

**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 25, 2013**

**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  
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**. **Speakers are limited to two minutes each.***

Thirty one public comments in support of two IVC tenure track faculty members were heard by the board.

## **RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:**

- A. Public Employee Employment/Discipline/Dismissal/Release (GC Section 54957) (8)
  - 1. Public Employee Employment/Dismissal/Release (6)
  - 2. Public Employee Employment (2)
- B. Conference with Legal Counsel (GC Section 54956.9)
  - 1. Existing Litigation (GC Section 54956.9[d][2])
    - a. *Avery Investment Group vs. SOCCCD*
    - b. *In the Matter of the Requests for Review of Bayley Construction and Central Air Conditioning, Inc*
  - 2. Anticipated Litigation (GC Section 54956.9[d][2] and [e] [3])
    - a. *Claim of Gregory Butler*

## **RECONVENE OPEN SESSION: 6:30 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 6-1 vote with Trustee Jay casting a negative vote, the board voted to affirm the District's recommendation to non-reelect two faculty members at Saddleback College and ~~the board voted to reject the recommendation to non-reelect two faculty members at IVC.~~ On a 7-0 vote,

On a 7-0 vote, the board voted to approve the termination of employment of a faculty member.

On 7-0 vote, the board approved a six-month extension of a previously approved three month unpaid leave with benefits to a classified employee.

On a 7-0 vote, the board denied the request for a paid leave with benefits to a police officer.

On a 7-0 vote, the board voted to reject a classified employee's appeal of an administrative determination that her complaint alleging discrimination was without merit.

2.2 **Invocation**

Led by Trustee David Lang

2.3 **Pledge of Allegiance**

Led by Trustee James Wright

2.4 **Resolutions / Commendations**

A. Resolution: Irvine Valley College Lasers Women's Golf  
2012 State Champions

B. Commendations: Saddleback College winners of the President's Award  
for Leadership and Innovation.

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. **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. College Presidents' Reports (*Written Reports included in Section 8.0*)

D. Board Request(s) for Reports

- Request for Report on Progress of Veterans Services provided by the colleges.

On a motion made by Trustee Lang and seconded by Trustee Jemal, the Request for Board Report submitted by Trustee Wright was approved on a 7-0 vote.

4.0 **DISCUSSION ITEMS**

4.1 **Saddleback College and Irvine Valley College: Student Success Task Force Recommendation 5 – "Improve the Education of Basic Skills Students"**

A presentation on Recommendation 5 of the California Community Colleges

Student Success Task Force.

Saddleback College Dean of Health Sciences and Human Services, Donna Rane-Szostak, Irvine Valley College Dean of Academic Programs, Kathy Werle and Irvine Valley College Writing Faculty, Summer Serpas presented an overview of their work on Student Success Task Force Recommendation #5.

On a motion made by Trustee Prendergast and seconded by Trustee Jemal, the meeting was extended to 9:45 p.m. on a 7-0 vote.

**4.2 Saddleback College, Irvine Valley College, and ATEP: An Overview of Mental Health Services**

A report outlining the mental health services provided at Saddleback College, Irvine Valley College, and ATEP (report request made by Trustee Tim Jemal at the January Board of Trustees meeting)

Irvine Valley College, Vice President of Student Services, Dr. Linda Fontanilla, Director of the Health & Wellness Center, Chris Hogstedt, Chair of Counseling, Robert Melendez, Dean of Counseling Services, Dr. Elizabeth Cipres and representatives from Saddleback College, Health Center Director, Jeanne Harris-Caldwell and Vice President of Student Services, Dr. Juan Avalos presented an overview of mental health services provided to students at each college.

On a motion made by Trustee Prendergast and seconded by Trustee Milchiker, the meeting was extended for an additional 35 minutes on a 7-0 vote.

**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 Padberg requested to pull item 5.11 from the consent calendar.

On a motion made by Trustee Lang and seconded by Trustee Milchiker, 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 January 22, 2013.

- 5.2 **Irvine Valley College: Life Sciences Building: Construction Contract, Change Order No. 9**  
Approve change order resulting in a decrease of \$2,974 in the cost. The revised total contract amount is \$11,556,845.11.
- 5.3 **Irvine Valley College: Life Sciences Building: Construction Management Services Agreement, Amendment No. 2**  
Approve amendment with McCarthy Building Companies, Inc. resulting in an increase of \$436,534. The revised total contract amount is \$1,836,534.
- 5.4 **Irvine Valley College: Life Sciences Building: DSA Inspection Services Agreement, Amendment No. 2**  
Approve amendment with Joyce Inspection resulting in an increase of \$87,360. The revised total contract amount is \$480,696.
- 5.5 **Irvine Valley College: Life Sciences Building: Architectural Services, Amendment No. 5 for Increased Services**  
Approve amendment with Dougherty and Dougherty resulting in an increase of \$92,598. The revised total contract amount is \$1,317,608
- 5.6 **Saddleback College and Irvine Valley College: Curriculum and Certificates/Degrees Revisions for 2013-2014**  
Approve proposed changes in curriculum for the 2013-2014 academic year.
- 5.7 **Saddleback College and Irvine Valley College: Revised 2013-2014 Instructional Material/Laboratory Fees**  
Approve revised instructional material and laboratory fees for 2013-2014.
- 5.8 **Saddleback College and Irvine Valley College: Community Education, Summer 2013**  
Approve Community Education courses, presenters, and compensation for Summer Session 2013.
- 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: Authorization of Payment to Trustee Absent from Board Meeting**  
Authorize payment to Student Trustee Park who was absent from the January 22, 2013 meeting.
- 5.11 **SOCCCD: Trustees' Requests for Attending Conferences**  
Approve/Ratify Trustees' requests for attending conference(s).

- 5.12 **SOCCCD: Amendment to Agreement for Specialized Legal Services: Jackson DeMarco Tidus Peckenpaugh (JDTP)**  
Approve the amendment to increase the hourly rates effective March 1, 2013.
- 5.13 **SOCCCD: Amendment for Special Services: RGP Planning and Development Services**  
Approve amendment to increase the hourly rates effective March 1, 2013.
- 5.14 **SOCCCD: Budget Amendment: Adopt Resolution No. 13-03 to Amend FY 2012-2013 Adopted Budget**  
Adopt resolution to amend the FY 2012-2013 Adopted Budget.
- 5.15 **SOCCCD: Approve Contract for Independent Auditing Services for Fiscal Years Ending June 30, 2013 through June 30, 2015**  
Approve agreement with Christy White Associates to perform the District's financial audit for three fiscal years at \$120,000 for year ending June 30, 2013, \$123,600 for year ending June 30, 2014 and \$127,307 for the year ending June 30, 2015. The total contract amount is \$370,907.
- 5.16 **SOCCCD: Gifts to the District and Foundations**  
Accept donations to the District and/or the Foundations as listed.
- 5.17 **SOCCCD: Transfer of Budget Appropriations**  
Approve the transfer of budget appropriations.
- 5.18 **SOCCCD: January/February 2013 Contracts**  
Ratify contracts as listed.
- 5.19 **SOCCCD: Purchase Order/Confirming Requisitions**  
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P13-02753 through P13-03062 amounting to \$1,102,845.24. Approve confirming requisitions dated January 3, 2013 through February 5, 2013 totaling \$91,375.48.
- 5.20 **SOCCCD: Payment of Bills**  
Approve check no. 165414 through 166433 processed through the Orange County Department of Education, totaling \$5,025,255.04; and check no. 010583 through 010594, processed through Saddleback College Community Education, totaling \$41,885.87; and check no. 009068 through 009081, processed through Irvine Valley College Community Education, totaling \$95,476.73.

## **6.0 GENERAL ACTION ITEMS**

**6.1 SOCCCD: Adopt Resolution No. 13-04 Authorizing the Execution and Delivery of Lease Leaseback Contracts and Filing of a Validation Action for the Saddleback College Sciences Building**

Adopt resolution authorizing execution and delivery of Lease Leaseback Contracts and filing of validation action for a not to exceed price of \$43,200,000.

District Director Brandye D'Lena presented an overview of Lease-Leaseback Construction Delivery Method.

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

**6.2 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.

No action was taken on this item.

**6.3 SOCCCD: Board Policy Revision: BP-3420: Local Law Enforcement**  
Accept for review and study.

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

**6.4 SOCCCD: Academic Personnel Actions – Regular Items**

Approve New Personnel Appointments, Authorization to Eliminate an Academic Administrative Position and/or Position Numbers, Authorization to Establish an Academic Administrative Position, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Resignation/ Retirement/Conclusion of Employment.

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

**6.5 SOCCCD: Classified Personnel Actions – Regular Items**

Approve New Personnel Appointments, Authorization to Establish and Announce Classified Position, Reclassification of Classified Positions, Change of Classified Positions, Change of Status, Out of Class Assignments, Leave of Absence, Resignation/Retirement/Conclusion of Employment, Volunteers.

On a motion made by Trustee Wright and seconded by Trustee Lang, this

item was approved on a 7-0 vote.

**6.6 Irvine Valley College: Management Reorganization**

Approve the proposed reorganization. It will streamline operations and create a more efficient and focused administrative support structure that will enhance IVC's ability to reach strategic planning goals, accreditation, and workforce training needs. The fiscal impact is a budgetary savings of \$117,000 per year.

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

**6.7 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 Jay, this item was approved on a 7-0 vote.

**6.8 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 7-0 vote.

**6.9 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.

An amendment was made by administration to include Amy Grimm and Susan Boettger to the list of fourth year probationary faculty recommended for tenure.

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

**6.10 Saddleback College: 2013 -14 Faculty Hiring Correction**

Approve the announcement of the position and recruitment of one additional new full-time faculty as shown in Exhibit A, contingent upon funding, at Saddleback College for the 2013-2014 academic year.

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



item was approved on a 7-0 vote.

6.11 **SOCCCD: Board of Governors 2013 Classified Employee of the Year Award**

Endorse nomination for transmittal to the California Community College Chancellor's Office.

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

## 7.0 **REPORTS**

On a motion made by Trustee Lang, all information items were accepted as presented.

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**

The reports display the adopted budget, revised budget and transactions through December 31, 2012 and January 31, 2013.

7.6 **SOCCCD: Retiree (OPEB) Trust Fund**

The report is for the period ending January 31, 2013.

7.7 **SOCCCD: Quarterly Investment Report**

This report is for the quarter ending on December 31, 2012.

7.8 **SOCCCD: Quarterly Financial Status Report**

This report is as of December 31, 2012 for FY 2012-2013.

## 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. Associated Student Government of SC
- L. Associated Student Government of IVC
- M. Police Officers Association

## 9.0 ADDITIONAL ITEMS

**ADJOURNMENT** (or continuation of closed session if required): **9:00 P.M.**

The meeting was adjourned at 9:44 p.m. in memory of Saddleback College student veteran James Thomas Frohlich.



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Gary L. Poertner, Secretary