

**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
February 23, 2015**

PRESENT

Members of the Board of Trustees:

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

Administrative Officers:

Gary Poertner, Chancellor
David Bugay, Vice Chancellor, Human Resources
Tod Burnett, President Saddleback College
Debra Fitzsimons, Vice Chancellor, Business Services
Craig Justice, Vice President for Instruction for Glenn Roquemore

ABSENT

William O. Jay, Member
Nancy M. Padberg, Member
Robert Bramucci, Vice Chancellor, Technology and Learning 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)) (3 matters)
 - A. Public Employee Discipline, Dismissal, Release (GC Section 54957(b).) (2 matters)
 - B. Public Employee Employment (GC Section 54957(b).)
 1. Career Guidance Specialist (1 matter)
- 1.4 Conference with Labor Negotiators (GC Section 54957.6)
 - A. SOCCCD Faculty Association
Agency Designated Negotiator: David P. Bugay, Ph.D.
- 1.5 Conference with Real Property Negotiators (GC Section 54956.8) (1)
 - A. Exchange of Property by District: Portion of Advanced Technology Education Park: County of Orange, 15445 Lansdowne Road, Tustin
Agency Designated Negotiator: Debra Fitzsimons, Ph.D. regarding exchange of land.
- 1.6 Conference with Legal Counsel (GC Section 54956.9) (2 matters)
 - A. Anticipated Litigation (GC Section 54956.9(d)(2) and (e)(1).) (1 case)
 - B. Existing Litigation (GC Section 54956.9(d)(1) (1 case; case name unspecified to avoid jeopardizing existing settlement negotiations)

RECONVENE OPEN SESSION: 6:30 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

On a 5-0 vote with Trustees' Padberg and Jay absent, the board voted to approve settlement agreement for a classified manager at Irvine Valley College.

2.2 Invocation

Led by Trustee Marcia Milchiker

2.3 Pledge of Allegiance

Led by Trustee T.J. Prendergast, III.

2.4 Recognitions: Speakers are limited to two minutes each.

- A. Resolutions:
 1. None

B. Commendations:

1. Saddleback College President Tod Burnett commended Christian Alvarado, Ruth Higgins, Andrea McGinley, Dennis Stachelski, Javier Williams, Kimia Rezvani, Patricia Rocklin, Phuong Vu, Tina (Hoang-Quyen) Dang, Claire Tracey, Thokozile "Donata" Senda for their efforts to assist students in the financial aid office.

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. 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.***

Seven public comments were heard by the Board regarding faculty contract negotiations.

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: Process for Developing the Academic Calendar**

At the request of the Board of Trustees, representatives from Saddleback College and Irvine Valley College will share the process followed at the colleges to develop the academic calendar.

Saddleback College Academic Senate President Dan Walsh and Irvine Valley College Academic Senate President Kathy Schmeidler provided an overview of the college's process in developing the academic calendar. This was a follow-up item from the 2014 Trustee Listening Sessions.

- 4.2 **SOCCCD: Review DRAC Funding Model.**

A presentation regarding DRAC, the DRAC Model, and SB 361 will be provided by the Vice Chancellor of Business Services, Executive Director of Fiscal Services, and the Vice Presidents of Administrative Services.

A presentation regarding the District Resource Allocation Committee (DRAC), the DRAC Model which defines operational budgets, SB 361 which governs state apportionment funding and basic aid was provided by Vice Chancellor of Business Services Debra Fitzsimons, Irvine Valley College Vice President of Administrative Services Davit Khachatryan and Saddleback College Vice President of Administrative Services Carol Hilton. This was a follow up item from the 2014 Trustee Listening Sessions.

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 Prendergast requested to pull item 5.4, Trustee Wright requested to pull item 5.8 and Trustee Lang requested to pull items 5.5 and 5.15 for separate discussion/action.

- 5.1 **SOCCCD: Board of Trustees Meeting Minutes**
Approve minutes of a Regular Meeting held on January 26, 2015.
- 5.2 **Saddleback College: Program Revision for the 2014-15 Academic Year**
Approve the proposed program change for the 2014-15 academic year at Saddleback College.
- 5.3 **SOCCCD: Saddleback College Technology and Applied Science (TAS) Swing Space Project, Hire Division of the State Architect (DSA) Inspection Services, Blue Coast Consulting**
Approve the DSA Inspection Services agreement with Blue Coast Consulting for the Saddleback College Technology and Applied Science (TAS) Swing Space project for a not to exceed amount of \$145,145.
- 5.4 **SOCCCD: Saddleback College Technology and Applied Science (TAS) Swing Space Project, Hire Construction Manager, Bernards**
Approve the construction management services agreement with Bernards for the Saddleback College Technology and Applied Science (TAS) Swing Space project for a not to exceed amount of \$312,100.

Motion was made by Trustee Lang seconded by Trustee Wright to accept Exhibit B into the record as part of the item. Motion carried on a 5-0 vote.
- 5.5 **Saddleback College: Grant Sub-Agreement, Rancho Santiago Community College District, Career and Technical Education Enhancement Fund**
Approve the Grant Sub-Agreement between Rancho Santiago Community College District and SOCCCD for CTE Enhancement Fund in the amount of \$396,925 for the term of January 1, 2015 to February 28, 2016.

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

5.6 Saddleback College: Phi Theta Kappa 97th International Convention, April 15-19, 2015, San Antonio, Texas

Approve the out-of-state travel request for up to three students and one faculty advisor to attend the Phi Theta Kappa 97th International Convention in San Antonio, Texas from April 15-19, 2015 at a cost not to exceed \$5,684.

5.7 Saddleback College and Irvine Valley College: Curriculum and Certificates/Degrees Revisions for 2015-2016

Approve proposed changes in curriculum for the 2015-2016 academic year.

5.8 Saddleback College and Irvine Valley College: Revised 2015-2016 Instructional Material/Laboratory Fees

Approve revised instructional material and laboratory fees for 2015-2016.

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

5.9 Saddleback College and Irvine Valley College: Community Education, Summer 2015

Approve Community Education courses, presenters, and compensation for Summer Session 2015.

5.10 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.

5.11 SOCCCD: Saddleback College Technology and Applied Science (TAS) Swing Space Project, Hire Testing & Special Inspection Firm, C.E.M. Lab Corp.

Approve the testing and special inspection services agreement with C.E.M. Lab Corp. for the Saddleback College TAS Swing Space project for a not to exceed amount of \$123,143.

5.12 SOCCCD: Irvine Valley College, A400 Design-Build Project, Testing and Inspection Agreement Amendment No. 1, C.E.M. Lab Corp.

Approve Amendment No. 1 with C.E.M. Lab Corp. in the amount of \$40,000, for the Irvine Valley College A400 Design-build project, for a total fee of \$180,000.

5.13 Irvine Valley College: Model United Nations, Co-Curricular Out-of-State Travel for the National Model United Nations New York City (NYC) 2015 Conference from March 20-27, 2015

Approve the IVC Model United Nations program out-of-state conference travel to the National Model United Nations New York City (NYC) 2015 Conference from March 20-27, 2015.

- 5.14 **Irvine Valley College: ASIVC Out of State Travel, Co-Curricular Dance Program, American College Dance Association 2015 Intercollegiate Southwest Regional Dance Competition, March 17-22, 2015, Lubbock, Texas**
Approve the out-of-state travel request for faculty and students to attend the American College Dance Association 2015 Intercollegiate Southwest Regional Dance Competition as part of ASIVC Co-Curricular program from March 17-22, 2015, in Lubbock, Texas at a cost not to exceed \$17,010.
- 5.15 **Irvine Valley College: Grant Sub-Agreement, Rancho Santiago Community College District, Career and Technical Education Enhancement Fund**
Approve the Grant Sub-Agreement between Rancho Santiago Community College District and SOCCCD for CTE Enhancement Fund in the amount of \$173,262 for the term of January 1, 2015 to February 28, 2016.
- On a motion made by Trustee Jemal and seconded by Trustee Milchiker, this item was approved on a 5-0 vote with a revision pending Rancho Santiago's approval.
- 5.16 **SOCCCD: Budget Amendment Adopt Resolution No. 15-04 to Amend FY 2014-2015 Adopted Budget**
Adopt resolution to amend the FY 2014-2015 Adopted Budget.
- 5.17 **SOCCCD: Extension of Agreement, Amendment No. 1: Office Supplies Contract, Office Max Solutions**
Approve Amendment No. 1 with Office Max Solutions for an additional year beginning March 27, 2015 thru March 26, 2016.
- 5.18 **SOCCCD: Gifts to the District and Foundations**
Accept donations.
- 5.19 **SOCCCD: Payment of Bills**
Ratify the payment of bills as listed.
- 5.20 **SOCCCD: Purchase Order/Confirming Requisitions**
Ratify the purchase orders/confirming requisitions as listed.
- 5.21 **SOCCCD: Transfer of Budget Appropriations**
Ratify transfer of budget appropriations as listed.
- 5.22 **SOCCCD: January 2015 Contracts**
Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

6.1 **SOCCCD: OCSBA Marian Bergeson Award Nomination**

Approve possible nomination for transmittal to the OCSBA office.

The Board did not nominate a candidate for the Marian Bergeson Award. Therefore, no action was taken on this item.

6.2 **SOCCCD: OCSBA Board of Directors Interest Form**

Approve possible nomination for transmittal to the OCSBA office.

The board nominated OCSBA representative Trustee Jemal to submit the interest form to OCSBA for consideration to serve on the Board of Directors.

On a motion made by Trustee Lang and seconded by Trustee Milchiker, this item was approved on a 4-0 vote with Trustee Jemal abstaining.

6.3 **SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting**

Authorize payment to Trustee Padberg who was absent from the January 26, 2015 meeting.

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

6.4 **SOCCCD: Resolution in Support of Changes to Community College Funding to Include Differential Funding for High Cost Career Technical Education Programs**

Adopt Differential Funding Resolution No. 15-07 and forward to California Community Colleges Chancellor's Office.

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

6.5 **SOCCCD: Saddleback College Storage Area Networks (SAN) Technology Equipment, Extension of Term, NetApp, Inc.**

Approve extended use of the Master Price Agreement No. B27170 through the date of March 31, 2015. Estimated expenditures for the term under this agreement will not exceed \$500,000.

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

6.6 **SOCCCD: Saddleback College Technology and Applied Science (TAS) Swing Space Project, Adopt Resolution 15-05, and Authorize Award, Execution and Delivery of Lease/Leaseback, SOLPAC Construction, Inc.**

Adopt Resolution 15-05, approve and authorize award, execution and delivery of the lease/leaseback agreements with SOLPAC Construction, Inc. for a Guaranteed Master Price of \$6,817,083 for the Saddleback College TAS Swing Space Project.

On a motion made by Trustee Lang and approved by Trustee Jemal, this item was approved on a 5-0 vote.

6.7 SOCCCD: 2015-2016 Five Year Construction Plan

Approve the District's Order of Priority for the 2015-2016 Five Year Construction Plan.

On a motion made by Trustee Wright and seconded by Trustee Jemal, this item was approved on a 5-0 vote with Student Trustee Carrillo abstaining from his advisory vote.

6.8 SOCCCD: Computer Equipment and Related Devices, Extension of Term, Hewlett Packard Co.

Approve extended use of the Master Price Agreement No. B27164 through the date of March 31, 2015. Annual expenditures for the term under this agreement will not exceed \$1,999,334.

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

6.9 SOCCCD: District-wide Air Blown Fiber, Change Order No.1, T and D Communications, Inc.

Approve Board Change Order No. 1 with T and D Communications, Inc. for the District-wide Air Blown Fiber project and authorize staff to execute the corresponding change order with the contractor which will result in an increase of \$25,290 in the total project cost. The revised contract amount is \$683,379.

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

6.10 SOCCCD: ATEP Land Exchange Demolition Project, Change Order No.1, AMPCO Contracting, Inc.

Approve Board Change Order No. 1 for the ATEP Land Exchange Demolition project and authorize staff to execute Board Change Order No. 1 with AMPCO Contracting, Inc. which will result in a no cost change and the addition of 18 days to the approved schedule with the total project cost remaining \$2,425,000.

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

- 6.11 **SOCCCD: Board Policy Revision: BP – 5420 Nursing Program; BP – 3508 Public Safety Camera System**
Accept for discussion and approval.

On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved on a 5-0 vote with Student Trustee Carrillo abstaining from his advisory vote.

- 6.12 **SOCCCD: Academic Personnel Actions – Regular Items**
Approve New Personnel Appointments, Authorization to Establish an Academic Administrative Position, Approve Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Workload Banking, Reduced Workload Program with STRS Retirement, Resignation/Retirement/Conclusion of Employment.

An amendment was made to Exhibit A, page 2 of 9, B. 2. The item and the accompanying Exhibit B were removed from the list of academic personnel actions.

On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved as amended on a 5-0 vote.

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

An amendment was made to Exhibit A, page 6 of 10, F. 3. A change in hours from 40 to 25 was noted and the effective date should read January 5.

On a motion made by Trustee Jemal and seconded by Trustee Lang this item was approved on a 5-0 vote.

- 6.14 **SOCCCD: Annual Report on First Year Probationary Faculty Recommended for Continuation of Tenure-Track Status**
Approval of one-year contract for employees who have completed one year as full-time tenure-track faculty members.

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

- 6.15 **SOCCCD: Annual Report on Second Year Probationary Faculty Recommended for Continuation of Tenure-Track Status**
Approval of two-year contract for employees who have completed two years as full-time tenure-track faculty members.

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

6.16 SOCCCD: Annual Report on Fourth Year Probationary Faculty Recommended for Tenure

Approval of tenure for full-time faculty members who have completed the four- year tenure-track plan.

On a motion made by Trustee Lang and seconded by Trustee Jemal, this item was approved on a 5-0 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: Annual Report on Third Year Probationary Faculty Continuation of Tenure-Track Status

Listing of full-time tenure-track faculty members entering into the second year of a two-year contract previously approved by the 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 through January 31, 2015.

7.6 SOCCCD: Quarterly Investment Report

A review of investments for the quarter ending on December 31, 2014

7.7 SOCCCD: Retiree (OPEB) Trust Fund

The report is for period ending January 31, 2015.

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 8:46 p.m. in memory of George Hartman, former coach and administrator at Saddleback College and Richard White, full-time ceramics professor at Saddleback College.



Gary L. Poertner, Secretary