain: None Absent: None

### 14.04 DIS - Approval of Proposed Change Order No. 2 for Orange Coast College Kinesiology & Adaptive P.E. Project - Bid No. 2130 - Bid Package 25

On a motion by Trustee Moreno, seconded by Trustee Hornbuckle, the Board voted to approve Proposed Change Order No. 2, Orange Coast College Kinesiology & Adaptive P.E. Project, Bid No. 2130, Bid Package 25 and authorized the President of the Board of Trustees or designee to sign any related documents.

In November 2018, the Board authorized contracts to construct the Orange Coast College Kinesiology & Adaptive P.E. Project. As a whole, the awarded contracts totaled \$38,907,846 for the complete construction of the project, with Bid Package #25 – Electrical (BP#25) being awarded to A.J. Kirkwood & Associates in the amount of \$4,161,096.

With approval of Proposed Change Order No. 2, the east campus fiber optic feed would be rerouted and reconnected to provide internet access to buildings affected by the Men's Locker Room renovation. The work was necessary to maintain internet service on the east side of campus. The proposal also sought modifications to wireless access points and security camera infrastructure to provide coverage directly adjacent to the site.

**Term**: December 3, 2018 – June 29, 2020

#### **Fiscal Impact:**

Original Contract Amount: \$4,161,096 Total Change Order No. 1: \$24,292 Total Change Order No. 2: \$109,213 New Total: \$4,294,601 (~2.6% Increase)

Paid from Measure M Bond Funds, OCC Kinesiology & Adaptive P.E. Project

Motion carried with the following vote:

Ayes: Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes: None Abstain: None Absent: None

#### 14.05 DIS - Approval of District's 2022-2026 Five Year Construction Plan

On a motion by Trustee Hornbuckle, seconded by Trustee Moreno, the Board voted to approve the submittal of Coast Community College District's 2022-2026 Five-Year Construction Plan to the California Community Colleges Chancellor's Office.

The Five-Year Construction Plan (FYCP) was an annual document required by the State Chancellor's Office. Included in the FYCP were projects for which the District pursued State funding assistance. District staff, as well as the staff from each of the three Colleges, worked throughout the year with M. Arthur Gensler & Associates to formulate a FYCP that maximized the District's eligibility for State funding for its capital projects. The District's program for attracting state funds was one of the most successful programs in the State.

This proposed FYCP included two Final Project Proposals (FPPs) which, upon approval from the State, would become eligible for future state funding with the passage of a future state-wide educational facilities bond. These projects were as follows:

- Golden West College Fine Arts Building: \$20,888,102 project that would receive \$10,480,065 in state funding;
- Orange Coast College Skills Lab Replacement: \$15,494,026 project that would receive \$7,806,041 in state funding.

Fiscal Impact: \$0 (no fiscal impact for plan submission)

Motion carried with the following vote:

Ayes: Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes: None Abstain: None Absent: None

### 14.06 DIS - Bid Tabulations and Award of Contract for Contractor Services for Coastline College Bookstore Demolition; Bid No. 2158

On a motion by Trustee Moreno, seconded by Trustee Prinsky, the Board voted to award Bid No. 2158 to the lowest responsive and responsible bidder and authorized the Board President or designee to sign all related documents.

As part of the Vision 2020 Facilities Master Plan, Coastline College sought to construct a new 2-story Student Services Center building totaling 53,000 square feet adjacent to the existing College Center building. The project was procured via multiple prime trade contractors.

Award of Bid No. 2158 authorized Granville Contracting & Management to demolish the 5,000 square foot, single story Bookstore addition on the existing student service building. Bid No. 2158 included the complete scope required to demolish the Bookstore while keeping the existing student service building active. The work commenced on August 20, 2020 and would be completed by October 31, 2020. All work was subject to the requirements of the Community Workforce Agreement (CWA) between Coast Community College and the Los Angeles/Orange County Building Trades Council dated May 2, 2019.

Notices were published in the Daily Pilot on July 2, 2020 and July 9, 2020. Additionally, notices were sent out to 392 vendors utilizing the Planet Bids portal. Four bids were received and opened on July 30, 2020. Upon receipt of the bids, the project team reviewed the documents and conducted an interview with the apparent low bidder. Upon review, the apparent low bidder, Interior Demolition, Inc., discovered a clerical error and respectfully requested to withdraw their bid. Further review of the second low bid, Granville Contracting & Management, Inc., was deemed responsive and responsible.

The bid results were as follows:

Total Bid: Bid Received From:

**Granville Contracting and Management** 

1290 W Lambert Road #C

\$204,500 Brea, CA 92821

MSH Construction \$314,926 \$370.872 **Environmental Construction Group** 

Bid Withdrawn Interior Demolition, Inc.

**Term**: August 20, 2020 – October 31, 2020

Fiscal Impact: \$204,500 paid with Measure M General Obligation Bond Funds.

Motion carried with the following vote:

Ayes: Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes: Abstain: None Absent: None

#### 15.00 Resolutions

#### 15.01 Resolution #20-50 Authorization to Purchase B&H Photo & Video's Canon EOS Rebel T7i DSLR Kits for OCC's Applied Photography Department

On a motion by Trustee Prinsky, seconded by Trustee Hornbuckle, the Board voted to adopt Resolution #20-05 authorizing the purchase of Canon EOS Rebel T7i DSLR kits. including camera and accessories, from B&H Photo & Video for the Orange Coast College Applied Photography Department.

Fiscal Impact: \$121,765.97 paid from 2020-21 Perkins Fund.

Motion carried with the following vote:

Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley Aves:

Noes: None None Abstain: Absent: None

#### 16.00 Policy Approval/Procedure Ratification

#### 16.01 DIS - Board Policy for Approval

On a motion by Trustee Hornbuckle, seconded by Trustee Moreno, the Board voted to approve/ratify the following Board Policy:

Chapter 5. Student Services BP 5020 Nonresident Tuition Motion carried with the following vote:

Ayes:

Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes:

None

Abstain:

None

Absent:

None

#### 17.00 Approval of Minutes

#### 17.01 DIS - Minutes

On a motion by Trustee Moreno, seconded by Trustee Hornbuckle, the Board voted to approve the Minutes of the Regular Meeting of August 5, 2020.

Motion carried with the following vote:

Ayes:

Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes:

None

Abstain:

None

Absent:

None

#### 18.00 Close of Meeting

#### 18.01 Public Comment

There were no requests to address the Board.

#### 18.02 Adjournment

On a motion by Trustee Hornbuckle, seconded by Trustee Patterson, the Board voted to adjourn the meeting at 5:25 p.m.

Motion carried with the following vote:

Ayes:

Trustees Grant, Hornbuckle, Moreno, Patterson, Prinsky and Finkley

Noes:

None

Abstain:

None

Absent:

None

Secretary of the Board

<sup>\*</sup>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.

#### **APPENDIX**

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#### **APPENDIX**

#### Public Report of Personnel Actions Taken by the Board of Trustees in Closed Session

#### 1. Approval of Appointment of Full Time Faculty

In accordance with Board policies and procedures, the following academic staff are recommended by the Vice Chancellor of Human Resources for appointment for service. Employment and payment for services will follow upon notification that all required documents have been completed and filed. Salary placement may be revised upon presentation of evidence of additional education and/or experience:

None

#### 2. Ratification of Appointment of Substitutes, Academic Staff

#### Part Time Faculty Substitutes

It is recommended by the Vice Chancellor of Human Resources that the following individuals be appointed as substitutes, pursuant to *Education Code* Section 87482.5 and subject to Board policies governing such appointments, to be paid \$46.256/hr based on the part-time faculty daily miscellaneous teaching rate for services rendered during the 2019-20 academic year.

GWC Discipline
Hernandez, Benjamin Cosmetology

#### 3. Ratification of Appointment of Part Time Faculty

It is recommended by the Vice Chancellor of Human Resources that the following appointments be ratified for:

None

The following <u>GWC</u> Part-time Police Academy Instructors to be paid hourly rates based on the Administration of Justice "C" salary schedule. Assignments are for the period 07/01/20 to 06/30/21:

None

#### 4. Approval of Appointment of Educational Administrators

In accordance with Board policies and procedures, the following academic administrative staff are recommended by the Vice Chancellor of Human Resources for appointment for service during the period shown below. Employment and payment for services will follow upon notification that all required documents have been completed and filed. The following educational administrators are recommended for appointment for service during the period shown below, subject to subsequent Board approval of the respective employment agreements.

None

#### 5. Approval of Appointment of Classified Management

In accordance with Board policies and procedures, the following Classified Management are recommended by the Vice Chancellor of Human Resources for appointment to advertised positions; these include promotions, new hires, and rehires:

None

#### 6. Approval of Appointment of Classified Staff

In accordance with Board policies and procedures, it is recommended by the Vice Chancellor of Human Resources that the following Classified Staff are recommended for appointment to advertised positions:

Name LOC Title Start Dt Vacancy #
Mulholland, Caitlin GWC Administrative Clerk, 47.5% FTE Start Dt 08/24/20 G-003-21

#### 7. Approval of Appointment of Confidential Staff

In accordance with Board policies and procedures, the following Confidential Staff are recommended for appointment to advertised positions:

None

#### 8. Approval of Reclassification and Reorganization/Reassignment, Classified Staff

It is recommended by the Vice Chancellor of Human Resources that the following changes for Classified Staff be ratified:

#### Reorganization

Name LOC From To Course Assistant, 100% FTE 08/01/20

Name Hester, Carol OCC Course Assistant, 75% FTE

#### 9. Ratification of Temporary Out of Class Assignments, Classified Management

It is recommended by the Vice Chancellor of Human Resources that the following changes for Classified Management working temporarily Out of Class (minimum of 7.5% differential) be ratified:

None

#### 10. Ratification of Project-Specific Assignment, Classified Management

It is recommended by the Vice Chancellor of Human Resources that the following changes for Classified Management working in a Project-Specific Assignment (7.5% differential) be ratified:

None

#### 11. Ratification of Temporary Out of Class Assignments, Classified Staff

It is recommended by the Vice Chancellor of Human Resources that the following changes for Classified Staff working temporarily Out of Class (minimum of 7.5% differential) be ratified:

<u>Name</u> <u>LC</u>	<u> </u>	<u>From</u>	<u>To</u>	Start Dt	End Dt
Ostovarpour, DI Babak		IT Business Processes Analyst	IT Database Analyst	07/01/20	09/30/20

#### 12. Ratification of Project-Specific Assignment, Classified Staff

It is recommended by the Vice Chancellor of Human Resources that the following changes for Classified Staff working in a Project-Specific Assignment (7.5% differential) be ratified:

<u>Name</u>	LOC	<u>Title</u>	Project-Specific Assignment	Start Dt	End Dt
Cutting, Kristopher	occ	Administrativ e Clerk, Sr.	Temporary duties that are not fixed and prescribed to the assigned position that exceed five working days.	08/01/20	10/31/20
Pirio, Jeanamarie	occ	Student Success & Equity Specialist, Sr.	Temporary duties that are not fixed and prescribed to the assigned position that exceed five working days.	08/01/20	09/30/20

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