

REGULAR MEETING MINUTES*

Board of Trustees Coast Community College District

Wednesday, November 2, 2022

4:00 p.m. Closed Session, 5:00 p.m. Open Session

A Regular Meeting of the Board of Trustees of the Coast Community College District was held on November 2, 2022 in the Board Room at the District Office located at 1370 Adams Avenue, Costa Mesa, CA.

1.00 Preliminary Matters

1.01 Call to Order

Board President Hornbuckle called the meeting to order at 4:00 p.m.

1.02 Roll Call

Trustees Present: Trustees Hornbuckle, Moreno, Parker, Patterson and Prinsky
Trustees Absent: None

1.03 Public Comment (Items on Closed Session Agenda)

Teresa Rodriguez, Allison Cuff, Ginny Regnier, Shannon O'Neal, Quintin Powell, Anthony Solis, and Mary Bola 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: Existing Litigation

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

Coast CCD et al. vs. Commission on State Mandates, California Court of Appeal Case No. C080349

Angie de la Paz vs. Coast Colleges, Orange County Superior Court Case No. 30-2020-01166473

Angela Bell vs. Coast CCD, California Court of Appeal Case No. G060741
Dana Emerson vs. Coast Community College District, Orange County Superior Court
Case No. 30-2022-01285549
Stanislav Dubrovskiy vs. Coast CCD, Arbitration
Stanislav Dubrovskiy vs. Coast CCD, Public Employment Relations Board Case No.
LA-CE-6636-E
Tom Tran vs. Coast CCD, Department of Fair Employment and Housing Case No.
2021-05-1359112
Williams vs. Orange Coast College, U.S. Office for Civil Rights Case No. 09-21-2357

Workers' Compensation Appeals Board ("WCAB") Cases:

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
Vincent Martinez vs. Coast CCD, WCAB Case No. 10547972
Elizabeth Ann Myers vs. Coast CCD, WCAB Case No. 12704896
Phuong Phan vs. Coast CCD, WCAB Case No. 15039592
Thai Pham vs. Coast CCD, WCAB Case No. 11064970
Lim Schramm vs. Coast CCD, WCAB Case No. 11409468
Elizabeth Sykes vs. Coast CCD, WCAB Case No. 8672113

c. 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
Acting Controller
Controller
6. Approval of Appointment of Classified Staff
Administrative Assistant
Administrative Clerk
Disability Services Associate
7. Approval of Appointment of Confidential Staff
8. Approval of Reclassification and Reorg/Reassignment, Classified Staff
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
Culinary Production Coordinator

12. Ratification of Project-Specific Assignment, Classified Staff
Administrative Clerk Senior
Early Childhood Lab Coordinator
Instructional Assistant

d. Conference with Labor Negotiator

Pursuant to *Government Code* Section 54957.6

District Negotiators:

Dr. Marco Baeza, Vice Chancellor Human Resources

Dr. Whitney Yamamura, 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),

Classified Managers and Educational Administrators

1.05 Reconvene to Open Session

The meeting was reconvened by Board President Hornbuckle at 5:04 p.m.

1.06 Pledge of Allegiance

Trustee Patterson led the Pledge of Allegiance.

1.07 Report of Action in Closed Session

Deferred to later in the meeting.

1.08 Public Comment

There were no requests to address the Board.

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

2.01 Reports from the Presidents of Student Government Organizations

The following representatives of Student Government Organizations provided written reports to the Board:

2.02 Semi Annual Report on the Chancellor's Goals for the District 2022-23

Chancellor Yamamura provided an update on his goals for the District that included:

1. Move beyond the pandemic
2. Focus on student success and equity
3. Maintain fiscal integrity
4. Stabilize enrollments
5. Strengthen employee, student, and community relations
6. Leverage educational technology

Trustee Patterson requested that future reports include timelines and prioritization of goals.

2.03 DIS - Board Policies and Administrative Procedures for First Reading

The following Board Policies and Administrative Procedures were brought to the Board for first reading, and would be returned for further review and action:

Chapter 5. Student Services

BP 5040 Student Records, Directory Information, and Student Privacy
AP 5040 Student Records, Directory Information, and Student Privacy
AP 5045 Student Records — Challenging Content and Access Log

Chapter 6. Business and Fiscal Affairs

BP 6200 Budget Preparation
AP 6305 Reserves

Chapter 7. Human Resources

BP 7909 Telecommuting
AP 7909 Telecommuting/Classified Staff

Trustee Prinsky requested AP 6305 be revised to indicate that the report of Ancillary Reserve Fund usage would be submitted to the Board of Trustees for ratification.

2.04 Board Meeting Dates

The Board reviewed upcoming meeting dates.

2.05 Meetings and Conferences of the AACC, ACCT, CCLC and CCCT

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

2.06 Board Directives and Reports Log

The Board reviewed the Board Directives and Reports Log.

Trustee Parker was excused from the meeting at 5:23 p.m.

3.00 Consent Calendar (Items 4.01 - 17.01)

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

Motion carried with the following vote:

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

18.00 Discussion Calendar

19.00 Approval of Standard Agreements in Excess of \$99,100

19.01 OCC - Standard Independent Contractor Agreement with Brainfuse

On a motion by Trustee Prinsky, seconded by Trustee Moreno, the Board voted to approve the Standard Independent Contractor Agreement with Brainfuse.

Brainfuse provided 12,500 hours of on-demand online academic tutoring services to OCC students in a variety of disciplines. Services were accessed through Canvas via OCC instructors who elect to offer them through their Canvas course shells.

Term: November 1, 2022 - June 30, 2025

Fiscal Impact: NTE \$300,000. Maximum of 12,500 hours at \$24/hour, upon approval of invoices. Paid with Student Equity and Achievement funds.

Motion carried with the following vote:

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

20.00 Ratification/Approval of General Items of Business

20.01 DIS - Bid Tabulations and Award of Contract for Coastline College Newport Beach Cadaver Lab; Bid No. 2178

On a motion by Trustee Moreno, seconded by Trustee Prinsky, the Board voted to award the Standard Contractor Services Agreement for Bid No. 2178 to A2ZConstruct Inc., the lowest responsive and responsible bidder.

Coastline College sought contractor services to convert two existing science lab prep spaces into one cadaver lab. This was inclusive of demolition of the existing space while protecting the adjacent spaces, furnishing and installing new cadaver lab per approved DSA plans. Notices were published in the Daily Pilot on September 21, 2022, and September 28, 2022. Additionally, notices were sent out to 431 vendors utilizing the Planet Bids portal. An onsite job walk was conducted on September 29, 2022, and five bids were received and opened on October 10, 2022.

The bid results were as follows:

<u>Bid Received From:</u> A2ZConstruct Inc. PO Box 80425 Rancho Santa Margarita, California 92688	<u>Total Bid:</u> \$490,000
Scorpio Enterprises dba AireMasters Air Conditioning	\$522,000
Elegant Construction	\$574,000
D3 Development Group	\$624,000
Kazoni Inc.	\$791,349

Term: November 3, 2022 – January 27, 2023

Fiscal Impact: \$490,000, including \$20,000 in project allowance, paid with Coastline College John Stauffer Charitable Trust Grant and State Funded Equipment dollars.

Motion carried with the following vote:

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

20.02 DIS - Adoption of the Initial Bargaining Proposal from Coast Community College District to the Coast Federation of Educators American Federation of Teachers Local 1911 (CFE) for the 2022-2023 FY

On a motion by Trustee Moreno, seconded by Trustee Prinsky, the Board voted to adopt the proposal to re-open negotiations on the presented articles of the Parties' collective bargaining agreement for the 2022-2023 fiscal year.

Pursuant to Section 3547 of the Government Code, the Coast Community College District (District) presented the initial bargaining proposal to the Coast Federation of Educators American Federation of Teachers Local 1911 (CFE) to re-open negotiations on the presented articles of the Parties' collective bargaining agreement for the 2022-2023 fiscal year. A Public Hearing was held at the Regular Meeting of the Board of Trustees on October 19, 2022, regarding the Board's consideration of the adoption of the District's proposal.

Motion carried with the following vote:

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

21.00 Resolutions

21.01 Resolution #22-57 Adopting the Board of Trustees' Meeting Schedule for Calendar Year 2023

On a motion by Trustee Prinsky, seconded by Trustee Moreno, the Board voted to adopt Resolution #22-57 as revised for the Board of Trustees' Meeting Schedule for Calendar Year 2023.

Motion carried with the following vote:

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

21.02 Resolution #22-58 Authorization to Purchase Siemens ACUSON Redwood Diagnostic Medical Sonography Equipment as Sole Source Provider for Orange Coast College's Digital Medical Sonography and Cardiovascular Technology Programs

On a motion by Trustee Moreno, seconded by Trustee Prinsky, the Board voted to adopt Resolution #22-58 authorizing the purchase of ACUSON Redwood diagnostic medical sonography equipment from Siemens Healthineers/Vizient Supply LLC for the Orange Coast College Digital Medical Sonography and Cardiovascular Technology programs.

Siemens ACUSON Redwood sonography system was a sole source product manufactured, sold, and distributed exclusively by Siemens Healthineers/Vizient Supply LLC. The purchase of ACUSON Redwood diagnostic medical sonography equipment was necessary to update the training lab used by the Digital Medical Sonography and Cardiovascular Technology programs to provide training for students in allied health technologist programs.

Fiscal Impact: \$137,864 paid with FY 2022-23 Carl D. Perkins funds.

Motion carried with the following vote:

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

22.00 Approval of Minutes

22.01 DIS - Minutes

On a motion by Trustee Moreno, seconded by Trustee Prinsky, the Board voted to approve the Minutes of the following meetings:

October 19, 2022 Regular Meeting
October 21, 2022 Special Meeting

Motion carried with the following vote:

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

23.00 Informational Reports

23.01 Report from the Chancellor

There was no report. All information had been presented earlier in the meeting.

23.02 Reports from the College Presidents

The following College Presidents provided written reports to the Board:

Dr. Vince Rodriguez, Coastline College
Dr. Angelica Suarez, Orange Coast College

23.03 Reports from the Academic Senate Presidents

Damien Jordan, Golden West College Academic Senate President provided a written report to the Board.

23.04 Reports from the Classified Senate Presidents

There were no reports.

23.05 Reports from Presidents of Employee Representative Groups

Rob Schneiderman, Coast Federation of Educators/American Federation of Teachers President provided an oral report to the Board.

23.06 Reports from the Board of Trustees

The Trustees provided individual reports.

The Board recessed to Closed Session at 5:39 p.m.

Trustee Parker rejoined the meeting at 6:15 p.m.

The meeting was reconvened by Board President Hornbuckle at 7:02 p.m.

Report of Action in Closed Session

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

For **Item 1.04 b. Conference with Legal Counsel: Existing Litigation**, on a motion by Trustee Patterson, seconded by Trustee Prinsky, the Board voted to respond to the lawsuit filed by Dana Emerson.

Motion carried with the following vote:

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

For **Item 1.04 c. Public Employment**, on a motion by Trustee Prinsky, seconded by Trustee Moreno, the Board voted to approve and ratify the public employment items.
(See Appendix pages 12-14)

Motion carried with the following vote:

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

For **Item 1.04 d. Conference with Labor Negotiator**, on a motion by Trustee Moreno, seconded by Trustee Prinsky, the Board voted to approve Memorandum of Understanding 22-3 Work Experience Program with Coast Federation of Classified Employees.

Motion carried with the following vote:

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

For **Item 1.04 d. Conference with Labor Negotiator**, on a motion by Trustee Prinsky, seconded by Trustee Moreno, the Board voted to approve Memorandum of Understanding 22-1 Article XIV. Professional Development with Coast Community College Association-California Teachers Association/National Education Association.

Motion carried with the following vote:

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

24.00 Close of Meeting

24.01 Adjournment

The meeting was adjourned at 7:04 p.m. in memory of The Honorable Frances Munoz, Barbara Moss and VerLyn "Sonny" Jensen.



Jane Burton
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.*

APPENDIX

	Pages
Public Employment.....	12-14

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 Administrative 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 \$51.789/hr based on the part-time faculty daily miscellaneous teaching rate for services rendered during the 2022-23 academic year.

CCC

Carlucci, Michael
Grove, Timothy
Hoffard, Richard
Kelly, Mark

Discipline

Humanities
ESL
ESL
Biology

GWC

Khong, San Ngoc
Knorr, Josh

Discipline

Chemistry
Chemistry

OCC

Bayes, Chauncey
Haeri, Shadi
Lazzara, Nunzio
Lewis, Kacey

Discipline

Photography
Biology
English
Biology

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

4. Approval of Appointment of Educational Administrators

In accordance with Board Policies and Administrative 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 Administrative 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:

<u>Name</u>	<u>LOC</u>	<u>Title</u>	<u>Start Dt</u>	<u>Vacancy #</u>
Tran, Tanya	DIST	Acting Controller	11/21/22	None
Tran, Tanya	DIST	Controller	02/01/23	DM-003-23

6. Approval of Appointment of Classified Staff

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

<u>Name</u>	<u>LOC</u>	<u>Title</u>	<u>Start Dt</u>	<u>Vacancy #</u>
Higgins, Maegen	OCC	Administrative Assistant	11/07/22	O-004-23
Mikami, Claire	OCC	Disability Services Associate	11/07/22	O-004-23
Romero, Claudia	GW	Administrative Clerk, 47.5%	11/03/22	G-015-23
	C	FTE		

7. Approval of Appointment of Confidential Staff

In accordance with Board Policies and Administrative 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:

None

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:

Extension of End Dates for Out of Class Assignments

<u>Name</u>	<u>LOC</u>	<u>From</u>	<u>To</u>	<u>Extend From</u>	<u>Extend To</u>
Espinachio, Richard	OCC	Cook	Culinary Production Coordinator	11/08/22	01/31/23

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>	<u>LOC</u>	<u>Title</u>	<u>Project-Specific Assignment</u>	<u>Start Dt</u>	<u>End Dt</u>
Bowen, Karen	OCC	Administrative Clerk Senior	Temporary duties that are not fixed and prescribed to the assigned position that exceed five working days.	10/01/22	11/30/22

Extension of End Dates for Out of Class Special Assignments

<u>Name</u>	<u>LOC</u>	<u>Title</u>	<u>Project-Specific Assignment</u>	<u>Extend From</u>	<u>Extend To</u>
Jones, Kourtney	OCC	Early Childhood Lab Coordinator	Temporary duties that are not fixed and prescribed to the assigned position that exceed five working days.	11/01/22	12/31/22
Pham, Duy	OCC	Instructional Assistant	Temporary duties that are not fixed and prescribed to the assigned position that exceed five working days.	11/01/22	01/31/23