

**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
December 15, 2014**

PRESENT

Members of the Board of Trustees:

T.J. Prendergast, President
Nancy M. Padberg, Vice 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

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) (1 matter)
 - A. Public Employee Discipline, Dismissal, Release (GC Section 54957(b).) (1 matter)
- 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) (2 cases)
 - A. Anticipated Litigation (GC Section 54956.9(d)(2) and (e)(1)
 - B. Anticipated Litigation (GC section 54956.9(d)(2) and (e)(3) – Claim of Dr. Gina La Monica (The claim may be inspected by contacting the Office of Human Resources, Dr. David Bugay)

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 to 0 vote, the board voted to reject the claim filed by the Law Office of Joshua A. Burt on behalf of Dr. Gina La Monica against the District.

2.2 Invocation

Led by Trustee David Lang

2.3 Pledge of Allegiance

Led by Trustee Marcia Milchiker

2.4 Administration of Oath of Office to New and Re-Elected Trustees

The Honorable Gassia Apkarian administered the Oath of Office to Trustee T.J. Prendergast, III, Trustee Nancy Padberg and Trustee Marcia Milchiker who were sworn into elected office to serve through 2018.

2.5 Annual Organizational Meeting and Facilities Corporation Meeting

A. Election of Officers

On a motion made by Trustee Jemal and seconded by Trustee Lang,

Trustee Prendergast was re-elected as Board President. The motion passed on a 7-0 vote.

On a motion made by Trustee Milchiker and seconded by Trustee Lang, Trustee Jemal was nominated Vice President of the Board of Trustees. The motion passed on a 7-0 vote.

On a motion made by Trustee Lang and seconded by Trustee Padberg, Trustee Wright was nominated Clerk of the Board of Trustees. The motion passed on a 7-0 vote.

The motion made by Trustee Jay and seconded by Trustee Jemal to nominate Trustee Milchiker Clerk of the Board of Trustees was withdrawn.

B. Appointment of Secretary and Assistant Secretary

On a motion made by Trustee Jay and seconded by Trustee Lang, Chancellor Poertner was appointed Secretary and Vice Chancellor Fitzsimons was appointed Assistant Secretary. The motion passed on a 7-0 vote.

C. Appointment of Trustee Representatives

Representative to the Nominating Committee to the Committee on School District Organization:

On a motion made by Trustee Lang and seconded by Trustee Jay, Trustee Prendergast was appointed Representative and Trustee Jemal was appointed Alternate Representative. The motion passed on a 7-0 vote.

District's Political Action Representative to Orange County School Boards Association:

On a motion made by Trustee Jay and seconded by Trustee Jemal, Trustee Wright was appointed Representative to the Orange County School Boards Association. The motion passed on a 7-0 vote.

Representative to the Orange County Legislative Task Force:

On a motion made by Trustee Jemal and seconded by Trustee Jay, Trustee Milchiker was appointed Representative to the Orange County Legislative Task Force and Trustee Lang was appointed Alternate Representative. The motion passed on a 7-0 vote.

Representatives to the SOCCCD Audit Committee to serve on the Pre-Audit and Exit Meetings

On a motion made by Trustee Jay and seconded by Trustee Wright, Trustee Lang was appointed Chair, Trustee Jemal and Trustee Padberg were appointed Representatives. The motion passed on a

7-0 vote.

D. Establishment of Regular Meeting Dates

On a motion made by Trustee Lang and seconded by Trustee Wright, the Board approved the dates of the Regular Board Meetings for the 2015 calendar year. The motion passed on a 7-0 vote.

E. Establishment of Agenda Planning Calendar

On a motion made by Trustee Lang and seconded by Trustee Wright, the Agenda Planning Calendar was approved on a 7-0 vote.

F. Approval of Agenda Format

On a motion made by Trustee Lang and seconded by Trustee Jemal, the Agenda Format was approved with one amendment. The blurb referencing reconvening after closed session if the meeting has not been completed by the time public session is scheduled to be convened was deleted from the agenda format. The motion was approved on a 7-0 vote.

G. Special Meeting of the Board of Directors, Facilities Corporation

On a motion made by Trustee Jay, seconded by Trustee Jemal and unanimously carried on a 7-0 vote, the same persons holding membership on the SOCCCD Board of Trustees were elected as directors of the Facilities Corporation 2011 of the South Orange County Community College District to a term of office extending until the next annual organizational meeting.

Trustee Prendergast was appointed President, Trustee Jemal was appointed Vice President, Trustee Wright was appointed Secretary, and Vice Chancellor Fitzsimons was appointed Chief Financial Officer to a term of office extending until the date of the next annual organizational meeting.

Chancellor Gary Poertner, was appointed to the office of Assistant Secretary and the Vice Chancellor of Business Services, Dr. Debra Fitzsimons, was appointed to the office of Assistant Treasurer.

2.6 Recognitions: Speakers are limited to two minutes each.

A. Resolutions:

1. None

B. Commendations:

1. None

2.7 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.***

Three public comments were heard by the board regarding part-time faculty contributions.

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 and Irvine Valley College: Enrollment Management Plan Presentation**

Representatives from both colleges jointly presented how the colleges manage their enrollments.

4.2 **SOCCCD: 50% Law and Faculty Obligation Number (FON)**

Presentation on the 50% Law and Faculty Obligation Number (FON) as it relates to SOCCCD was provided by the Vice Chancellor of Business Services and the Vice Presidents of Administrative Services.

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 Jemal requested to pull items 5.1 and 5.8 and Trustee Wright requested to pull item 5.7 for separate discussion/action.

On a motion made by Trustee Lang and seconded by Trustee Jay, the balance 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 November 17, 2014.
- Trustee Jemal was provided with clarification on a previous board item approved on the November 17, 2014 agenda.
- On a motion made by Trustee Lang and seconded by Trustee Jay, this item was approved on a 7-0 vote.
- 5.2 **SOCCCD: Irvine Valley College, Life Science Architectural Services Amendment No. 7, Dougherty & Dougherty Architects, LLP**
Approve Amendment No. 7 in the amount of \$49,900 with Dougherty and Dougherty Architects, LLP for the Irvine Valley College Life Sciences building project for a total fee of \$1,414,511.
- 5.3 **Saddleback College: Grant Acceptance, National Science Foundation Grant: Innovate from the Start: Engaging Engineering and Computer Science Under-graduates, University of California, Irvine**
Approve the University of California, Irvine sub-award for \$190,001.
- 5.4 **Saddleback College: Community Education, Spring 2015 – Additional Class Offerings**
Approve the Community Education courses, presenters and compensation.
- 5.5 **SOCCCD: Saddleback College, Technology and Applied Sciences Swing Space, Preconstruction Services, SOLPAC, Inc.**
Approve the agreement for Technology and Applied Sciences Swing Space at Saddleback College with SOLPAC, Inc. for \$5,000.
- 5.6 **SOCCCD: Saddleback College, Health Sciences Wet Seal Project, Change Order No. 1, Kinsman Construction, Inc.**
Approve Change Order Request No. 1 for the Saddleback College Health Sciences Wet Seal project and authorize staff to execute the corresponding change order with the contractor which will result in a decrease of \$67,094.44 to the construction contract for a revised contract amount of \$463,905.56.
- 5.7 **SOCCCD: Saddleback College, Health Sciences Wet Seal Project, Notice of Completion, Kinsman Construction, Inc.**
Authorize the filing of the Notice of Completion for the Saddleback College Health Sciences Wet Seal project to Kinsman Construction, Inc. for a final contract amount of \$463,905.56.
- On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved on a 7-0 vote.
- 5.8 **SOCCCD: Saddleback College, Athletics Stadium Renovation Project, Design-Build Criteria and Programming Architectural Services, DLR Group**

Approve the DLR Group agreement for the criteria architect for the Saddleback College Athletics Stadium Renovation project in the amount of \$372,000.

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

- 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 **SOCCCD: Saddleback College, Technology and Applied Sciences Building Swing Space, Architectural Services Amendment No. 4, R2A Architecture**
Approve Amendment No. 4 in the amount of \$6,170 with R2A Architecture for the Saddleback College Technology and Applied Sciences Building Swing Space project.
- 5.11 **Saddleback College: Curriculum Revisions for the 2015-16 Academic Year**
Approve the proposed changes in curriculum for the 2015-2016 academic year at Saddleback College.
- 5.12 **SOCCCD: Budget Amendment: Adopt Resolution No. 14-40 to Amend FY 2014-2015 Adopted Budget**
Adopt resolution to amend the FY 2014-2015 Adopted Budget.
- 5.13 **SOCCCD: Purchase Order/Confirming Requisitions**
Ratify the purchase orders/confirming requisitions as listed.
- 5.14 **SOCCCD: Transfer of Budget Appropriations**
Ratify transfer of budget appropriations as listed.
- 5.15 **SOCCCD: Payment of Bills**
Ratify the payment of bills as listed.
- 5.16 **SOCCCD: October - November 2014 Contracts**
Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

- 6.1 **Saddleback College: 2014 Student Equity Plan Report**
Approve the 2014 Student Equity Plan submitted by Saddleback College.

Vice President for Student Services Juan Avalos presented an overview of the Student Equity Plan schedule and process.

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

- 6.2 **SOCCCD: Collaboration Agreement with Workday, Inc.**
Approve collaboration agreement in which District will participate in Workday's Strategic Influencer Program for Workday Student Service.

Vice Chancellor of Business Services Debra Fitzsimons, Vice Chancellor of Learning and Technology Services Bob Bramucci and Director, Information Technology-Academic Systems Jim Gaston gave a brief presentation on the Workday and SOCCCD Student System Collaboration Project.

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

- 6.3 **SOCCCD: Adopt Resolution No. 14-41 Withdraw Membership in Schools Excess Liability Fund (SELF)**
Adopt Resolution No. 14-41 providing notice of intention to withdraw from SELF, JPA, effective July 1, 2015, to preserve our right to place coverage in an alternative program for the fiscal year 2015-2016.

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

- 6.4 **SOCCCD: Board Policy Revision: BP-3008 Records Retention and Destruction, BP-3515 Reporting of Crimes, BP-5230 Athletics**
Accept for discussion and approval.

On a motion made by Trustee Jemal and seconded by Trustee Milchiker, the meeting was extended to 9:30 p.m on a 6-1 vote with Trustee Jay casting a negative vote.

On a motion made by Trustee Lang and seconded by Trustee Wright, item 6.4 was approved on a 7-0 vote.

- 6.5 **SOCCCD: Board Policy Revision: BP-104 Student Member of the Board of Trustees, BP-5609 Matriculation**
Accept for Review and Study

On a motion made by Trustee Lang and seconded by Trustee Padberg, this item was approved with a recommendation that the student trustee GPA requirement on BP 104 be increased. This item was approved on a 7-0 vote.

- 6.6 **SOCCCD: Academic Personnel Actions – Regular Items**
Approve New Personnel Appointments, Authorization to Eliminate Academic Administrative Position and/or Position Numbers, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Administrative Interim Assignment, Extension of Administrative Temporary Assignment, Reassignment of Full-Time Faculty,

Workload Banking, Administrator Contract Extensions,
Resignation/Retirement/Conclusion of Employment.

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

6.7 SOCCCD: Classified Personnel Actions – Regular Items

Approve New Personnel Appointments, Authorization to Establish and Announce A Classified Position, Authorization to Eliminate and Create Classified Positions, Reclassification, Authorization to Extend a Categorical Funded Position, Authorization to Change Classified Positions, Change of Status, Out of Class Assignments, Authorization to Change the Structure of the Classified Temporary Non-Bargaining Unit Salary Schedules, Resignation/Retirement/Conclusion of Employment, Volunteers.

On a motion made by Trustee Jemal 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: Speakers

A listing of speakers for events and/or classes at Saddleback College and Irvine Valley College.

7.2 SOCCCD: List of Board Requested Reports

Status of board requested reports of the South Orange County Community College District Board of Trustees.

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

A review of current revenues and expenditures for FY 2014-2015.

7.6 SOCCCD: Retiree (OPEB) Trust Fund

The report is for period ending October 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 was adjourned at 9:06 p.m. in memory of Saddleback College Professor Kay Stevens, Irvine Valley College Professor Marie De la Palme and Irvine Valley College student Kwane Kwabi.



Gary L. Poertner, Secretary