

**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 24, 2014**

PRESENT

Members of the Board of Trustees:

T.J. Prendergast, President
Nancy M. Padberg, Vice President
Bill Jay, Member
Timothy Jemal, Member
David B. Lang, Member
James R. Wright, Member
David Robinson, 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

ABSENT

Marcia Milchiker, Clerk
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 Employment (Government Code section 54957 (b) (1).)
 - A. Title of Position: Human Resources Specialist
- 1.4 Public Employee Discipline/Dismissal/Release (Government Code section 54957 (b)(1).) (5 matters)
- 1.5 Public Employee Performance Evaluation (Government Code section 54957 (b)(1).)
 - A. Title of Position: Facilities Operations Supervisor
- 1.6 Conference with Labor Negotiators (Government Code section 54956.9.)
 - A. SOCCCD Faculty Association
Employee Organization: SOCCCD Faculty Association
Agency Designated Representative: David Bugay, Ph.D.
- 1.7 Conference with Legal Counsel (Government Code section 54956.9.)
 - A. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (1) of subdivision (e) of Section 54956.9 (1 case)

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (2) of subdivision (e) of Section 54956.9: (1 case) - Discrimination Complaint by Employee Pursuant to 5 CCR section 59300 et seq.

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 6-0 vote with Trustee Milchiker absent, the board approved a three-month unpaid leave of absence with benefits to a classified employee at the District office.

On a 6-0 vote with Trustee Milchiker absent, the board approved the recommendation to transfer a classified manager at Saddleback College to a different position.

On a 6-0 vote with Trustee Milchiker absent, the board approved non-renewal of two probationary faculty members, one at Saddleback College and one at Irvine Valley College.

On a 6-0 vote with Trustee Milchiker absent, the board denied a classified employee's appeal of an administrative determination alleging discrimination.

2.2 **Invocation**

Led by Trustee Marcia Milchiker

In Trustee Milchiker's absence, Trustee Prendergast led the invocation and asked for a moment of silence.

2.3 **Pledge of Allegiance**

Led by Trustee Nancy Padberg

2.4 **Recognitions: Speakers are limited to two minutes each.**

A. Resolutions

None

B. Commendations

None

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.***

There were three public comments pertaining to item 6.5 – Five Year Construction Plan and the order of priority for the Saddleback College football stadium.

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
 - Request for Report on Financial Aid Services at Saddleback and Irvine Valley College

On a 6-0 vote with Trustee Milchiker absent, the board approved the board request for report on financial aid services at both colleges.

4.0 DISCUSSION ITEMS

4.1 Saddleback College: A New Vision for Student Success at Saddleback College

Representatives from Saddleback College made a presentation on the development of a college wide student success committee and the implementation of student success work groups.

Faculty members Bruce Gilman and Penny Skaff and student Shay Sharp presented Saddleback College's plans for addressing student success. The plans include enhancing professional development; reviewing pedagogy and encouraging innovation in the classroom to continuously improve the student learning experience; performing a college-wide scan to understand all the student success efforts on campus; completing an online student success portal; building a student success center and creating ambassadors to help students throughout the campus; and, a freshman advantage program with face to face orientations for incoming students.

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.

Item 5.4 was pulled from the consent calendar for discussion/action.

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

5.1 SOCCCD: Board of Trustees Meeting Minutes

Approve minutes of a Regular Meeting held on January 27, 2014 and approve minutes of a Special Meeting held on February 1, 2014.

5.2 Irvine Valley College: Geology 170 Out of State Travel – Zion National Park, Utah

Approve the out-of-state travel request for the School of Physical Sciences

and Technologies field study course from April 24-27, 2014, in the vicinity of Zion National Park, southwest Utah. The impact to the general fund consists of the use of a college van.

- 5.3 **Saddleback College: Phi Theta Kappa 94th International Convention**
Approve the out-of-state travel request for up to six students and one faculty advisor to attend the Phi Theta Kappa 94th International Convention in Orlando, Florida at a cost not to exceed \$8,500.

- 5.4 **SOCCCD: ATEP Development Master Planning Services, HMC Architects**
Approve the HMC Architect Agreement for the Development Master Planning Services in the amount of \$205,000.

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

- 5.5 **SOCCCD: Saddleback College Site Improvements, Design-Build Criteria and Programming Architectural Services, DLR Group**
Approve the Saddleback College Site Improvements, Design-Build Criteria and Programming Architectural Services agreement with DLR Group in the amount of \$280,000 effective February 24, 2014.

- 5.6 **Saddleback College and Irvine Valley College: Curriculum and Certificates/Degrees Revisions for 2014-2015**
Approve proposed changes in curriculum for the 2014-2015 academic year.

- 5.7 **Saddleback College and Irvine Valley College: Revised 2014-2015 Instructional Material/Laboratory Fees**
Approve revised instructional material and laboratory fees for 2014-2015.

- 5.8 **Saddleback College and Irvine Valley College: Community Education, Summer 2014**
Approve Community Education courses, presenters, and compensation for Summer Session 2014.

- 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: Trustees' Requests for Attending Conferences**
Approve/ratify Trustees' requests for attending conference/meeting

- 5.11 **SOCCCD: Budget Amendment: Adopt Resolution No. 14-04 to Amend FY 2013-2014 Adopted Budget**
Adopt resolution to amend the adopted budget.

- 5.12 **SOCCCD: Gifts to the District and Foundations**
Accept donations.

- 5.13 **SOCCCD: Payment of Bills**
 Approve checks No. 176560 through 177606 processed through the Orange County Department of Education, totaling \$7,680,831.40; and Checks No. 010925 through 010958, processed through Saddleback College Community Education, totaling \$174,456.14; and Checks No. 009216 through 009219, processed through Irvine Valley College Community Education, totaling \$2,398.20 are submitted for the approval of the Board of Trustees.

- 5.14 **SOCCCD: Purchase Order/Confirming Requisitions**
 Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P14-02907 through P14-03184 amounting to \$1,004,869.21 are submitted to the Board of Trustees for approval. Confirming requisitions dated January 8, 2014 through February 5, 2014 totaling \$110,228.21 are also submitted.

- 5.15 **SOCCCD: Transfer of Budget Appropriations**
 Ratify the transfer of budget appropriations for the period ending January 31, 2014.

- 5.16 **SOCCCD: January / February 2014 Contracts**
 Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

- 6.1 **SOCCCD: Public Hearing for the Irvine Valley College Energy Service Contract**
 A public hearing to invite members of the public to present their comments with regard to the Irvine Valley College Energy Service Contract to replace the air handling units and re-build the existing chiller that services the units on the Student Services Center Building at Irvine Valley College.

 A Public Hearing was held to allow the District to enter into an energy service contract pursuant to the requirements of California Government Code 4217.

- 6.2 **SOCCCD: Irvine Valley College Student Services Center Air Handling Unit Replacement Project, Adopt Resolution No. 14-05 Authorizing entering into an Energy Service Contract**
 Adopt Resolution No. 14-05 to authorize entering into an Energy Services Contract for the Irvine Valley College Student Services Center Air Handling Unit Replacement Project.

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

6.3 **SOCCCD: Irvine Valley College Student Services Center Air Handling Units Replacement Project, Award of Energy Services Contract, Trane U.S. Inc. (DBA Trane)**

Approve the Energy Services Agreement for the Irvine Valley College Student Services Air Handling Units Replacement project with Trane U.S. Inc. (DBA Trane), City of Industry, CA, in the amount of \$590,010.

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

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

Determine if the board wishes to nominate a trustee for the Marian Bergeson Award, and if so, approve the nomination for transmittal to OCDE.

Trustee Lang nominated Trustee Milchiker for the Marian Bergeson Award. No other trustees were nominated.

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

6.5 **SOCCCD: Five Year Construction Plan FY 2014-2015**

Approve the District's Order of Priority for the Five Year Construction Plan FY 2014-2015.

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

6.6 **SOCCCD: Revision to the Approved 2014-2015 Academic Calendar**

Approve revised 2014-2015 academic calendar. The last week of the summer session has been removed, as it overlapped the first week of Fall 2015 on the proposed 2015-2016 academic calendar.

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

6.7 **SOCCCD: Board Policy Revision: BP-146-Chancellor Succession, BP-4040-Public Disclosure of Employee Compensation, BP-4076-Compensation, BP-4700-Whistleblower Protection, BP-5130-Financial Aid**

Accept for Discussion/Approval

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

6.8 **SOCCCD: Approval of Independent Consultant Services Agreement for Strata Information Group (SIG) – Business Process Change Management and Project Management Services for the HR/Financial**

Software System Project

Approve the Independent Consultant Services Agreement for Business Process Change Management and Project Management Services for Strata Information Group (SIG) for an amount not to exceed \$500,000 effective February 25, 2014 through June 30, 2016.

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

6.9 SOCCCD: Irvine Valley College, Life Sciences Construction Management Services Agreement, Amendment No. 3, McCarthy Building Companies, Inc.

Approve Amendment No. 3 to the agreement with McCarthy Building Companies, Inc., to provide construction management services through March 31, 2014, for the Irvine Valley College Life Sciences project for a price of \$65,659 and a new contract total equaling \$1,902,193.

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

6.10 SOCCCD: Irvine Valley College ATEP Swing Space, Adopt Resolution 14-03 Design-Build Delivery Method and Transfer Funds

Adopt Resolution No. 14-03 to authorize the use of Design-Build for the Irvine Valley College ATEP Swing Space Project and approve this recommendation to transfer \$984,000 from the IVC A200 [New Surface Parking Lot Phase I](#) project to the IVC ATEP Swing Space project.

A replacement page was distributed with a correction specifying a new funding source as indicated above.

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

6.11 SOCCCD: Saddleback College, Technology & Applied Sciences Building Renovation, Architectural Agreement Amendment No. 2, gkkworks

Approve Amendment No. 2 with gkkworks in the amount of \$65,982 for the Saddleback College Technology & Applied Sciences Building project for a total fee of \$823,907.

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

6.12 SOCCCD: Academic Personnel Actions – Regular Items

Approve New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Title Change of Full-Time, Academic Faculty Positions.

A replacement page was distributed indicating a correction to Exhibit A, B.1

On a motion made by Trustee Jay and seconded by Trustee Lang, 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, Extend Temporary Classified Position, Authorization to Eliminate and Create Classified Positions, Change of Status, Classified Bilingual Stipend, Additional Compensation, Out of Class Assignments, Leave of Absence, Resignation/Retirement/Conclusion of Employment, Volunteers.

On a motion made by Trustee Lang and seconded by Trustee Padberg, this item was approved on a 6-0 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 tenure-track full-time faculty members.

On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved on a 6-0 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 tenure-track full-time faculty members.

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

Full-time tenured faculty members were recognized.

On a motion made by Trustee Padberg and seconded by Trustee Wright, this item was advanced following Board Request for Reports and was approved on a 6-0 vote.

6.17 **SOCCCD: Office of Human Resources Management Reorganization**

Approve proposed structural change to the office of Human Resources to reclassify two classified positions and one management position to streamline operations and increase efficiencies. Fiscal impact less than \$10,000 annually.

On a motion made by Trustee Padberg and seconded by Trustee Jay, this item was approved on a 6-0 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 second year of 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**
This report displays the adopted budget, revised budget and transactions through January 31, 2014.
- 7.6 **SOCCCD: Quarterly Investment Report**
The quarterly report as of January 31, 2014 for FY 2013-2014.
- 7.7 **SOCCCD: Retiree (OPEB) Trust Fund**
The report is for period ending January 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.**

The meeting was adjourned at 7:52 p.m. in memory of Irvine Valley College Student Joseph Robinson.

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

Gary L. Poertner, Secretary