

**SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT  
RONALD REAGAN BOARD OF TRUSTEES ROOM-RM 145  
HEALTH SCIENCES/DISTRICT OFFICES BLDG., SADDLEBACK COLLEGE**

**MINUTES OF THE BOARD OF TRUSTEES' MEETING  
July 25, 2011**

**PRESENT**

Members of the Board of Trustees:

Nancy M. Padberg, President  
T.J. Prendergast, Vice President  
Marcia Milchiker, Clerk  
David B. Lang, Member  
William O. Jay, Member  
Frank M. Meldau, Member  
Jordan J. Larson, Student Member

Administrative Officers:

Gary Poertner, Chancellor  
Debra Fitzsimons, Vice Chancellor, Business Services  
David Bugay, Vice Chancellor, Human Resources  
Robert Bramucci, Vice Chancellor, Technology and Learning Services  
Tod Burnett, President Saddleback College  
Glenn Roquemore, President Irvine Valley College  
Don Busche, Acting Vice President, Instruction for Tod Burnett  
Randy Peebles, Associate Vice Chancellor, Economic Development

**ABSENT**

Thomas A. Fuentes, Member

**CALL TO ORDER: 5:00 P.M.**

**1.0 PROCEDURAL MATTERS**

1.1 Call To Order

1.2 Public Comments

*Members of the public may address the Board on items listed to be discussed in **closed session**. **Speakers are limited to two minutes each.***

**RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:**

- A. Public Employee Appointment, Employment, Evaluation of Performance, Discipline, Dismissal, Release (GC Section 54957)
  - 1. Public Employee Employment (2)
    - a. Public Employee Dismissal/Release
  
- B. Conference with Labor Negotiators (GC Section 54957.6)
  - 1. SOCCCD Faculty Association
    - a. Agency Designated Negotiator: David Bugay, Ph. D.
  
  - 2. California School Employees Association (CSEA)
    - a. Agency Designated Negotiator: David Bugay, Ph. D.
  
  - 3. Police Officers Association (POA)
    - a. Agency Designated Negotiator: David Bugay, Ph. D.
  
- C. Conference with Real Property Negotiators
  - 1. Lease of Property by District: Portion of Saddleback College site: MG Promenade Apartments LLC, 28032 Marguerite Parkway, Mission Viejo
  
- D. Conference with Legal Counsel (GC Section 54956.9)
  - 1. Existing Litigation (GC Section 54956.9[b]) (1 case)  
Westphal v. Wagner
  
  - 2. Anticipated Litigation/Significant Exposure to Litigation (GC Section 54956.9[b][1] and [b][3][A]) (2 cases)

**RECONVENE OPEN SESSION: 6:00 P.M.**

**2.0 PROCEDURAL MATTERS**

**2.1 Actions Taken in Closed Session**

**2.2 Invocation**

Led by Trustee T.J. Prendergast

**2.3 Pledge of Allegiance**

Led by Trustee Bill O. Jay

**2.4 Resolutions / Presentations / Introductions**

Recognition: Dr. Glenn Roquemore for his work with U.S. Army Recruiting Battalion of Southern California.

**2.5 Public Comments**

*Members of the public may address the Board on any item on the agenda at this time or during consideration of the item. Items not on the agenda that are within the subject matter jurisdiction of the*

*Board may also be addressed at this time. **Speakers are limited to two minutes each.***

### **3.0 REPORTS**

#### **3.1 Oral Reports: Speakers are limited to two minutes each.**

- A. Board Reports
- B. Chancellor's Report
- C. Board Request(s) for Report(s)

### **4.0 DISCUSSION ITEM**

### **5.0 CONSENT CALENDAR ITEMS**

*All matters on the consent calendar are routine items and are to be approved in one motion unless a Board member requests separate action on a specific item, and states the compelling reason for separate action.*

On a motion made by Trustee Jay and seconded by Trustee Prendergast the Consent Calendar was approved on a 6-0 vote with Trustee Fuentes absent.

#### **5.1 SOCCCD: Board of Trustees Meeting Minutes**

Approve minutes of a regular meeting held on June 27, 2011.

This item was approved on a 5-0 vote with Trustee Lang abstaining.

#### **5.2 Saddleback College: James B. Utt Memorial Learning Resource Center Renovation Project: Amendment No. 2 to Geotechnical Engineers Scope of Work**

Approve Amendment No. 2 in the amount of \$60,000 to incorporate required testing and inspection for a revised contract amount of \$229,532.

#### **5.3 Saddleback College: Community Education, Fall 2011**

Approve additional Saddleback College Community Education courses, presenters, and compensation as shown in Exhibit A.

#### **5.4 Saddleback College: Rapid Tech Consultant Agreement Addendum**

Approve an addendum increasing the consultant agreement with Gary Barnak to \$105,000 for assisting RapidTech achieve grant-mandated goals and objectives.

#### **5.5 Irvine Valley College: 2011-12 Faculty Hiring Addendum**

Approve the announcement of positions and recruitment of new full-time faculty for the 2011-12 academic year, contingent on funding.

Original text at the bottom of Exhibit A, "Temporary one-year replacement," was stricken and amended to read as follows:  
"Authorize hiring pursuant to Ed Code #87482.5"

On a motion made by Trustee Jay and seconded by Trustee Milchiker this item was approved on a 6-0 vote.

**5.6 SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting**

Adopt resolution 11-21 (Exhibit A) authorizing payment to Trustee Lang who was absent from the June 27, 2011 Meeting of the Board of Trustees.

Original text under "status" was re-worded from "previously planned engagement," to read as follows: "due to a conflict with a foreign exchange program opportunity."

On a motion made by Trustee Milchiker and seconded by Trustee Meldau with Trustee Lang abstaining this item was approved on a 5-0 vote.

**5.7 SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting**

Adopt resolution 11-22 (Exhibit A) authorizing payment to Trustee Fuentes who was absent from the June 27, 2011 Meeting of the Board of Trustees.

**5.8 SOCCCD-Saddleback College: Adopt Resolution No. 11-20 for Designation of "Applicant's Agent" for Non-state agencies**

Approve Resolution No. 11-20 to assign John Ozurovich and Louis Sessler to be the authorized agents representing SOCCCD-Saddleback College.

**5.9 SOCCCD: Education and Facilities Master Plan: Amendment No. 1**

Approve Amendment No. 1 in the amount of \$12,400 for a total fee to gkkworks of \$361,400.

**5.10 SOCCCD: State Chancellor Submittal Agreement: Amendment No. 1**

Approve Amendment No. 1 in the amount of \$2,800 for a total fee to gkkworks of \$99,500.

**5.11 SOCCCD: Award of Bid: Janitorial Supplies**

Approve award of bid to the vendors listed on Exhibit A in the amount of \$146,370.45.

**5.12 SOCCCD: Authorization for District Institutional Memberships 2011/12**

Approve memberships and estimated dues for 2011/12.

- 5.13 **SOCCCD: Gifts to the District and Foundations**  
Approve acceptance of gifts.
- 5.14 **SOCCCD: Purchase Order/Confirming Requisitions**  
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P11-05090 through P11-05134 amounting to \$852,414.13 and P12-00142 through P12-00648 amounting to \$10,020,608.21. Approve confirming requisitions dated June 8, 2011 through July 5, 2011 totaling \$76,583.50.
- 5.15 **SOCCCD: Payment of Bills**  
Approve checks No. 104189 through 104893 and \*150000 through 150220, processed through the Orange County Department of Education, totaling \$7,023,843.65; and Checks No. 010140 through 010182, processed through Saddleback College Community Education, totaling \$444,354.18; and Checks No. 008873 through 008886, processed through Irvine Valley College Community Education, totaling \$9,599.82.
- 5.16 **SOCCCD: June/July 2011 Contracts**  
Ratify contracts as listed.

## 6.0 GENERAL ACTION ITEMS

- 6.1 **SOCCCD: Agreement for Special Services: Liebert Cassidy Whitmore**  
Approve Amendment No. 1 to the Agreement for Special Services with Liebert Cassidy Whitmore establishing a new range of rates for professional services effective July 1, 2011.
- On a motion made by Trustee Lang and seconded by Trustee Milchiker this item was approved on a 6-0 vote.
- 6.2 **SOCCCD: Board Policy Revision: BP-4000.2-Electronic Communication, BP-4030- Volunteer Assistance, BP-4079 - Bereavement Leave for Administrators and Classified Management, BP-4085-Holidays, BP-4109- Transfer of Sick Leave for Academic and Classified Personnel, BP-5800- Prevention of Identity Theft in Student Financial Transactions, BP-6140- College Speakers**  
Discussion/Approval
- On a motion made by Trustee Milchiker and seconded by Trustee Jay this item was approved on a 6-0 vote.
- 6.3 **SOCCCD: Board Policy Revision: BP-3110-Basic Aid Funds Allocation Process, BP-4211-Retirement Benefits for Administrators and Classified Management Personnel, BP-4081-Payroll Deductions, BP-4020-**

**Designated Administrators and Classified Management Personnel, BP-4076-Compensation**

Accept for review and study.

On a motion made by Trustee Milchiker and seconded by Trustee Meldau this item was approved on a 6-0 vote.

- 6.4 **SOCCCD: Adopt Resolution No. 11-23: Classified Employee Layoffs**  
Adopt resolution to approve the reductions and/or discontinuance of classified services.

This item was pulled by administration.

- 6.5 **SOCCCD: Academic Personnel Actions – Regular Items**  
Approve New Personnel Appointments, Administrative Reassignment, Authorization to Eliminate an Academic Administrative Position and/or Position Numbers, Authorization to Change Organization Reporting Structure and Realignment, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund.

On a motion made by Trustee Lang and seconded by Trustee Jay this item was approved on a 6-0 vote.

- 6.6 **SOCCCD: Classified Personnel Actions – Regular Items**  
Approve New Personnel Appointments, Authorization to Eliminate Classified Position and/or Position Numbers, Authorization to Establish and Announce a Classified Position, Authorization to Change a Classified Position, Change of Status, Out of Class Assignments, Resignation/Retirement/Conclusion of Employment, Clarification on Prior Personnel Agenda, Volunteers.

On a motion made by Trustee Prendergast and seconded by Trustee Lang this item was approved on a 6-0 vote.

- 6.7 **SOCCCD: Adoption of Resolution No. 11-24 Authorizing Intra-Budget Transfer of Appropriations at Close of Fiscal Year 2010-2011**  
Approve Resolution No. 08-21 to grant the Orange County Department of Education the authority to make necessary year-end budget transfers.

On a motion made by Trustee Prendergast and seconded by Trustee Milchiker this item was approved on a 6-0 vote.

**7.0 REPORTS**

- 7.1 **SOCCCD: CCCT Student Trustee Member Election - 2011**  
Seven student trustees have been nominated to run for the position of Student Trustee member on the CCCT Board.

- 7.2 **SOCCCD: Basic Aid Report**  
Report on projected receipts and approved projects.

**7.3 SOCCCD: Facilities Plan Status Report**

Status of current construction projects.

**7.4 SOCCCD: Retiree (OPEB) Trust Fund**

This report is for the period ending June 30, 2011.

**8.0 WRITTEN REPORTS**

*Reports by the following individuals and groups should be written and submitted through the docket process prior to distribution of the Board agenda packet.*

- A. Saddleback College Academic Senate
- B. Faculty Association
- C. Irvine Valley College Academic Senate
- D. Associate Vice Chancellor, Economic Development
- E. President, Irvine Valley College
- F. President, Saddleback College
- G. Vice Chancellor, Technology & Learning Services
- H. Vice Chancellor, Human Resources
- I. Vice Chancellor, Business Services
- J. Irvine Valley College Classified Senate
- K. California School Employees Association
- L. Saddleback College Classified Senate
- M. Police Officers' Association
- N. Associated Student Government of SC
- O. Associated Student Government of IVC

**9.0 ADDITIONAL ITEMS**

**ADJOURNMENT** (or continuation of closed session if required): **9:00 P.M.**

The meeting adjourned at 6:56 p.m.



Gary L. Poertner, Secretary