

**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 30, 2012**

PRESENT

Members of the Board of Trustees:

Nancy M. Padberg, President
T.J. Prendergast, Vice President
Marcia Milchiker, Clerk
Bill Jay, Member
David B. Lang, 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
Glenn Roquemore, President Irvine Valley College
Tod Burnett, President Saddleback College
Randy Peebles, Associate Vice Chancellor, Economic Development

ABSENT

Thomas A. Fuentes, Member
Robert Bramucci, Vice Chancellor, Technology and Learning Services

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) (2)
 - 1. Public Employee Employment/Discipline/Dismissal/Release (2)

- B. Conference with Labor Negotiators (GC Section 54957.6)
 - 1. California School Employees Association (CSEA)
 - a. Agency Designated Negotiator: David Bugay, Ph.D.

 - 2. Police Officers Association (POA)
 - a. Agency Designated Negotiator: David Bugay, Ph.D.

 - 3. Administrators and Managers: Unrepresented Employees
 - a. Agency Designated Negotiator: Gary Poertner

- C. Conference with Legal Counsel (GC Section 54956.9) (3)
 - 1. Existing Litigation (GC Section 54956.9[b]) (1 case)
 - a. Avery Investment Group v. SOCCCD

 - 2. Anticipated Litigation/Significant Exposure to Litigation (GC Section 54956.9[b][1] and [b][3][A]) (1 case)
 - a. Bayley Construction v. SOCCCD – claim rejection

 - 3. Initiation of Litigation (GC Section 54956.9[c]) (1 case)
 - a. Initiation of Petition in Intervention

RECONVENE OPEN SESSION: 6:00 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

- * On a 6-0 vote with Trustee Fuentes absent, the board approved a three-month general unpaid leave to a classified employee.

On a 6-0 vote with Trustee Fuentes absent, the board approved a general unpaid leave for an additional six months, with benefits, to a classified employee.

On a 6-0 vote with Trustee Fuentes absent, the board voted to reject the claim filed by Bailey Construction against the District.

On a 6-0 vote with Trustee Fuentes absent, the board unanimously approved intervention in the states suit against the County of Orange regarding the vehicle license fee adjustment amount.

- *An amendment to the minutes from April 30, 2012 was made at the May 21, 2012 Board Meeting. A correction was made to approve a one-month general unpaid leave instead of a three-month leave as originally approved.

2.2 Invocation

Led by Trustee T.J. Prendergast

2.3 Pledge of Allegiance

Led by Trustee Bill Jay

2.4 Resolutions / Presentations / Introductions

Resolution – Jordan Larson: Student Trustee

Resolution – Classified School Employee Week

Resolution - Marie de la Palme – IVC Professor of the Year

Resolution – Joseph Gerges – IVC Part-Time Professor of the Year

Resolution – Becky Rigali – IVC Emeritus Professor of the Year

Resolution - David DiLeo – SC Professor of the Year

Resolution - Ken Le – SC Associate Professor of the Year

Resolution – Rob Henry – SC Emeritus Professor of the Year

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. Board Request(s) for Reports

4.0 DISCUSSION ITEMS

4.1 **SOCCCD: Board Report on Veteran's Services**

A presentation will be made by Tere Fluegeman, District Director of Public Affairs and Government Relations; Carol Hilton, Saddleback College Fiscal Services Director; Don Lindboe, Saddleback College Senior Fiscal/Veterans Specialist; Terence Nelson, Saddleback College Assistant Dean and VETS Center Director; and Darryl Cox, Irvine Valley College Director of Financial Aid and VETS Center Director to provide an update on student veterans services and needs.

District Director of Public Affairs and Governmental Relations Tere Fluegeman, Saddleback College Senior Fiscal/Veterans Specialist Don Lindboe, Saddleback College Assistant Dean and VETS Center Director

Terence Nelson and Irvine Valley College Director of Financial Aid and VETS Center Director, Darryl Cox presented a report on Veteran's Services at Saddleback and Irvine Valley colleges.

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.

Trustee Padberg requested to pull and vote separately on items 5.16 and 5.17.

On a motion made by Trustee Jay and seconded by Trustee Prendergast the balance of 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 March 26, 2012.
- 5.2 **Saddleback College: Sciences Building Project: Amendment No. 1 to Geotechnical Engineers Scope of Work**
Approve amendment to the contract with C.E.M. Lab Corp. Geotechnical increasing the amount by \$14,850. The total revised contract amount is \$49,500.
- 5.3 **Saddleback College: James B. Utt Memorial Learning Resource Center Construction Management Agreement: Amendment No. 1**
Approve amendment increasing the amount by \$269,549. With McCarthy Building Company. The total revised contract amount is \$1,247,579.
- 5.4 **Saddleback College: Sciences Building Project: Architectural Agreement Amendment No. 1**
Approve amendment increasing the amount by \$17,000 with Dougherty & Dougherty Architects, LLP. The total revised contract amount is \$2,621,000.
- 5.5 **Saddleback College: Technology and Applied Sciences Building Swing Space Project: Hire Architect**
Approve agreement with R2A Architecture, Inc. in the amount of \$485,000.
- 5.6 **Saddleback College: Amendment to Instructional Agreement**
Approve the agreement amendment increasing the amount by \$2,250 with Yosemite Community College District. The total revised agreement amount is \$12,250.00.

- 5.7 **Saddleback College: Assignment of Cosmetology and Cosmetician Instruction Agreements**
Approve the assignment of educational services agreement from Athena College of Beauty to Advanced Beauty College for Cosmetology and Cosmetician instruction.
- 5.8 **Saddleback College: Study Abroad Program to Oxford, England**
Approve the agreement with The American Institute for Foreign Study for coordinating the travel abroad.
- 5.9 **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.
- 5.10 **Irvine Valley College: Substitution of Subcontractor: Life Sciences Project: Aero Plumbing**
Approve the removal of Aero Plumbing and its substitution with Don Brandel Plumbing, Inc. The substitution will have no impact on the cost of the project.
- 5.11 **Irvine Valley College: Landscaping Project: Notice of Completion**
Authorize the filing of the notice of completion with Diversified Landscape Management, Inc. and authorize the release of retention 35 days after filing.
- 5.12 **Irvine Valley College: Campus Wide Exterior Way-finding System: Notice of Completion and Change Order No. 1**
Approve change order for a credit of \$16,409.40 and authorize the filing of the notice of completion with A Good Sign & Graphics for a final contract amount of \$297,770.60. Authorize the release of retention 35 days after filing.
- 5.13 **Irvine Valley College: Life Science Building: Change Order No. 4**
Approve change order decreasing the contract amount by \$31,434. The total revised contract amount is \$11,350,392.
- 5.14 **SOCCCD: Revised 2013-2014 Academic Calendar**
Approve the proposed Academic Calendar for 2013-2014.
- 5.15 **SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting**
Adopt resolution 12-13 (Exhibit A) authorizing payment to Trustee Fuentes who was absent from the March 26, 2012 Meeting of the Board of Trustees.

- 5.16 **SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting**
Adopt resolution 12-14 (Exhibit A) authorizing payment to Trustee Jay who was absent from the March 26, 2012 Meeting of the Board of Trustees.
- On a motion made by Trustee Lang and seconded by Trustee Prendergast this item was approved on a 5-0 vote with Trustee Jay abstaining.
- 5.17 **SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting**
Adopt resolution 12-15 (Exhibit A) authorizing payment to Trustee Milchiker who was absent from the March 26, 2012 Meeting of the Board of Trustees.
- On a motion made by Trustee Lang and seconded by Trustee Meldau this item was approved on a 5-0 vote with Trustee Milchiker abstaining.
- 5.18 **SOCCCD: Adopt Resolution No. 12-16: Authorizing Design Build Procurement for the ATEP Campus, IVC Building No. 1 and Saddleback College building No. 1 Project**
Adopt resolution to authorize the use of Design Build for the New ATEP Campus, IVC Building No. 1 and Saddleback College Building No. 1 Project.
- 5.19 **SOCCCD: Adopt Resolution No. 12-17: Authorizing Design Build Procurement for the Irvine Valley College A400 Project**
Adopt resolution to authorize the use of Design Build for the IVC A400 Project.
- 5.20 **SOCCCD: Design Build Criteria and Programming Architectural Services**
Approve agreement with Lionakis for the Criteria and Programming Architectural Services for the New ATEP Campus IVC Building One and Saddleback College Building One and IVC A400 projects for a total cost of \$372,860.
- 5.21 **SOCCCD: Budget Amendment: Adopt Resolution No. 12-18 to Amend 2011-2012 Restricted General Fund**
Adopt resolution to amend the 2011-2012 adopted budget
- 5.22 **SOCCCD: Purchase Order/Confirming Requisitions**
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P12-03546 through P12-04068 amounting to \$2,256,566.99 and P13-00001 through P13-00038 amounting to \$169,727.90. Approve confirming requisitions dated March 8, 2012 through April 10, 2012 totaling \$214,478.99.

- 5.23 **SOCCCD: Transfer of Budget Appropriations**
Ratify the transfer of budget appropriations as detailed in the exhibit.
- 5.24 **SOCCCD: Payment of Bills**
Approve check no. 156896 through 157879 processed through the Orange County Department of Education, totaling \$4,809,134.41; and check no. 010353 through 010371, processed through Saddleback College Community Education, totaling \$35,258.71; and check no. 008982 through 008984, processed through Irvine Valley College Community Education, totaling \$1,595.00.
- 5.25 **SOCCCD: Gifts to the District and Foundations**
Approve the acceptance of donations.
- 5.26 **SOCCCD: March/April 2012 Contracts**
Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

- 6.1 **Saddleback College: Energy Service Agreement**
Conduct a public hearing on the proposed agreement for energy service.
- At 7:53 p.m. the Regular Meeting was recessed to a Public Hearing on the proposed Energy Service Agreement. Since there were no public comments, the Public Hearing was adjourned and the Regular meeting was reconvened at 7:54 p.m.
- On a motion made by Trustee Lang and seconded by Trustee Jay this item was approved on a 6-0 vote.
- 6.2 **Saddleback College: Energy Management System Agreement**
Approve the agreement with Computrol, Inc. in the amount of \$1,400,000.
- On a motion made by Trustee Jay and seconded by Trustee Lang this item was approved on a 6-0 vote.
- 6.3 **Saddleback College: Grant Acceptance, H-1B Technical Skills Training Grant: Orange County Bridge to Engineering with the City of Santa Ana Workforce Investment Area**
Accept the award of \$763,854 from the City of Santa Ana for the H-1B Technical Skills Training Grant: Orange County Bridge to Engineering.

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

- 6.4 **Irvine Valley College: Grant Acceptance, Career Development Work-Based Learning Linkages to Professional Organizations, Year Four**
Approve the fourth year RFA No. 11-034-001 grant award of \$500,419.00 from the California Community Colleges Chancellor's Office (CCCCO) to develop academic programs, internships, and placement opportunities and provide career technical education leadership.

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

- 6.5 **SOCCCD: Board Policy Revision: BP-4011.6: Employment Procedures for Chancellor, BP-4210: Employee Outstanding Service Awards, BP-5616: Attendance, BP-4080: Personal Necessity Leave for Administrators and Classified Management Personnel, BP-4000.3: Workplace Violence, BP-4077.1: Change of Assignment-Classified Managers**
Discussion/Approval

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

- 6.6 **SOCCCD: Board Policy Revision: BP-5608: Tuition Refunds, BP-5605: Residence Determination, BP-4050: Employee Use of District Motor Vehicles**
Accept for review and study.

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

- 6.7 **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 Milchiker and seconded by Trustee Jay this item was approved on a 6-0 vote.

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

On a motion made by Trustee Milchiker and seconded by Trustee Meldau this item was approved on a 6-0 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 **Saddleback College and Irvine Valley College: Speakers**
A listing of speakers for events and/or classes at Saddleback College and Irvine Valley College.
- 7.3 **SOCCCD: Basic Aid Report**
Report on projected receipts and approved projects.
- 7.4 **SOCCCD: Facilities Plan Status Report**
Status of current construction projects.
- 7.5 **SOCCCD: Monthly Financial Status Report**
The reports display the adopted budget, revised budget and transactions through March 31, 2012.
- 7.6 **SOCCCD: Retiree (OPEB) Trust Fund**
This report is for period ending March 31, 2012.
- 7.7 **SOCCCD: Quarterly Financial Status Report**
This report is as of March 31, 2012 for the 2011/2012 fiscal year.

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 and 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 Academic Senate
- M. Associated Student Government of SC
- N. Associated Student Government of IVC
- O. Police Officers Association

9.0 ADDITIONAL ITEMS

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

The meeting was adjourned at 8:23 p.m.



Gary L. Poertner, Secretary