

TO: Board of Trustees
FROM: Gary L. Poertner, Chancellor
RE: SOCCCD: Minutes of the Board of Trustees Meeting
ACTION: Approval

Minutes from:

December 17, 2012 Regular Meeting of the Board of Trustees (Exhibit A)

are submitted to the Board for review and approval.

Item Submitted by: Gary L. Poertner, Chancellor

**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 17, 2012**

PRESENT

Members of the Board of Trustees:

Nancy M. Padberg, President
T.J. Prendergast, Vice President
Marcia Milchiker, Clerk
Bill Jay, Member
Timothy Jemal, Member
David B. Lang, Member
James R. Wright, Member
Heather Park, Student Member

Administrative Officers:

Gary Poertner, Chancellor
Robert Bramucci, Vice Chancellor, Technology and Learning Services
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

David Bugay, Vice Chancellor, Human Resources

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 Employment/Discipline/Dismissal/Release (GC Section 54957)
 - 1. Public Employee Employment/Evaluation (1)
 - a. Director Advanced Technology Center

- B. Conference with Real Property Negotiators (GC Section 54956.8)(1)
 - 1. Lease of Property by District: Portion of Saddleback College site: MG Promenade Apartments LLC, 28032 Marguerite Parkway, Mission Viejo
 - a. Agency Designated Negotiator: Debra Fitzsimons, Ph. D regarding price, terms and terms of payment.

- C. Conference with Legal Counsel (GC Section 54956.9)
 - 1. Anticipated Litigation (GC Section 54956.9[b][1] and [b][3][C])
Daly vs. Saddleback
 - 2. Anticipated Litigation (GC Section 54956.9(b)(1), (b)(3)(A) and (b)(3)(C)
(1 case)
 - 3. Initiation of Litigation (GC Section 54956.9 (c)(1 case)

RECONVENE OPEN SESSION: 6:30 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

2.2 Invocation

Led by Trustee T.J. Prendergast

2.3 Pledge of Allegiance

Led by Trustee Nancy Padberg

2.4 Resolutions/Commendations

Resolution: SOCCCD: Rob Merritt, Laguna Woods TV

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

Assemblyman Don Wagner administered the Oath of Office to Trustee Timothy Jemal, Trustee Bill Jay, Trustee David Lang and Trustee James Wright.

2.6 Annual Organizational Meeting and Facilities Corporation Meeting

A. Election of Officers

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

On a motion made by Trustee Milchiker and seconded by Trustee Jemal, Trustee Prendergast was nominated Vice President of the

Board of Trustees. This motion passed on a 7-0 vote.

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

B. Appointment of Secretary and Assistant Secretary

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

C. Appointment of Trustee Representatives

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

On a motion made by Trustee Milchiker, seconded by Trustee Wright, Trustee Prendergast was appointed Representative; and Trustee Jemal was appointed Alternate Representative. This motion passed on 7-0 vote.

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

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

Liaison to Orange County Community College Trustees Association:

On a motion made by Trustee Lang and seconded by Trustee Prendergast, Trustee Jay was appointed Liaison to Orange County Community College Trustees Association. This motion passed on a 7-0 vote.

Representative to the Orange County Legislative Task Force:

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

D. Establishment of Regular Meeting Dates

On a motion made by Trustee Milchiker and seconded by Trustee Wright, the Board approved the Board Meetings for the 2013 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 Prendergast, the Agenda Planning Calendar was approved on a 7-0 vote.

F. Approval of Agenda Format

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

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

On a motion made by Trustee Lang, seconded by Trustee Prendergast 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 2012 of the South Orange County Community College District to a term of office extending until the next annual organizational meeting.

Trustee Padberg was appointed President, Trustee Prendergast was appointed Vice President, Trustee Milchiker 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.

2.7 **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. **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**

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.

Trustee Wright requested to pull item 5.1 from the Consent Calendar 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 7-0 vote.

5.1 **SOCCCD: Board of Trustees Meeting Minutes**

Approve minutes of a Regular Meeting held on November 19, 2012.

The minutes were amended to reflect that on page 4 of the Minutes from November 19, 2012, Trustee Lang made a motion and Trustee Meldau seconded the balance of the consent calendar.

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

5.2 **Saddleback College: Transfer Degrees for the Spring Semester 2013-2014 Academic Year**

Approve the proposed Associate Degrees for Transfer (AA-T/AS-T) recommended by the Curriculum Committee and the Academic Senate of Saddleback College for the Spring semester 2013-2014 Academic Year.

5.3 **Saddleback College: Grant Acceptance, Career Technical Education Community Collaborative Grant Renewal**

Accept the award of \$387,023 from the California Community College Chancellor's Office for the CTE Grant RFA 12-140-890.

5.4 **Irvine Valley College: Honors Geography 102, Out-of-State Travel Program**

Approve the out-of-state travel request to Hawaii from June 1-9, 2013 for IVC students and their advisors. There is no impact to general funds.

5.5 **Irvine Valley College: Life Science Building: Change Order No. 8**

Approve change order increasing the project cost by \$15,598.34. The total revised contract amount is \$11,559,819.11.

- 5.6 **Irvine Valley College: Contract Amendment - RoadtripNation.org**
Approve agreement amendment with RoadtripNation.org increasing the agreement amount by \$2,000. The total revised agreement amount is \$197,000.00.
- 5.7 **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.
- 5.8 **SOCCCD: Resolution No. 12-36: Conflict of Interest – Biennial Review**
Adopt Resolution No. 12-36 and approve the revised Conflict of Interest Code, subject to the review and approval by the Orange County Board of Supervisors.
- 5.9 **SOCCCD: Budget Amendment: Adopt Resolution No. 12-38 to Amend FY 2012-2013 Adopted Budget**
Adopt resolution to amend adopted budget.
- 5.10 **SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting**
Adopt resolution 11-40 (Exhibit A) authorizing payment to Trustee Jay who was absent from the November 19, 2012 Meeting of the Board of Trustees.
- 5.11 **SOCCCD: Gifts to the District and Foundations**
Accept donations to the District and/or the Foundations as listed.
- 5.12 **SOCCCD: Payment of Bills**
Approve check no. 163930 through 164585 processed through the Orange County Department of Education, totaling \$3,880,753.80; and check no. 010554 through 010563, processed through Saddleback College Community Education, totaling \$7,889.80; and check no. 009055 through 009058, processed through Irvine Valley College Community Education, totaling \$2,437.97.
- 5.13 **SOCCCD: Purchase Order/Confirming Requisitions**
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P13-02188 through P13-02471 amounting to \$6,554,922.94. Approve confirming requisitions dated October 31, 2012 through November 27, 2012 totaling \$66,597.76.
- 5.14 **SOCCCD: Transfer of Budget Appropriations**
Approve the transfer of budget appropriations.
- 5.15 **SOCCCD: November/December 2012 Contracts**
Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

- 6.1 **SOCCCD: Acceptance of the Saddleback College Foundation and Irvine Valley College Foundation Annual Audit Reports: FY 2011/2012**
Accept the Saddleback College Foundation and Irvine Valley College Foundation FY 2011-2012 audit reports for review.

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

- 6.2 **Irvine Valley College: Grant Acceptance, Career Development Work-Based Learning Linkages to Professional Organizations, Year Five**

Approve the continuation of the fifth year award of \$500,419.00 from the California Community Colleges Chancellor's Office for this multi-year grant, RFA No. 12-034.001.

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

- 6.3 **SOCCCD: Board Policy Revision: BP-138: Recording of Board of Trustee Meetings, BP-158: Political Activity, BP-2125: Weapons on Campus, BP-3102: Investment Policy, BP-3502: Campus Safety, BP-6105: Graduation Requirements for Degrees and Certificates of Achievement**

Accept for review and study

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

- 6.4 **SOCCCD: Board Policy Revision: BP-3410: Nondiscrimination, BP-5140: Disabled Students Programs and Services, BP-5505: Grade Grievance Policy, BP-5150: Extended Opportunity Programs and Services, BP-6110: Articulation of Courses and Programs, BP-1900- Alcoholic Beverages, BP-3004: Public Records, BP-3005: Designation of Authorized Signatures, BP-4073: Faculty Reassigned Time and Stipends**

Discussion/Approval

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

- 6.5 **SOCCCD: Academic Personnel Actions – Regular Items**

Approve New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Administrator Contract Extension.

Trustee Padberg announced a correction to item D.1. "...contract extension, effective July 1, 2013." Replacement page was provided to Board members.

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

- 6.6 **SOCCCD: Classified Personnel Actions – Regular Items**
Approve New Personnel Appointments, Authorization to Revise Specifications to a Classified Job Classification, Authorization to Eliminate Classified Positions and/or Position Numbers, Authorization to Establish and Announce a Classified Position, Request to Rescind Layoff for Classified Positions, Change of Status, Out of Class Assignments, Resignation/Retirement/Conclusion of Employment, Volunteers.

On a motion made by Trustee Milchiker and seconded by Trustee Lang, 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: Basic Aid Report**
Report on projected receipts and approved projects.
- 7.3 **SOCCCD: Facilities Plan Status Report**
Status of current construction projects.

8.0 **WRITTEN REPORTS**

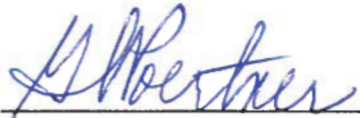
Reports by the following individuals and groups should be written and submitted through the docket process prior to distribution of the Board agenda packet.

- 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 Classified Senate
- M. Associated Student Government, Saddleback College
- N. Associated Student Government, Irvine Valley College
- 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 7:51 p.m. in memory of those who lost their lives in Newtown, Connecticut at Sandy Hook Elementary School.

A handwritten signature in blue ink, appearing to read "G. Poertner", written over a horizontal line.

Gary L. Poertner, Secretary