

**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 25, 2014**

PRESENT

Members of the Board of Trustees:

T.J. Prendergast, President
Marcia Milchiker, Clerk
Bill Jay, Member
Timothy Jemal, Member
David B. Lang, Member
James R. Wright, Member
Keefe Carrillo, 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

ABSENT

Nancy M. Padberg, Vice President

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 Appointment, Employment, Evaluation of Performance, Discipline, Dismissal, Release (GC Section 54957(b) (6 matters)
 - A. Public Employee Discipline, Dismissal, Release (GC Section 54957(b).) (3 matters)
 - B. Public Employee Appointment or Employment (3 matters)
 - Counseling Office Assistant at Saddleback – Leave Request
 - Faculty Member – Leave Request
 - Career Guidance Specialist at Saddleback College – Leave Request
- 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 Real Property Negotiators (GC Section 54956.8) (1 matter)
 - A. Lease of Property by District: Portion of Saddleback College site: MG Promenade Apartments LLC, 28032 Marguerite Parkway, Mission Viejo.
 1. Agency Designated Negotiator: Debra Fitzsimons, Ed.D.
 - Regarding price and terms of payment
- 1.6 Conference with Legal Counsel (GC Section 54956.9)
 - A. Anticipated Litigation (GC Section 54956.9(d)(2) and (e)(1) and (2) (3 cases)

RECONVENE OPEN SESSION: 6:15 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 6-0 vote with Trustee Padberg absent, the board voted to terminate an adjunct faculty member at Irvine Valley College.

On a 6-0 vote with Trustee Padberg absent, the board voted to reject a former adjunct faculty member's appeal of an administrative determination that the complaint alleging discrimination was without merit.

On a 6-0 vote with Trustee Padberg absent, the board voted to approve a one-year general unpaid leave without benefits to a part-time classified employee.

On a 6-0 vote with Trustee Padberg absent, the board approved a general leave with benefits to teach a part-time class for 2014-2015 academic year to a full-time classified employee at Saddleback College.

On a 6-0 vote with Trustee Padberg absent, the board approved to reject a claim filed by James Parnell.

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.***

The board heard one public comment regarding faculty contract.

2.5 Recognitions: Speakers are limited to two minutes each.

A. Resolutions:

1. None

B. Commendations:

1. Irvine Valley College President Glenn Roquemore commended Nancy Montgomery, Director of Health, Wellness and Veterans, who was honored by the Black Chamber of Commerce on August 21 for her leadership, work in the community and support of veteran students.

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 None

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.

Trustee Tim Jemal requested to pull item 5.4.

On a motion made by Trustee Wright and seconded by Trustee Jemal, the remainder of the consent calendar was approved on a 6-0 vote with Trustee Padberg absent.

- 5.1 **SOCCCD: Board of Trustees Meeting Minutes**
Approve minutes of a Regular Meeting held on July 21, 2014.
- 5.2 **SOCCCD: Irvine Valley College, Student Services Center Air Handling Units Replacement Project, Change Order No. 2, Trane U.S., Inc.**
Approve change order and authorize staff to execute the corresponding change order with the contractor which will result in an increase of \$4,192 in the total project cost and a revised contract amount of \$598,483.
- 5.3 **SOCCCD: Irvine Valley College, Grant Acceptance, MentorLinks**
Approve the American Association of Community Colleges grant award for \$20,000.
- 5.4 **SOCCCD: Irvine Valley College, Grant Renewal Acceptance, Deputy Sector Navigator Grant in Energy Efficiency & Utilities**
Accept this renewal grant award of \$200,000 from the California Community Colleges Chancellor's Office.

On a motion made by Trustee Jay and seconded by Trustee Jemal, this item was approved on a 6-0 vote.
- 5.5 **SOCCCD: Irvine Valley College ATEP IVC First Building, Adopt Resolution No. 14-28 Design-Build Delivery Method**
Adopt resolution to authorize the use of design-build for the ATEP IVC First Building project.
- 5.6 **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.
- 5.7 **Saddleback College and Irvine Valley College: Community Education Fall 2014**
Approve Fall 2014 Community Education courses, presenters, and compensation

- 5.8 **SOCCCD: Saddleback College Photo-Radio-Television Renovation Project, Substitution of Subcontractor, Elite Air Conditioning, Inc.**
Approve the removal and substitution of subcontractors.
- 5.9 **SOCCCD: Budget Amendment: Adopt Resolution No. 14-27 to Amend FY 2013-2014 Adopted Budget**
Adopt resolution to amend the FY 2013-2014 Adopted Budget.
- 5.10 **SOCCCD: Contract Specialist Services for HR/Finance Software Procurement, Facilities Planning and Program Services, Inc.**
Approve the agreement for Contract Specialist Services with Facilities Planning and Programming Services for a contract total of \$118,000.
- 5.11 **SOCCCD: Agreement for Special Services: Atkinson, Andelson, Loya, Ruud & Romo**
Approve the retainer agreement effective July 1, 2014 through June 30, 2016.
- 5.12 **SOCCCD: Contract for Quality Assurance Services, eNamix**
Approve the agreement for an amount not to exceed \$161,280 for the term of September 1, 2014 to August 31, 2015.
- 5.13 **SOCCCD: Contract for Database Design Services, Nimble Consulting**
Approve the agreement for an amount not to exceed \$264,096 for the term of September 1, 2014 to August 31, 2015.
- 5.14 **SOCCCD: Contract for Software Development Services, Redisq Technologies**
Approve the agreement for a total amount not to exceed \$120,960 for the term of September 1, 2014 to August 31, 2015.
- 5.15 **SOCCCD: Contract for Software Development Services, Synergy Software Solutions**
Approve the agreement, for a total amount not to exceed \$205,632 for the term of September 1, 2014 to August 31, 2015.
- 5.16 **SOCCCD: Professional Services for Design-Build Procurement, Alternative Delivery Solutions, LLC**
Approve the agreement with Alternative Delivery Solutions, LLC, for a total contract amount of \$273,000.
- 5.17 **SOCCCD: Promenade Apartments, Assumption of Lease and Release, and Related Estoppel and Agreement for New Lessee, FPA4 Promenade, LLC (FPA)**
Approve the assignment of the Ground Lease by MG Promenade to FPA and approve a motion to authorize the execution by the Vice Chancellor of Business Services of the Assignment Agreement and the Estoppel Agreement and any other documents necessary to carry out the terms thereof.

- 5.18 **SOCCCD: Trustees' Requests for Attending Conferences**
Approve/Ratify Trustees' requests for attending conferences.
- 5.19 **SOCCCD: Gifts to the District and Foundations**
Accept donations.
- 5.20 **SOCCCD: Purchase Order/Confirming Requisitions**
Approve purchase orders numbered P14-04534 through P14-04544 amounting to \$755,953.46 and P15-00508 through P15-01296 amounting to \$9,835,473.39.
- 5.21 **SOCCCD: Transfer of Budget Appropriations**
Ratify transfer of budget appropriations as listed.
- 5.22 **SOCCCD: Payment of Bills**
Approve the payment of bills as listed.
- 5.23 **SOCCCD: July and August 2014 Contracts**
Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

- 6.1 **SOCCCD: Adopted Budget for Fiscal Year 2014-2015**
Approve the FY 2014-2015 Adopted Budget as presented.

A correction was noted on Exhibit A, page 15 of 38. The pie chart referencing 18% Basic Aid should reflect 2014-2015.

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

- 6.2 **Saddleback College and Irvine Valley College: FY 2014-2015 Student Government Adopted Budgets**
Approve the FY 2014-2015 adopted student government budgets as presented.

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

- 6.3 **SOCCCD: Irvine Valley College, Student Services Center Air Handling Units Replacement Project, Notice of Completion, Trane U.S., Inc.**
Authorize the filing of the Notice of Completion to Trane U.S., Inc. for a final contract amount of \$598,483.
On a motion made by Trustee Wright and seconded by Trustee Lang, this item was approved on a 6-0 vote.

- 6.4 **SOCCCD: Irvine Valley College Lighting Retrofit for Roadways, Walkways & Parking Lots Project, Change Order No.2, Anderson &**

Howard Electric, Inc.

Approve Change Order Request No. 2 for the project and authorize staff to execute the corresponding change order which will result in an increase of \$127,876 in the total project cost. The revised contract amount is \$1,427,876.

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

6.5 SOCCCD: Division of State Architect (DSA) Resident Inspector, Inspection Services Amendment No. 1, Todd's Inspection Testing Service and Associates

Approve Amendment No. 1 through August 26, 2018, for a total contract value of \$800,000.

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

6.6 Saddleback College: Grant Acceptance, Orange County Career Pathways Partnership program

Accept this award of \$1,297,862 from the Orange County Department of Education for the Orange County Career Pathways Trust program.

6.7 SOCCCD: 2015-2016 Academic Calendar

Approve the proposed Academic Calendar for 2015-2016.

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

6.8 SOCCCD: Board Policy Revision BP-3002 Audits, BP-4101.2 Number of Pay Installments Academic Personnel, BP 4207 Payroll Period for Classified Management Personnel, BP-4019 Elder and Dependent Adult Abuse Reporting, BP-5520 Accreditation

Accept for discussion and approval.

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

6.9 SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting

Authorize payment to Trustee Padberg who was absent from the July 21, 2014 board meeting.

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

6.10 SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting

Authorize payment to Trustee Milchiker who was absent from the July 21,

2014 board meeting.

On a motion made by Trustee Jemal and seconded by Trustee Wright, this item was approved on a 5-0 vote with Trustee Milchiker abstaining.

6.11 SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting

Authorize payment to Trustee Jay who was absent from the July 21, 2014 board meeting.

On a motion made by Trustee Milchiker and seconded by Trustee Jemal, this item was approved on a 5-0 vote with Trustee Jay abstaining,

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

6.13 SOCCCD: Classified Personnel Actions – Regular Items

Approve New Personnel Appointments, Authorization to Establish and Announce A Classified Position, Change Reporting Structure, Reorganization, Out of Class Assignments, Resignation/Retirement/Conclusion of Employment, Volunteers.

A correction was noted on Exhibit A, Section E.1, page 8 of 12. Employee's work location should read Irvine Valley College instead of Saddleback College.

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

7.0 REPORTS

7.1 Saddleback and Irvine Valley College Foundations Annual Report

An annual report from the Foundation Executive Directors.

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 June 30, 2014.
- 7.6 **SOCCCD: Quarterly Financial Status**
The California Community Colleges Quarterly Financial Status Report for SOCCCD, as of June 30, 2014 for FY 2013-2014.
- 7.7 **SOCCCD: Quarterly Investment Report**
This report is for the quarter ending on June 30, 2014.
- 7.8 **SOCCCD: Retiree (OPEB) Trust Fund**
The report is for period ending July 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.**

Meeting adjourned at 8:29 p.m. in memory of Saddleback College retired professor Michael Runyon.



Gary L. Poertner, Secretary