

**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
August 29, 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 (6)
 - a. Public Employee Discipline/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 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]) (1 case)

RECONVENE OPEN SESSION: 6:00 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

2.2 Invocation

Led by Trustee Bill Jay

2.3 Pledge of Allegiance

Led by Trustee David Lang

2.4 Resolutions / Presentations / Introductions

Resolution: Irvine Valley College - Model Classified Senate Award 2011

Resolution: Irvine Valley College - Classified Senate Vision Award 2011

Resolution: District Sherpa Technical Development Team

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

None

Trustee Padberg requested item 5.8 be pulled from the consent calendar and item 7.3 be advanced. Trustee Prendergast requested to pull and vote separately on item 5.12.

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 Lang and seconded by Trustee Jay 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 July 25, 2011.

5.2 Irvine Valley College: Donation of Reference Books

Approve the donation of Reference Literary materials to the Yorba Linda High School Library.

5.3 Irvine Valley College: Faculty Hiring Addendum for the 2011-12 Academic Year

Approve the position announcement and recruitment of new full-time faculty, contingent upon funding.

5.4 Irvine Valley College: Sub-Award Grant Acceptance

Approve acceptance of a sub-award grant for \$12,319.00 from the Rancho Santiago Community College District for the Faculty Entrepreneurship Project. These funds will allow development of curriculum and complete the

process for a state-approved Entrepreneurship Certificate of Achievement. The project is in effect through June 15, 2012

- 5.5 **Irvine Valley College: Award of Bid: Campus Wide Exterior Way-Finding System**
Approve agreement with A Good Sign & Graphics Co., in the amount of \$314,180.00.
- 5.6 **Irvine Valley College: Substitution of Subcontractor: Life Sciences Project: Palomar Casework, Inc.**
Approve the removal of Palomar Casework, Inc. and approve its substitution with Advanced Lab Concepts, Inc.
- 5.7 **Saddleback College: Student Out of State Travel: Orlando, Florida**
Approve the out-of-state travel request for up to six students and a Saddleback College staff member to attend the October 26, 2011 through October 30, 2011 College Broadcasters/ Associated Collegiate Press/College Media Advisers Conference in Orlando, Florida at a cost not to exceed \$8,522.
- 5.8 **Saddleback College: Sale of Theater Arts Surplus Under \$5,000 Per Year**
Approve the private sale of surplus theatre items not to exceed a value of \$5,000.00 per fiscal year.
- This item was pulled.
- 5.9 **Saddleback College: Substitution of Subcontractor: James B. Utt Memorial Learning Resource Center Renovation: Darracq Concrete, Inc.**
Approve removal of Darracq Concrete, Inc. and its substitution by PBC Commercial, Inc.
- 5.10 **Saddleback College: Award of Bid: Main Electrical Room Site Drainage**
Approve agreement with Atom Engineering Construction, Inc. in the amount of \$223,398.00.
- 5.11 **SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting**
Adopt resolution 11-26 (Exhibit A) authorizing payment to Trustee Fuentes who was absent from the July 25, 2011 Meeting of the Board of Trustees.
- 5.12 **SOCCCD: Agreement for Special Services: Atkinson, Andelson, Loya, Ruud & Romo**
Approve agreement for legal services with an increase of \$5.00 per hour over previous rates.

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

- 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 P11-05135 through P11-05141 amounting to \$23,765.37 and P12-00649 through P12-01183 amounting to \$26,936,365.33. Approve confirming requisitions dated July 6, 2011 through August 9, 2011 totaling \$77,349.15.
- 5.15 **SOCCCD: Payment of Bills**
Approve check no. 150221 through 151305 processed through the Orange County Department of Education, totaling \$7,860,840.17; and check no. 010183 through 010234, processed through Saddleback College Community Education, totaling \$99,123.49; and check no. 008887 through 008906, processed through Irvine Valley College Community Education, totaling \$160,988.55.
- 5.16 **SOCCCD: July/August 2011 Contracts**
Ratify contracts as listed.
- 5.17 **SOCCCD: Renewal of Microsoft Agreements for District-wide Software Use**
Approve the renewal of software licensing agreements for District-wide Microsoft software licensing for the 2011-12 academic year with ComputerLand of Silicon Valley at a cost not to exceed \$130,000.

6.0 GENERAL ACTION ITEMS

- 6.1 **Saddleback College and Irvine Valley College: SC ASG and ASIVC Final Budgets**
Approve Saddleback College and IVC student government budgets.
- On a motion made by Trustee Jay and seconded by Trustee Prendergast the SC ASG Final Budget was approved on a 6-0 vote.
- On a motion made by Trustee Milchiker and seconded by Trustee Prendergast the AS IVC Final Budget was approved on a 6-0 vote.
- 6.2 **SOCCCD: Adoption of the Final Budget for FY 2011-2012**
Approve the Final Budget as presented.
- On a motion made by Trustee Prendergast and seconded by Trustee Meldau this item was approved on a 6-0 vote.
- 6.3 **Saddleback College: Donation of Saddleback College Memorabilia to the Ronald W. Reagan Library and Museum**
Approve donations as presented by President Tod Burnett. In honor of Ronald Reagan and his long-standing connection to Saddleback College,

and to preserve important items of historical significance, Saddleback College will donate various memorabilia to the Ronald W. Reagan Library and Museum on behalf of the college and South Orange County Community College District.

On a motion made by Trustee Padberg and seconded by Trustee Lang this item was tabled until next meeting on a 5-1 vote with Trustee Milchiker casting a negative vote.

6.4 Saddleback College: Renovate Technology and Applied Sciences Building: Hire Architect

Approve agreement with gkkworks to provide architectural and engineering services for a fee equal to \$685,000.

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

6.5 Saddleback College: James B. Utt Memorial Learning Resource Center Renovation: Change Order Request No. 2

Approve change order request increasing the contract amount by \$324,914. The revised contract total amount is \$12,864,289.

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

6.6 Saddleback College: Pool Deck Replacement: Change Order Request No. 2 and Notice of Completion

Approve change order request increasing the contract amount by \$24,852.28 and authorize the filing of the Notice of Completion. The revised total contract amount is \$1,109,586.28.

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

6.7 Saddleback College: Proposed Division Name

Approve the permanent division name change from Liberal Arts and Learning Resources to Liberal Arts.

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

6.8 Irvine Valley College: Basic Aid Funding Reallocation of \$2.7 million from the Business Sciences and Technology Innovation Project to the Fine Arts Project

Approve reallocation of \$2.7 million dollars from the IVC BSTIC project back to the IVC Fine Arts project.

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

- 6.9 **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 Discussion/Approval.**

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

- 6.10 **SOCCCD: Board Policy Revision: BP-4054: Political Activities, BP-4020: Designated Administrators and Classified Management Personnel, BP-6150: Study Abroad Programs, BP-5408: Classroom Supervision, BP-4101: Salary Schedules and Annual Step Increments for Administrators and Classified Management Personnel, BP-4102: Salary Schedule Placement for Administrators, Classified Management and Classified Bargaining Unit Employees, BP-4111: Leave for Administrators and Classified Management Personnel, BP-5640: Service Animals**
Accept for Review and Study

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

- 6.11 **SOCCCD: Resolution No. 11-25: Authorize Administration for Section 125 Flexible Spending Account Benefits Plan**
Approve resolution authorizing SISC as the District's Section 125 Plan administrator.

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

- 6.12 **SOCCCD: Adopt Resolution No. 11-27: Potential Classified Employee Layoff**
Potential adoption of Resolution 11-27 to reduce four grant funded classified positions pending receipt of NSF monies.

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

- 6.13 **SOCCCD: Academic Personnel Actions – Regular Items**
Approve New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Administrative Appointment, Authorization to Eliminate an Academic Administrative Position and/or Position Numbers, Authorization to Establish an Academic Administrative Position, Authorization to Change Organization Reporting Structure and Realignment, Change of Status, Workload Banking, Resignation/Retirement/Conclusion of Employment.

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

6.14 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 Reorganize Reporting Structure for a Classified Position, Authorization to Change a Classified Position, Change of Status, Out of Class Assignments, Resignation/Retirement/Conclusion of Employment, Volunteers.

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 Irvine Valley College and Saddleback College: Speakers

A listing of speakers for events and/or classes at Saddleback College.

7.2 SOCCCD: Confirmation of Dissolution of Nonprofit Corporation.

The filing for the SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT FACILITIES CORPORATION has been processed and formally completed.

7.3 SOCCCD: Development of District-wide Strategic Plan

A draft plan of the short term strategic plan is being provided to the Board of Trustees for the purpose of information and review.

7.4 SOCCCD: Basic Aid Report

Report on projected receipts and approved projects.

7.5 SOCCCD: Facilities Plan Status Report

Status of current construction projects.

7.6 SOCCCD: Quarterly Financial Status Report

Report is as of June 30, 2011 for the 2010-2011 fiscal year.

7.7 SOCCCD: Quarterly Investment Report

This report is for the quarter ending on June 30, 2011.

7.8 Transfer of Appropriations at Close of Fiscal Year 2010-2011

On August 8, 2011, the OCDE made budgetary transfers as reflected in Exhibit A.

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 was adjourned at 8:39 p.m.



Gary L. Poertner, Secretary