

SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT
AUDITORIUM, ROOM 145, HEALTH SCIENCES/DISTRICT OFFICES BLDG., SADDLEBACK
COLLEGE

**MINUTES OF THE BOARD OF TRUSTEES' MEETING
August 27, 2007**

CALL TO ORDER: 5:00 P.M.

PRESENT

Members of the Board of Trustees:

David B. Lang, President
Donald P. Wagner, Vice President
Thomas A. Fuentes, Clerk
William O. Jay, Member
Marcia Milchiker, Member
Nancy M. Padberg, Member
John S. Williams, Member
Matthew Reynard, Student Member

Administrative Officers:

Raghu P. Mathur, Chancellor
Gary Poertner, Deputy Chancellor
Andreea Serban, Vice Chancellor, Technology and Learning Services
Rober E. King, Vice Chancellor, Human Resources
Richard D. McCullough, President, Saddleback College
Glenn Roquemore, President, Irvine Valey College
Robert J. Kopecky, Provost, ATEP

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 54957)

1. Public Employee Appointment/Employment

2. Public Employee Evaluation of Performance

3. Public Employee Discipline/Dismissal/Release (4)

B. Conference with Labor Negotiators (GC 54957.6)

1. Negotiator - Dr. Raghu Mathur; SOCCCD Faculty Association

2. Negotiator - Dr. Raghu Mathur; California School Employees Association (CSEA), Chapter 586

C. Conference with Real Property Negotiators (GC 54956.8)

1. Property - Use of Portion of Advanced Technology and Education Park (ATEP) Property at 15445 Lansdowne Road, Tustin, CA Agency Designated Representative - Dr. Raghu Mathur; Negotiating Parties (1) Camelot Entertainment; (2) CSU-Fullerton - biotech proposal; (3) CSU-Fullerton (entertainment arts/Irvine campus programs); (4) Young Americans; and (5) Chapman University/University College. Under Negotiation - Price and Terms of Payment

2. Property - Use of Portion of Irvine Valley College at 5500 Irvine Center Drive, Irvine, CA Agency Designated Representative - Dr. Raghu Mathur; Negotiating Parties - Novaquatics Under Negotiation - Price and Terms of Payment

D. Conference with Legal Counsel (GC 54956.9)

1. Existing Litigation (GC 54956.9[a])

a. Crosby v. SOCCCD

2. Anticipated Litigation/Significant Exposure to Litigation (GC54956.9[b][1] and [3] [A]) (3)

3. Initiation of Litigation (GC 54956.9[c]) (3)

RECONVENE OPEN SESSION: 6:00 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

2.2 Invocation Led by Trustee Jay

2.3 Pledge of Allegiance Led by Trustee Williams

2.4 Resolutions/Presentations/Introductions

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.

3.2 Board Reports

Reports were given by Trustees Padberg, Wagner, Milchiker, Williams and Student Trustee Reynard.

3.3 Chancellor's Report

3.4 Board Requests for Reports

4.0 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.

4.4 SOCCCD: Computer Hardware to Support District-wide Email/Calendar System Replacement Approve contract with Agilysys, Inc. for IBM hardware at a cost of \$134,020.97.

On a motion made by Trustee Padberg and seconded by Trustee Jay the Board approved on a 7-0 vote all items on the consent calendar except for items 4.9, 4.15, 4.16, 4.17 and 4.18 which were pulled.

4.1 SOCCCD: Board of Trustees Meeting Minutes Approve of minutes of a special meeting on July 19, 2007 and a regular meeting on July 23, 2007.

4.2 Saddleback College: Student Out of State Travel Approve out-of-state travel for up to four students to attend Collegiate Broadcasters/Associated Collegiate Press/College Media Advisers Conference in Washington D.C. at a cost not to exceed \$6,400 from the KSBR Foundation account budget.

4.3 Saddleback College: Speakers Approve general fund honorarium and travel expenses for speakers at the Saddleback College.

4.5 SOCCCD: Computer Equipment and Related Devices Approve contracting with Dell Marketing LP for the purchase of computer equipment and related devices pursuant to the Master Price Agreement No. A63307.

4.6 Irvine Valley College: Notices of Completion: Performing Arts Center/Theater Approve the filing of the notices of completion for the construction of the Performing Arts Center/Theater.

4.7 Irvine Valley College: Change Order Requests: Performing Arts Center/Theater Approve change order requests with several trade contractors increasing the project

amount by \$44,599.00. The total revised contract amount is \$26,741,010.00.

4.8 Irvine Valley College: Change Order Request No. 4: Police and Warehouse Facility Approve change order with Dumarc Corporation increasing the contract amount by \$25,618.79. The total revised contract amount is \$1,959,119.80.

4.9 Saddleback College: Change Order Request No. 1: BGS Building Remediation and Repair Approve change order with Harbor Construction Co., Inc. increasing the contract amount by \$218,198.00. The total revised contract amount is \$6,782,198.00.

This item was pulled from the agenda.

4.10 ATEP: Change Order Request No. 5: Site Improvements and Signage for the Launch Approve change order request with Los Angeles Engineering, Inc. increasing the contract amount by \$2,768.21. The total revised contract amount is \$2,234,055.92

4.11 SOCCCD: July/August 2007 Contracts Ratify contracts as listed.

4.13 SOCCCD: Payment of Bills Approve Check Nos. 061966 through 063114, processed through the Orange County Department of Education, totaling \$8,984,232.08; Check Nos. 008981 through 009023, processed through Saddleback College Community Education, totaling \$72,593.71; and Check Nos. 008311 through 008338, processed through Irvine Valley College Community Education, totaling \$21,286.78.

4.12 SOCCCD: Purchase Orders/Confirming Requisitions Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P08-00488 through P08-01159 amounting to \$5,833,891.10. Approve confirming requisitions dated July 2, 2007 through August 7, 2007 totaling \$85,007.57.

4.14 SOCCCD: Gifts to the District and Foundations Accept various donated items.

4.15 SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting Approve payment to Trustee unable to attend regular Board Meeting.

On a motion made and seconded the board approved this item on a 7-0 vote.

4.16 SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting Approve payment to Trustee unable to attend special Board Meeting.

On a motion made and seconded the board approved this item on a 6-0 vote with Trustee Fuentes abstaining.

4.17 SOCCCD: Authorization of Payment to Student Trustee Absent from Board Meeting Approve payment to Student Trustee unable to attend special Board Meeting.

On a motion made by Trustee Williams and seconded by Trustee Wagner this item was approved on a 7-0 vote.

**4.18 SOCCCD: Trustees Requests for Travel to Conferences
Approve/ratify requests for trustee travel and/or mileage.**

On a motion made by Trustee Williams and seconded by Trustee Wagner this item was approved on a 7-0 vote.

5.0 GENERAL ACTION ITEMS

5.1 SOCCCD: Adoption of the Final Budget for 2007-2008 Approve the budget as presented.

On a motion made by Trustee Williams and seconded by Trustee Wagner this item was approved on a 7-0 vote.

**5.2 SOCCCD: Board Policy Revision: BP 100: The South Orange County Community College District, BP 101: Mission, BP 102: Functions of the Governing Board, BP 103: Board Membership, BP 104: Student Member of the Board of Trustees, BP 105: Organization of the Governing Board, BP 106: Board Elections, BP 107: Board Policy and Administrative Regulation, BP 108: Vacancies of the Board, BP 109: Board Education, BP 112: Duties and Responsibilities of the Board of Trustees, BP 120: Regular Meetings of the Board, BP 122: Closed Sessions, BP 124: Special and Emergency Meetings, BP 126: Quorum and Voting, BP 128: Agendas, BP 130: Public Participation at Board Meetings, BP 132: Speakers, BP 134: Decorum, BP 136: Minutes, BP 138: Recording, BP 146: Chancellor Succession, BP 148: Evaluation of the Chancellor, BP 152: Presentation of Initial Collective Bargaining Proposals, BP 154: Conflict of Interest, BP 158: Political Activity, BP 160: Personal Use of Public Resources, BP 162: Communications Among Board Members, BP 164: Board Member Compensation, BP 166: Health Benefits, BP 168: Board Member Travel, BP 172: Board Self Evaluation
Approve Board Policies as presented.**

A motion was made by Trustee Padberg and seconded by Trustee Jay to separate the question. Motion passed on a 4-3 vote with Trustees Fuentes, Williams and Wagner opposing.

On a motion made by Trustee Jay and seconded by Trustee Milchiker, BP 100 was approved on a 7-0 vote.

On a motion made by Trustee Jay and seconded by Trustee Milchiker, BP 101 was approved on a 6-1 vote with Trustee Padberg opposing.

On a motion made by Trustee Williams and seconded by Trustee Jay, deletion of BP 102 was approved on a 7-0 vote.

On a motion made by Trustee Wagner and seconded by Trustee Williams, BP 103 was approved on a 5-2 vote with Trustees Padberg and Jay opposing.

On a motion made by Trustee Williams and seconded by Trustee Wagner, BP 104 was approved on a 6-1 vote with Trustee Padberg opposing.

On a motion made by Trustee Williams and seconded by Trustee Wagner, BP 105 was approved on a 7-0 vote.

On a motion made by Trustee Williams and seconded by Trustee Wagner, BP 106 was approved on a 6-1 vote with Trustee Padberg opposing.

On a motion made by Trustee Wagner and seconded by Trustee Williams, BP

107 was approved on a 7-0 vote.
On a motion made by Trustee Jay and seconded by Trustee Williams, BP 108 was approved on a 7-0 vote.
On a motion made by Trustee Jay and seconded by Trustee Williams, BP 109 was approved on a 7-0 vote.
On a motion made by Trustee Wagner and seconded by Trustee Milchiker, BP 112 was approved on a 7-0 vote.
On a motion made by Trustee Wagner and seconded by Trustee Williams, BP 120 was approved on a 7-0 vote.
On a motion made by Trustee Wagner and seconded by Trustee Williams, BP 122 was approved on a 7-0 vote.
On a motion made by Trustee Wagner and seconded by Trustee Williams, BP 124 was approved on a 7-0 vote.
On a motion made by Trustee Milchiker and seconded by Trustee Williams, BP 126 was approved on a 7-0 vote.
On a motion made by Trustee Williams and seconded by Trustee Wagner, BP 128 was approved on a 7-0 vote.
On a motion made by Trustee Williams and seconded by Trustee Wagner, BP 130 was approved on a 7-0 vote.
On a motion made by Trustee Williams and seconded by Trustee Jay, BP 132 was approved on a 7-0 vote.
On a motion made by Trustee Wagner and seconded by Trustee Fuentes, BP 134 was approved on a 7-0 vote.
On a motion made by Trustee Wagner and seconded by Trustee Jay, BP 136 was approved on a 7-0 vote.
On a motion made by Trustee Wagner and seconded by Trustee Fuentes, BP 138 was approved on a 5-2 vote with Trustees Jay and Padberg opposing.
On a motion made by Trustee Williams and seconded by Trustee Wagner, BP 146 was approved on a 4-3 vote, with Trustees Jay, Padberg and Milchiker opposing.
On a motion made by Trustee Wagner and seconded by Trustee Williams, BP 148 was approved on a 7-0 vote.
On a motion made by Trustee Wagner and seconded by Trustee Williams, BP 152 was approved on a 7-0 vote.
On a motion made by Trustee Milchiker and seconded by Trustee Wagner, BP 154 was approved on a 7-0 vote.
On a motion made by Trustee Wagner and seconded by Trustee Milchiker, BP 158 was approved on a 7-0 vote.
On a motion made by Trustee Williams and seconded by Trustee Milchiker, BP 160 was approved on a 7-0 vote.
On a motion made by Trustee Milchiker and seconded by Trustee Wagner, BP 162 was approved on a 7-0 vote.
On a motion made by Trustee Williams and seconded by Trustee Milchiker, BP 164 was approved on a 7-0 vote.
On a motion made by Trustee Williams and seconded by Trustee Wagner, BP

166 was approved on a 7-0 vote.

On a motion made by Trustee Jay and seconded by Trustee Milchiker, BP 168 was approved on a 7-0 vote.

On a motion made by Trustee Milchker and seconded by Trustee Wagner, BP 172 was approved on a 6-1 vote with Trustee Jay opposing.

5.3 SOCCCD: Academic Administrators and Classified Management Salary Schedule: COLA for 2007-2008, 2008-2009 and 2009-2010 Approve increase to the Academic Administrators and Classified Management salary schedules equal to the state funded COLA for fiscal years 2007-2008, 2008-2009 and 2009-2010.

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

5.4 SOCCCD: Academic Personnel Actions Approve New Personnel Appointments; Academic Temporary Part-Time/Substitute Staff; Additional Compensation: General Fund; Additional Compensation: Categorical/Non-General Fund; Resignation/Retirement/Conclusion of Employment.

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

5.5 SOCCCD: Classified Personnel Actions Approve New Personnel Appointments; Authorization to Eliminate Classified and Classified Management Positions and/or Position Numbers; Authorization to Establish and Announce a Classified Position; Authorization for Reclassification of a Police Officers Association Position; Reclassification; Change of Status; Out of Class Assignments ; Resignation/Retirement/Conclusion of Employment; Authorization to Revise the Salary Schedule for the Non-Bargaining Unit Professional Experts; Volunteers.

On a motion made by Trustee Williams and seconded by Trustee Fuentes this item was approved on a 7-0 vote.

6.0 DISCUSSION ITEM

6.1 ATEP: Development of Advanced Technology & Education Park Report on progress of the development of ATEP.

Provost Robert Kopecky and Dean Cathie Peterson presented a progress report on the development of ATEP.

7.0 INFORMATION ITEMS

**7.1 Saddleback College and Irvine Valley College: Accreditation Focused Midterm Reports
Draft responses to the ACCJC Focused Midterm Reports.**

7.2 Saddleback College, Irvine Valley College and ATEP: Campus Safety and Security