



**MIRACOSTA COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES  
One Barnard Drive, Oceanside, CA**

**MINUTES OF SPECIAL MEETING/CLOSED SESSION**

**JANUARY 26, 2023  
(Approved February 23, 2023)**

**I. CALL TO ORDER**

The Board of Trustees of the MiraCosta Community College District met in closed session on Thursday, December 15, 2022, in Conference Room 1054 on the Oceanside Campus. Vice President Frank Merchat called the meeting to order at 2:23 p.m.

**II. FLAG SALUTE / ROLL CALL**

Board members present:

Rick Cassar	Frank Merchat
Raye Clendening	Anna Pedroza
George McNeil	Jackie Simon

Board members absent: William Fischer

Administrators present:

Superintendent/President Sunny Cooke  
Assistant Superintendent/Vice President Charlie Ng

Others present:

Legal Counsel Brian Walter  
Legal Counsel Randy Winet

**III. PUBLIC COMMENT ON ITEMS ON AND NOT ON THE AGENDA**

None.

**IV. DECLARE NEED FOR CLOSED SESSION**

At 2:23 p.m., the board announced the need to enter closed session to discuss the following topics:

**A. Conference with Labor Negotiators**

(Pursuant to Government Code Section 54957.6)

Agency designated representatives: Superintendent/President Sunita V. Cooke,  
Assistant Superintendent/Vice President, Human Resources Charlie Ng  
Employee organizations: Faculty Assembly, Classified Administrators,  
Classified Senate

**B. Conference with Legal Counsel**

(Pursuant to Government Code section 54956.9(d)(2))

Anticipated Litigation, Number of Potential Cases: 2

- JPA 20-05413
- JPA 23-05816

**C. Conference with Legal Counsel**

(Pursuant to Government Code section 54956.9(d)(1))

Existing Litigation, Number of Potential Cases: 1

- John Martin, et al. v. Board of Governors of the California Community Colleges, et al., Case No. 34-2022-00328402-CU-OE-GDS

**D. Employee Discipline/Dismissal/Release, Number of Potential Cases: 1**

(Pursuant to Government Code section 54957)

**V. RECONVENE IN OPEN SESSION – REPORT ACTION FROM CLOSED SESSION**

At 3:53 p.m., the board returned to open session to report the following:

**A. Conference with Labor Negotiators**

(Pursuant to Government Code Section 54957.6)

Agency designated representatives: Superintendent/President Sunita V. Cooke, Assistant Superintendent/Vice President, Human Resources Charlie Ng

Employee organizations: Faculty Assembly, Classified Administrators, Classified Senate

No report.

**B. Conference with Legal Counsel**

(Pursuant to Government Code section 54956.9(d)(2))

Anticipated Litigation, Number of Potential Cases: 2

- JPA 20-05413
- JPA 23-05816

No report.

**C. Conference with Legal Counsel**

(Pursuant to Government Code section 54956.9(d)(1))

Existing Litigation, Number of Potential Cases: 1

- John Martin, et al. v. Board of Governors of the California Community Colleges, et al., Case No. 34-2022-00328402-CU-OE-GDS

No report.

**D. Employee Discipline/Dismissal/Release, Number of Potential Cases: 1**

(Pursuant to Government Code section 54957)

No report.

**VI. ADJOURNMENT**

The meeting adjourned at 3:53 p.m.

**MINUTES APPROVAL:**

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Frank Merchat  
President

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Sunita V. Cooke, Ph.D.  
Superintendent/President