

**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
January 25, 2016**

PRESENT

Members of the Board of Trustees:

Timothy Jemal, President
James R. Wright, Vice President
David B. Lang, Clerk
Barbara J. Jay, Member
Marcia Milchiker, Member
T.J. Prendergast, III, Member
Terri Whitt, Member
Lemar Momand, 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
Glenn Roquemore, President Irvine Valley College

CALL TO ORDER: 5:30 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.***

The board heard two public comments regarding CSEA contract negotiations.

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).)
 - A. Public Employee Appointment, Employment (3 matters)
 - B. Public Employee Discipline, Dismissal, Release (GC Section 54957(b).) (1 matter)
- 1.4 Conference with Labor Negotiators (GC Section 54957.6)
 - A. California School Employees Association (CSEA)
Agency Designated Negotiator: David P. Bugay, Ph.D.
 - B. Police Officers Association (POA)
Agency Designated Negotiator: David P. Bugay, Ph.D.
- 1.5 Conference with Legal Counsel (GC Section 54956.9)
 - A. Anticipated Litigation (GC Section 54956.9(d)(2), (e)(1) (1 case)

RECONVENE OPEN SESSION: 6:30 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

On a 7 to 0 vote, the board approved a general leave to a full-time classified employee on a seven hours per week basis to teach 3 units as a part-time faculty member during the Spring 2016 semester. The employee will continue the role of a classified employee 33 hours per week during this time.

On a 7 to 0 vote, the board approved a general leave to a full-time employee on a three hours per week basis for the Spring 2016 semester to perform the duties of a part-time counselor through the end of the Spring 2016 semester. The employee will continue the role of a classified employee 37 hours per week during this time.

2.2 Invocation

Led by Trustee Barbara Jay

2.3 Pledge of Allegiance

Led by Trustee Tim Jemal

2.4 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.*

One public comment on behalf of the faculty asking Trustee Jay to run for the trustee seat in Area 3 at the next general election.

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

Trustee Prendergast requested to be excused at 7:01 p.m. due to a family emergency.

4.0 DISCUSSION ITEMS

- 4.1 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 on a specific item, and states the compelling reason for separate action.

Trustee Milchiker requested to pull item 5.5 for separate discussion/action.

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

- 5.1 **SOCCCD: Board of Trustees Meeting Minutes**
Approve minutes of a Regular Meeting held on December 14, 2015.
- 5.2 **Irvine Valley College: Curriculum Revisions for the 2016-2017 Academic Year**
Approve curriculum revisions as recommended by the Curriculum Committee in consultation with the Academic Senate for the 2016-2017 academic year, pursuant to Title 5, Section 53200 et seq.
- 5.3 **Irvine Valley College: 2016-17 Instructional Material/Lab Fees**
Approve the proposed additional instructional material/lab fees for one new Chemistry course.
- 5.4 **Saddleback College: Community Education, Additional Spring 2016 Classes**

Following Board approval of the Spring 2016 Community Education class offerings at the November 23, 2015 meeting, the college planned some additional classes to include in their Spring 2016 program.

- 5.5 **Saddleback College: Out-of-State Travel Program, National Parks & Monuments, Geology 170 Field Study Course, June 10 to June 19, 2016**
Approve the out-of-state travel to the Grand Canyon National Park, Sunset Crater/Meteor Crater/Petrified Forest, Arizona and Zion National Park, Utah from June 10, 2016 to June 19, 2016, for the field study program in Geology.

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

- 5.6 **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.
- 5.7 **SOCCCD: Academic Year 2016-2017 Non-Resident Tuition Fees for Foreign & Out-Of-State Students**
Adopt a 2016-2017 non-resident tuition fee of \$211 per semester unit based on the "Statewide average cost" option. It is further recommended to increase the capital outlay fee authorized by ECS 76141 to the calculated \$65 per semester unit rate based on capital outlay and maintenance needs of the colleges, and maintain the current \$54 per semester application fee as authorized by ECS 76142.
- 5.8 **SOCCCD: Budget Amendment: Adopt Resolution No. 16-02 to Amend FY 2015-2016 Adopted Budget**
Adopt Resolution No. 16-02 to amend the FY 2015-2016 Adopted Budget.
- 5.9 **SOCCCD: Gifts to the District and Foundations**
Accept the donation(s) to the District and/or the Foundations listed as listed.
- 5.10 **SOCCCD: Transfer of Budget Appropriations**
Ratify the transfer of budget appropriations for the current reporting period ending December 31, 2015.
- 5.11 **SOCCCD: Purchase Orders and Checks**
Ratify the purchase orders and checks as listed.
- 5.12 **SOCCCD: December 2015 Change Orders / Amendments**
Ratify change orders and amendments as listed.
- 5.13 **SOCCCD: November - December 2015 Contracts**
Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

6.1 SOCCCD: Saddleback College Fine Arts HVAC Upgrades and Interior Renovation Project, Energy Service Public Hearing

Open a public hearing and invite members of the public to present their comments with regard to the Saddleback College Energy Service Contract for the Saddleback College Fine Arts HVAC Upgrades and Interior Renovation project.

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

6.2 SOCCCD: Saddleback College Fine Arts HVAC Upgrades and Interior Renovation Project, Adopt Resolution No. 16-01, Authorizing Entering into an Energy Service Contract

Adopt Resolution No. 16-01 to authorize entering into an Energy Service Contract for the Saddleback College Fine Art HVAC Upgrades and Interior Renovation project.

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

6.3 SOCCCD: Saddleback College Fine Arts HVAC Upgrades and Interior Renovation Project, Award of Energy Service Contract, Solpac Construction, Inc., dba Soltek Pacific Construction Company

Approve the Energy Service agreement for the Saddleback College Fine Arts HVAC Upgrades and Interior Renovation project, with Solpac Construction, Inc., dba Soltek Pacific Construction Company, in the amount of \$7,317,766.

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

6.4 SOCCCD: Saddleback College Fine Arts HVAC Upgrades and Interior Renovation Project, Hire Construction Manager, Bernards

Approve the construction management services agreement with Bernards for the Saddleback College Fine Arts HVAC Upgrades and Interior Renovation project, for a not to exceed amount of \$245,257.

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

6.5 SOCCCD: Saddleback College, Sciences Building Project, Change Order No.3, C.W. Driver

Approve Board Change Order No.3 for the Saddleback College Sciences Building project and authorize staff to execute the corresponding change order with the contractor resulting in an increase of \$665,512 in the total

project cost. The revised contract amount is \$55,545,633.

This item was pulled from the agenda and will be presented at the next board meeting.

6.6 SOCCCD: Sciences Building Project, Use of Multiple Award Contracts for Furniture Purchases

Approve the use of the listed CMAS contracts for furniture purchases. Costs associated with the use of these contracts for the Sciences Building project are expected to be no greater than \$600,000.

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

6.7 SOCCCD: Board Policy Revision: BP-4002.1 Authorization for Employment, BP-4000 Authorization for Employment

Accept for discussion and approval.

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

6.8 SOCCCD: CCCT Board of Directors Nominations

Approve possible nomination(s) for transmittal to the CCCT office.

Trustee Prendergast was nominated to serve on the CCCT Board of Directors.

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

6.9 SOCCCD: Academic Personnel Actions – Regular Items

Approve New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Revision to Qualifications of Academic Administrative Position, Correction to Extension of Administrator Temporary Assignment, Title Change of Full-Time, Academic Faculty Position, Reduced Workload Program with STRS Retirement.

Trustee Lang abstained from voting on Exhibit A, page 2 of 11, Item A. 3. Academic Temporary Part-time/Substitute Staff – Edward Benoe, due to a conflict of interest.

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

6.10 SOCCCD: Classified Personnel Actions – Regular Items

Approve New Personnel Appointments, Authorization to Establish and Announce a Classified Position, Revise Salary Placement, Reorganization,

Change of Status, Temporary Increase in Hours, Out of Class Assignments, Resignations/Retirement/Conclusion of Employment, Volunteers.

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

- 6.11 **SOCCCD: 2016-2017 Bonded Sabbatical Recommendations**
Approve Faculty Sabbatical Leaves for the 2016-2017 Academic Year as Recommended by the SOCCCD District-wide Sabbatical Committee.

On a motion made by Trustee Lang and seconded by Trustee Milchiker, 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: Basic Aid Report**
Report on projected receipts and approved projects.
- 7.3 **SOCCCD: Monthly Financial Status Report**
The reports display the adopted budget, revised budget and transactions through December 31, 2015.
- 7.4 **SOCCCD: Quarterly Financial Status Report**
Report for the period ending December 31, 2015 for FY 2015-2016.
- 7.5 **SOCCCD: Facilities Plan Status Report -**
Status of current construction projects.
- 7.6 **SOCCCD: Retiree (OPEB) Trust Fund**
Report for the periods ending November 30, 2015 and December 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. Vice Chancellor, Technology and Learning Services
- E. Vice Chancellor, Human Resources
- F. Vice Chancellor, Business Services
- G. Irvine Valley College Classified Senate

- H. California School Employees Association
- I. Saddleback College Classified Senate
- J. Police Officers Association

9.0 ADDITIONAL ITEMS

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

The meeting was adjourned at 7:45 p.m. in memory of founding student services administrator, counselor and member of Saddleback's Foundation Board of Governors, Jack Swartzbaugh.



Gary L. Poertner, Secretary