

**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
April 29, 2013**

PRESENT

Members of the Board of Trustees:

Nancy M. Padberg, President
T.J. Prendergast, Vice President
Marcia Milchiker, Clerk
Bill Jay, Member
Timothy Jemal, Member
David B. Lang, Member
James R. Wright, Member
Heather Park, Student Member

Administrative Officers:

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

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 Discipline/Dismissal/Release/Employment (GC Section 54957) (8)
 - 1. Public Employee Discipline/Dismissal/Release (2)
 - a. Nursing Instructor (1)
 - b. Publication Technician (1)
 - 2. Public Employee Employment (6)
 - a. Vice President for Instruction, Saddleback College (1)
 - b. Fashion Instructor (1)
 - c. Director of Economic and Workforce Development (1)
 - d. Nurse (1)
 - e. Custodian (1)
 - f. Police Officer (1)
- B. Conference with Real Property Negotiators (GC Section 54956.8)(1)
 - 1. Lease of Property by District: Portion of Saddleback College site: MG Promenade Apartments LLC, 28032 Marguerite Parkway, Mission Viejo
 - a. Agency Designated Negotiator: Debra Fitzsimons, Ph.D. regarding price, terms and terms of payment.
- C. Conference with Legal Counsel (GC Section 54956.9)
 - 1. Anticipated Litigation (GC Section 54956.9(b)(1))

RECONVENE OPEN SESSION: 6:00 P.M.

It is the Board's intent to reconvene in public session at the time specified herein. If closed session business has not been completed by the time public session is scheduled to be reconvened, the Board may either remain in closed session longer, or reconvene in public and again recess to a closed session after completion of the public agenda. After the completion of any subsequent closed session, the Board shall again reconvene in public, and make any necessary reports of action taken before adjourning the meeting.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

On a 7-0 vote, the board voted to rescind the board's decision to non-renew a tenure track faculty member's contract and, in lieu, accept the faculty member's resignation.

On a 7-0 vote, the board voted to approve initiation of termination proceedings of a full-time classified employee.

On a 7-0 vote, the board voted to deny appeal of a full-time faculty member.

On a 7-0 vote, the voted to extend benefits for one month, with no leave granted, to a classified manager.

On a 7-0 vote, the board voted to approve request for an extended leave without pay with benefits for three months to a custodian.

On a 7-0 vote, the board voted to reject the claim filed by William Simpson against the district and refer it to the District's insurance administrator for processing.

2.2 Invocation

Led by Trustee Nancy Padberg

2.3 Pledge of Allegiance

Led by Trustee Marcia Milchiker

2.4 Resolutions/Commendations

A. Resolutions

1. Heather Park, Student Trustee
2. Classified Employees Week
3. Scott Fier, Professor of the Year, Saddleback College
4. Farida Gabdrakhmanova, Associate Professor of the Year, Saddleback College
5. Melinda Smith, Emeritus Professor of the Year, Saddleback College
6. Diana Hurlbut, Professor of the Year, Irvine Valley College
7. Mercedes Julian, Associate Professor of the Year, Irvine Valley College
8. Annette Hernandez, Emeritus Professor of the Year, Irvine Valley College
9. Model UN Team, Irvine Valley College

B. Commendations

None

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 up to two minutes each.***

3.0 REPORTS

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

- A. Board Reports
- B. Chancellor's Report
- C. College Presidents' Reports (*Written Reports included in Section 8.0*)
- D. Board Request(s) for Reports

4.0 DISCUSSION ITEMS

4.1 **Saddleback College and Irvine Valley College: Student Success Task Force Recommendation 6 – “Revitalize and Re-Envision Professional Development”**

A presentation on Recommendation 6 of the California Community Colleges Student Success Task Force.

IVC Professor Roopa Mathur and SC Dean Kevin O'Connor outlined proposed recommendations for revitalizing and re-envisioning professional development throughout both colleges.

Trustee Padberg announced an amendment to the September 24, 2012 meeting minutes. At that meeting, the board voted unanimously to recommend funding of the unfunded retiree health benefit liability. The amendment will reflect that the board voted on Option 5. At tonight's meeting, the board voted on the amendment. The motion made by Trustee Milchiker and seconded by Trustee Jemal carried unanimously in the affirmative.

Vice Chancellor Fitzsimons requested to pull item 5.10.

Trustee Padberg requested to pull item 5.12.

On a motion made by Trustee Prendergast and seconded by Trustee Milchiker, the balance of the consent calendar was approved on a 7-0 vote.

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. .

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

Approve minutes of a Regular Meeting held on March 18, 2013.

- 5.2 **Irvine Valley College: Honors Psychology, Out-of-State Travel**
Approve the out of state travel request for the honors program to attend a professional psychology conference in Reno, Nevada, from April 25-28, 2013. All costs including travel, food, lodging, and incidentals will be paid by the Psychology/Psi Beta Foundation account and the individuals. There is no impact on the general fund.
- 5.3 **Irvine Valley College: Mobile Modular Management Corporation Lease Agreement-Addendum No. 2**
Approve lease agreement addendum with Mobile Modular Management Corporation at a cost of \$31,262.
- 5.4 **Irvine Valley College: Cafeteria Operations Services – Amendment No. 1**
Approve amendment with S & B Foods for the first two one-year extension to their agreement.
- 5.5 **Irvine Valley College: Life Sciences Building, Change order No. 11**
Approve change order requests for the Irvine Valley College Life Sciences project and authorize staff to execute the corresponding change order.
- 5.6 **Saddleback College: Soft Drink Supplier Agreement – Amendment No. 2**
Approve amendment for the second of the two one-year renewal options with Bottling Group, LLC from July 1, 2013 to June 30, 2014.
- 5.7 **Saddleback College: Cox (Sprint/Nextel) Lease Agreement – Amendment No. 3**
Approve amendment with Cox for the third of five additional five year extensions from January 1, 2012 to December 31, 2016 for an annual lease amount of \$21,600 paid to the College.
- 5.8 **Saddleback College: Cosmetology and Cosmetician Hair California Beauty College Academy Agreement Amendment No. 2**
Approve amendment to the agreement with Hair California Beauty Academy to renew the term for the second one-year extension.
- 5.9 **Saddleback College: Cosmetology and Cosmetician Agreement Amendment No. 4 to Advance Beauty College (formerly Lake Forest Beauty College)**
Approve amendment for a one year extension with Advance Beauty College.
- 5.10 **Saddleback College: Sciences Building Project: Architectural Agreement Amendment No. 2**
Approve amendment with Dougherty & Dougherty Architects, LLP

increasing the contract amount by \$27,500. The total revised contract amount is \$2,648,500.

Vice Chancellor Fitzsimons announced a correction to the item. The last sentence under "Background" should state a date of April 30, 2012 and the dollar amount should reflect \$2,621,000.

On a motion made by Trustee Jay and seconded by Trustee Wright, this item was approved on a 7-0 vote.

5.11 Saddleback College: Construction Management Services – Amendment No. 1

Approve amendment with Michael E. Wilson increasing the amount by \$150,000. The total revised contract amount is \$573,504.

5.12 Saddleback College: Foreign Language Services (FLS) International Lease Agreement

Approve the agreement with Foreign Language Services International for a 3 year term at a monthly rental rate of \$10,243.

This item was pulled from the consent calendar and will be submitted at a later date.

5.13 Saddleback College: Certificates/Degrees Revision for the 2013-14 Academic Year

Approve the proposed changes in curriculum.

5.14 Saddleback College: Annual California Association for Alcohol & Drug Educators (CAADE) Conference

Approve the eligible student to attend the California Association for Alcohol & Drug Educators Annual Convention in Reno, Nevada.

5.15 Saddleback College and Irvine Valley College: Speakers

Approve general fund honoraria for speakers for events and/or classes at Saddleback College and Irvine Valley College.

5.16 ATEP: Award of Bid No. 14, Site Foundation and Infrastructure Demolition

Approve the agreement with U.S. Demolition, Inc., in the amount of \$1,350,006.

5.17 SOCCCD: Contract with Neudesic LLC for Software Development

Approved contract with Neudesic for software development in the amount of \$45,000.

- 5.18 **SOCCCD: Education Protection Account Funds**
Approve EPA funds spending plan for FY 2012-2013.
- 5.19 **SOCCCD: Legal Services: Atkinson, Andelson, Loya, Ruud & Romo**
Approve increase in spending limit to \$440,000 for Atkinson, Andelson, Loya, Ruud & Romo contracts for FY 2012-2013.
- 5.20 **SOCCCD: Professional Services for Irvine Valley College A-400 Design-Build, Design and Construction Phase**
Approve the agreement with Alternative Delivery Solutions, LLC for an hourly fee of \$185.00 per hour not to exceed \$130,240.
- 5.21 **SOCCCD: District-wide Wireless Network Refresh**
Approve the use of the CMAS contracts with Presidio for an additional amount of \$60,000. The total revised estimated expenditure is \$408,867.91.
- 5.22 **SOCCCD: Budget Amendment: Adopt Resolution No. 13-12 to Amend FY 2012-2013 Adopted Budget**
Adopt resolution to amend the FY 2012-2013 Adopted Budget.
- 5.23 **SOCCCD: Gifts to the District and Foundations**
Accept donations to the District and/or the Foundations as listed.
- 5.24 **SOCCCD: Transfer of Budget Appropriations**
Approve the transfer of budget appropriations.
- 5.25 **SOCCCD: March/April 2013 Contracts**
Ratify contracts as listed.
- 5.26 **SOCCCD: Purchase Order/Confirming Requisitions**
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P13-03325 through P13-03848 amounting to \$1,804,489.91 and P14-00001 through P14-00024 amounting to \$102,276.91. Approve confirming requisitions dated February 27, 2013 through April 10, 2013 totaling \$641,740.37.
- 5.27 **SOCCCD: Payment of Bills**
Approve check no. 167104 through 168359 processed through the Orange County Department of Education, totaling \$5,972,627.08; and check no. 010610 through 010627, processed through Saddleback College Community Education, totaling \$185,977.06; and check no. 009087 through 009098, processed through Irvine Valley College Community Education, totaling \$78,065.48.

6.0 GENERAL ACTION ITEMS

6.1 Saddleback College & Irvine Valley College: 2013-2014 Student Health Fee Increase

Approve student health fee increase of \$1 for the 2013-2014 academic year.

On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved on a 7-0 vote.

6.2 SOCCCD: 2014-2015 Academic Calendar

Approve the proposed Academic Calendar for 2013-2014

On a motion made by Trustee Lang and seconded by Trustee Prendergast, this item was approved on a 6-1 vote with Trustee Wright casting a negative vote.

6.3 Saddleback College: Energy Master Supply Contracts

Approve two NAESB agreements with an estimated annual cost of \$600,000 for a five year total contract amount of \$3,000,000 commencing on July 1, 2013.

On a motion made by Trustee Lang and seconded by Trustee Jemal, this item was approved on a 7-0 vote.

6.4 Saddleback College: 2013-14 Additional Faculty Hiring Request

Approve the announcement of the position and recruitment of a full-time speech faculty replacement position, contingent upon funding, at Saddleback College for the 2013-2014 academic year.

On a motion made by Trustee Lang and seconded by Trustee Jay, this item was approved on a 7-0 vote.

**6.5 SOCCCD: Board Policy Revision: BP-100: The South Orange County Community College District, BP-101: Mission, BP-103: Board Membership, BP-105: Organization of the Governing Board, BP-106: Board Elections, BP-108: Vacancies of the Board
Discussion/Approval**

On a motion made by Trustee Jemal and seconded by Trustee Prendergast, this item was approved on a 7-0 vote.

6.6 SOCCCD: Board Policy Revision: BP-3811: College Bookstores, BP 5230: Athletics, BP-2100.2: Role and Scope of Authority of the Academic Senates, BP-5625: Students in the Military, BP-4113: Parental Leave for Administrators and Classified Management

Personnel, BP-109: Board Education, BP-112: Duties and Responsibilities of the Board of Trustees, BP-118: Committees of the Board, BP-120: Regular Meetings of the Board, BP-122: Closed Sessions, BP-124: Special and Emergency Meetings, BP-5601: Certificate Programs, BP-2120: Institutional Planning
Accept for review and study.

On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved on a 7-0 vote.

- 6.7 **SOCCCD: Request to Revise Sabbatical Project for Spring 2013**
Approve recommendation from Sabbatical Committee to revise approved sabbatical project.

On a motion made by Trustee Lang and seconded by Trustee Jay, this item was approved on a 7-0 vote.

- 6.8 **SOCCCD: SOCCCD Adopt Resolution No. 13-13 Classified Employee Layoff**
Adopt resolution to approve the discontinuance of classified service.

On a motion made by Trustee Jay and seconded by Trustee Lang, this item was approved by roll call vote.

- 6.9 **SOCCCD: Academic Personnel Actions – Regular Items**
Approve New Personnel Appointments, 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 7-0 vote.

- 6.10 **SOCCCD: Classified Personnel Actions – Regular Items**
Approve New Personnel Appointments, Authorization to Establish and Announce a Classified Position, Change of Status, Out of Class Assignments, Resignation/ Retirement/Conclusion of Employment, Volunteers.

On a motion made by Trustee Jemal and seconded by Trustee Milchiker, this item was approved on a 7-0 vote.

7.0 REPORTS

- 7.1 **Saddleback College and Irvine Valley College: Professors of the Year**
Saddleback College and Irvine Valley College Professors of the Year

- 7.2 **SOCCCD: Part-time Faculty Appreciation Month**
Representatives from the Faculty Association will recognize part-time faculty appreciation month at SOCCCD.
- 7.3 **Saddleback College and Irvine Valley College: Veterans Services**
A written report outlining the veterans services provided at Saddleback College and Irvine Valley College (report request made by Trustee Jim Wright at the February Board of Trustees meeting).
- 7.4 **Saddleback College and Irvine Valley College: Speakers**
A listing of speakers for events and/or classes at Saddleback College and Irvine Valley College.
- 7.5 **SOCCCD: Becoming Fiscally Accountable**
Development of proper internal controls and audit function to submit application for district to become fiscally accountable.
- 7.6 **SOCCCD: List of Board Requested Reports**
Report to provide status of board requested reports.
- 7.7 **SOCCCD: Basic Aid Report**
Report on projected receipts and approved projects.
- 7.8 **SOCCCD: Facilities Plan Status Report**
Status of current construction projects.
- 7.9 **SOCCCD: Monthly Financial Status Report**
The reports display the adopted budget, revised budget and transactions through March 31, 2013.
- 7.10 **SOCCCD: Retiree (OPEB) Trust Fund**
The report is for period ending March 31, 2013.
- 7.11 **SOCCCD: Quarterly Financial Status Report**
The report is for the period ending March 31, 2013.

8.0 REPORTS FROM ADMINISTRATION AND GOVERNANCE GROUPS


*Reports by the following individuals and groups may be written and submitted through the docket process prior to distribution of the Board agenda packet. **Speakers are limited to two minutes each.***

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

9.0 ADDITIONAL ITEMS

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

The meeting was adjourned at 8:12 p.m.


Gary L. Poertner, Secretary