

**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 28, 2014**

PRESENT

Members of the Board of Trustees:

T.J. Prendergast, President
Nancy M. Padberg, Vice President
Bill Jay, Member
Timothy Jemal, Member
David B. Lang, Member
Marcia Milchiker, Clerk
James R. Wright, Member
David Robinson, 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
Glenn Roquemore, President Irvine Valley College
Randy Peebles, Associate Vice Chancellor, Economic Development

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**. If you wish to address the board on a closed session item, please complete a yellow form entitled, "Request to Speak" and submit it to the board's Executive Assistant. These forms are available outside the board room. **Speakers are limited to two minutes each.***

RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

- 1.3 Public Employee Employment, Evaluation of Performance, Discipline, Dismissal, Release (GC Section 54957) (1)
 - A. Public Employee Discipline, Dismissal, Release (1)
- 1.4 Conference with Labor Negotiators (GC Section 54957.6)
 - A. SOCCCD Faculty Association
Agency Designated Negotiator: David Bugay, Ph.D.
- 1.5 Conference with Legal Counsel (GC Section 54956.9)(1)
 - A. Anticipated Litigation (GC Section 54956.9(d)(2) and (e)(1) (1 case)

RECONVENE OPEN SESSION: 5:30 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 probationary faculty member's contract and, in lieu, accepts the faculty member's resignation.

2.2 Invocation

Led by Trustee T.J. Prendergast

2.3 Pledge of Allegiance

Led by Trustee James Wright

2.4 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. If you wish to address the board, please complete a yellow form entitled, "Request to Speak" and submit it to the board's Executive Assistant. These forms are available outside the board room. **Speakers are limited to up to two minutes each.***

There was one public comment in support of the faculty contract proposal and negotiation process.

2.5 Recognitions: Speakers are limited to two minutes each.

A. Resolutions:

1. David Robinson, Student Trustee
2. Classified Employees Week
3. Virginia Shank, Professor of the Year, Irvine Valley College
4. Mercedes Julian, Associate Professor of the Year, Irvine Valley College
5. JoAnna Schoon, Emeritus Professor of the Year, Irvine Valley College
6. Alannah Rosenberg, Professor of the Year, Saddleback College
7. Fariba Vatandoust, Associate Professor of the Year, Saddleback College
8. Collette Chattopadhyay, Emeritus Professor of the Year, Saddleback College

B. Commendations:

1. Saddleback College: President Tod Burnett commended Lariat Advisor Amara Aguilar for being named Educator of the Year by the California Journalism Education Coalition as well as eight journalism students for winning several awards at the Journalism Association of Community Colleges conference.

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. Associated Student Government Reports
- E. Board Request(s) for Reports

4.0 DISCUSSION ITEMS

4.1 Saddleback College: Student Success in Learning Resource Center (LRC) Tutorial Programs

Representatives from the Tutoring Center at Saddleback College will present an overview of the center's ongoing tutoring efforts as well as the newly developed programs that address the needs of the diverse student population.

Faculty Tutorial Specialist Christina Hinkle presented an overview of the tutoring center's ongoing programs and stressed the importance of increasing supplemental funding for instructional programs and online tutoring.

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.

Item 5.18 was pulled from the consent calendar for discussion/action.

On a motion made by Trustee Jay and seconded by Trustee Padberg, the balance of the consent calendar was unanimously approved.

- 5.1 **SOCCCD: Board of Trustees Meeting Minutes**
Approve minutes of a Regular Meeting held on March 31, 2014.
- 5.2 **Irvine Valley College: Curriculum Revisions for the 2014-15 Academic Year**
Approve curriculum revisions for the 2014-15 academic year pursuant to Title 5, Section 53200 et seq.
- 5.3 **Irvine Valley College: Community Education Not-for-Credit Program, Summer 2014**
Approve the additional courses, presenters and compensation for Summer 2014 community course offerings.
- 5.4 **SOCCCD: Irvine Valley College, Cafeteria Operations Services Agreement, Amendment No. 2, S & B Foods**
Approve Amendment No. 2 for the third one-year extension beginning July 1, 2014 and ending June 30, 2015.
- 5.5 **SOCCCD: Irvine Valley College, Beverage Vending Services Agreement, Amendment No. 1, Bottling Group LLC (Pepsi)**
Approve Amendment No.1 for the first one-year extension beginning July 1, 2014 and ending June 30, 2015.
- 5.6 **SOCCCD: Irvine Valley College, Donated Equipment, Dell Computers**
Approve the donation of five each of computers, monitors, keyboards, and mice to Epilepsy Support Network of Orange County.
- 5.7 **SOCCCD: Saddleback College and Irvine Valley College, Bookstore Operations Services Agreements, Amendment No.1, Follett Higher Education Group**
Approve Amendment No. 1 for the first of three one-year extensions beginning July 1, 2014 and ending June 30, 2015
- 5.8 **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.

- 5.9 **SOCCCD: Saddleback College, Construction Management Services, Amendment No. 2, Michael E. Wilson**
Approve Amendment No. 2 for the final of the two one-year extensions, beginning July 1, 2014 and ending June 30, 2015, for an annual amount not to exceed \$150,000 and a new contract value of \$723,504.
- 5.10 **SOCCCD: Saddleback College: Donated Equipment, EMS METIman Simulation Manikin**
Approve the donation of the METIman Simulation Manikin, software and air compressor to Cypress College
- 5.11 **SOCCCD: Budget Amendment: Adopt Resolution No. 14-12 to Amend FY 2013-2014 Adopted Budget**
Adopt resolution to amend the adopted budget.
- 5.12 **SOCCCD: Agreement for Special Services for the ATEP Project, Environ International Corporation**
Approve the agreement on a time and materials basis for the term of April 28, 2014 through June 30, 2019 for an estimated annual amount of \$80,000.
- 5.13 **SOCCCD: Gifts to the District and Foundations**
Accept donations.
- 5.14 **SOCCCD: Payment of Bills**
Approve Checks No. 178766 through 179648 processed through the Orange County Department of Education, totaling \$5,458,565.34; and Checks No. 010975 through 011016, processed through Saddleback College Community Education, totaling \$215,900.58; and Checks No. 009230 through 009239, processed through Irvine Valley College Community Education, totaling \$14,672.29
- 5.15 **SOCCCD: Purchase Order/Confirming Requisitions**
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P14-03544 through P14-03921 amounting to \$2,833,801.77 and P15-00011 through P15-00031 amounting to \$143,546.54 are submitted to the Board of Trustees for approval. Confirming requisitions dated March 12, 2014 through April 8, 2014 totaling \$215,531.01 are also submitted.
- 5.16 **SOCCCD: Transfer of Budget Appropriations**
Ratify the transfer of budget appropriations for the period ending March 31, 2014
- 5.17 **SOCCCD: March and April 2014 Contracts**
Ratify contracts as listed.
- 5.18 **Irvine Valley College and Saddleback College: Grant Acceptance, AB86**

Adult Education Consortium Planning Grant

Accept award from California Community Colleges Chancellor's Office for the AB86 Adult Education Consortium Planning Grant, RFA No. 13-328-062.

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

6.0 GENERAL ACTION ITEMS

- 6.1 **SOCCCD: Saddleback College, Cogeneration & Central Plant Operation, Maintenance Equipment Refresh & Environmental Compliance Services, Bid No. 2009 Change Order No. 1, Veolia Energy Solutions, LLC**

Approve Change Order Request No. 1 to agreement in the amount of \$262,600 for a revised total contract amount of \$3,050,600.

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

- 6.2 **SOCCCD: Saddleback College, Photo-Radio-Television Renovation Project, Award of Bid, Harbor Construction Co., Inc.**

Award the Photo-Radio-Television Renovation Project and approve the construction agreement in the amount of \$1,608,000.

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

- 6.3 **SOCCCD: Board Policy Revision, BP-5140 Disabled Students Programs and Records, BP-4054 Political Activities, BP-2210 HIPAA/CMIA Privacy Policy**

Accept for review and study

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

- 6.4 **SOCCCD: Board Policy Revision: BP-180 Respectful Interactions and Collaboration, BP-3007 Cash Handling, BP – 5410 Student Equity, BP-2150 Smoke Free District, BP – 4014 Smoking**

Discussion/Approval.

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

- 6.5 **SOCCCD: 2014-2015 Full-Time Faculty Hiring Amendment**

Approve the amendment to the 2014-2015 faculty hiring list to include the new DSPS Counselor position. This position will be 100% categorically funded.

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

6.6 **SOCCCD: Recess to Public Hearing**

The Board will conduct a public hearing to provide an opportunity for the public to comment on the SOCCCD Faculty Association opening proposal.

A Public Hearing was held to allow the District to enter into collective bargaining negotiations pursuant to the requirements of California Government Code 3547.

6.7 **SOCCCD: District Initial Proposal to SOCCCD Faculty Association**

Accept for review and study the District's initial proposal to the SOCCCD Faculty Association for the purpose of negotiations.

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

6.8 **SOCCCD: Academic Personnel Actions – Regular Items**

Approve New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Retroactive Chair/Co-Chair Stipend Compensation: General Fund, Leave of Absence, Resignation/Retirement/Conclusion of Employment.

An amendment page was added to Exhibit C, Sections A and B.

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

6.9 **SOCCCD: Classified Personnel Actions – Regular Items**

Approve New Personnel Appointments, Authorization to Establish and Announce A Classified Position, Funding for A Classified Position, Authorization to Eliminate and Create Classified Positions, Change of Status, Out of Class Assignments, Resignation/Retirement/Conclusion of Employment, Volunteers.

A correction of a formatting error to Exhibit B, Attachment 2 was noted.

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

6.10 **SOCCCD: Adopt Resolution No. 14-11: Classified Employee Layoff**

Adopt resolution to eliminate categorical-funded position.

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

- 6.11 **SOCCCD: Saddleback College, Return to Basic Aid Project Funding for the Learning Resource Center Renovation**
Approve the return \$2,272,000 of basic aid funds assigned to the Saddleback College Learning Resource Center renovation to the unallocated basic aid account and make them available for redistribution as outlined in BP and AR 3110 Basic Aid Funds Allocation Process.

On a motion made by Trustee Lang and seconded by Trustee Wright, 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: Response to Board Request for OPEB Trust Retirement Board of Authority (RBOA)**
A report on RBOA investment management requested by Trustee Lang.
- 7.3 **SOCCCD: Staff response to public comments from the previous board meeting**
Response to public comment made at the March 31, 2014 board meeting regarding unpaid retroactive department chair stipends dating back to Spring 2012.
- 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: Basic Aid Report**
Report on projected receipts and approved projects.
- 7.6 **SOCCCD: Facilities Plan Status Report**
Status of current construction projects.
- 7.7 **SOCCCD: Monthly Financial Status Report**
This report displays the adopted budget, revised budget and transactions through March 31, 2014.
- 7.8 **SOCCCD: Quarterly Financial Status Report**
The quarterly report as of March 31, 2014 for FY 2013-2014.
- 7.9 **SOCCCD: Retiree (OPEB) Trust Fund**
The report is for period ending March 31, 2014.

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. Police Officers Association

9.0 ADDITIONAL ITEMS

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

The meeting was adjourned at 7:27 p.m.



Gary L. Poertner, Secretary