

**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  
June 17, 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  
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  
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.***

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

- A. Public Employee Discipline/Dismissal/Release (GC Section 54957) (2 employees)
- B. Conference with Real Property Negotiators (GC Section 54956.8) (2)
  - 1. Lease of Property by District: Portion of Saddleback College site: MG Promenade Apartments LLC located at 28032 Marguerite Parkway, Mission Viejo.
    - a. Agency Designated Negotiator: Debra Fitzsimons, Ph.D. regarding price, terms and terms of payment.
  - 2. Lease of Property by District: Portion of Advanced Technology Education Park: Proposal by Health South for consideration of a potential ground lease.
    - a. Agency Designated Negotiator: Debra Fitzsimons, Ph.D. regarding price, terms and terms of payment.
- C. Conference with Legal Counsel (GC Section 54956.9)(3)
  - 1. Existing Litigation (GC Section 54956.9(d)(2 cases)
    - a. Butler v. SOCCCD
    - b. Daly v. SOCCCD
  - 2. Anticipated Litigation/Significant Exposure to Litigation (GC Section 54956.9[b][1] and [b][3][C] (1 case)

**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**

**2.2 Invocation**

Led by Trustee Bill Jay

**2.3 Pledge of Allegiance**

Led by Trustee David Lang

**2.4 Resolutions/Commendations**

**A. Resolutions**

none

B. Commendations

1. Saddleback Chapter of Phi Theta Kappa, awarded as Distinguished Chapter Officer Team
2. Andrew Craven, Saddleback College Parking Coordinator, Recipient of the California College & Police Chiefs Association (CCUPCA) Award of Merit
3. Martin Carbone, Saddleback College Emeritus Institute volunteer and Advisory Board Member, Recipient of a 2013 Seniors Making a Difference Award
4. Diane Oaks, Marketing, Communications and Broadcast Services Director, Irvine Valley College and her team received five awards from the Community College Public Relations Organization Annual Conference.
5. Tony Mancini, Irvine Valley College Police Officer, Recipient of Award of Merit by the California College and University Police Chief's Association.

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 the Affordable Care Act and the potential impact on the District.

The Request for Board Report submitted by Trustee Prendergast was approved on a 7-0 vote.

4.0 **DISCUSSION ITEMS**

4.1 **SOCCCD: Basic Aid Allocation Recommendation for FY 2013-2014**  
Accept for discussion and information.

Vice Chancellor Fitzsimons presented the Basic Aid allocation recommendations for 2013-2014.

## **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 Dave Lang requested to pull item 5.8 from the consent calendar.

On a motion made Trustee Jemal and seconded by Trustee Lang, the balance of the consent calendar was approved on a 7-0 vote, with a correction to item 5.25.

- 5.1 **SOCCCD: Board of Trustees Meeting Minutes**  
Approve minutes of a Regular Meeting held on May 20, 2013.
- 5.2 **Irvine Valley College: Curriculum Revisions for the 2013-14 Academic Year**  
Approve the curriculum revisions as recommended by the Curriculum Committee in consultation with the Academic Senate for the 2013-14 academic year pursuant to Title 5, Section 53200 et seq.
- 5.3 **Irvine Valley College: Life Science Building: Change Order No. 12**  
Approve change order requests resulting in an increase of \$34,735. The revised total amount is \$11,653,060.11.
- 5.4 **Saddleback College and Irvine Valley College: Child Care Fee Schedule**  
Approve child care monthly fee schedules effective September 1, 2013.
- 5.5 **Saddleback College and Irvine Valley College: Community Education Fall 2013**  
Approve Fall 2013 Community Education courses, presenters, and compensation
- 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 **Saddleback College: Learning Resource Center Renovation Project: Amendment No. 4 to Labor Compliance Agreement Scope of Work**  
Approve amendment with Parsons Brinckerhoff increasing the contract amount by \$25,700. The total revised contract amount is \$120,000.

- 5.8 **Saddleback College: Demolish Classroom Cluster Building Project Bid 2006: Change Order No. 1 and Notice of Completion**  
Approve change order increasing the contract time with Cal United Construction Group and authorize the filing of the Notice of Completion.
- On a motion by Trustee Jemal and seconded by Trustee Prendergast, this item was approved on a 7-0 vote.
- 5.9 **Saddleback College: Foreign Language Centres dba FLS International Intensive English Program (IEP) Lease Agreement**  
Approve lease agreement at a monthly rate of \$10,243.
- 5.10 **Saddleback College: New Transfer Degrees for the Spring Semester 2013-2014 Academic Year**  
Approve the proposed New and Revised Associate Degrees for Transfer. (AA-T/AS-T)
- 5.11 **Saddleback College: 2013-2014 Revised Laboratory Fees**  
Approve the 2013-14 revised laboratory fees.
- 5.12 **Saddleback College: Curriculum Revisions for the 2013-14 Academic Year**  
Approve the proposed changes in curriculum.
- 5.13 **SOCCCD: Renewal of Systems Maintenance Agreement for District-Wide Network Infrastructure**  
Approve maintenance agreement with Presidio using CMAS Contract No. 3-11-70-2834A at a cost of \$189,219.
- 5.14 **SOCCCD: Contracts with Blackboard**  
Approve agreements for a total amount not to exceed \$405,760.99.
- 5.15 **SOCCCD: Update of Authorized Signature List of Board of Trustees' Designees to Approve Documents and Contracts**  
Approve authorized designees by position to execute documents and contracts.
- 5.16 **SOCCCD: Trustees' Requests for Attending Conferences**  
Approve/ratify Trustees' requests for attending conferences as shown in the exhibit.
- 5.17 **SOCCCD: Agreement for Special Services for ATEP Project: McKenna Long & Aldridge, LLP**  
Approve agreement on a time spent hourly rate.
- 5.18 **ATEP: Substitution of Subcontractor-Site Foundation and Infrastructure Demolition – Southern California Grading, Inc.**

Approve the removal of Southern California Grading, Inc. and its substitution with National Demolition as subcontractor on the ATEP Site Foundation and Infrastructure Demolition project.

- 5.19 **SOCCCD: Budget Amendment: Adopt Resolution No. 13-23 to Amend FY 2012-2013 Adopted Budget**  
Adopt resolution to amend the FY 2012-2013 Adopted Budget.
- 5.20 **SOCCCD: Resolution No. 13-24: Conflict of Interest – Update and Amend Designated Positions and Reporting Categories**  
Approve resolution to revise Conflict of Interest Code.
- 5.21 **SOCCCD: Gifts to the District and Foundations**  
Accept donations.
- 5.22 **SOCCCD: Purchase Order/Confirming Requisitions**  
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P13-04154 through P13-04356 amounting to \$993,156.68 and P14-00051 through P14-00102 amounting to \$3,324,819.04. Approve confirming requisitions dated May 2, 2013 through May 28, 2013 totaling \$93,291.17.
- 5.23 **SOCCCD: Transfer of Budget Appropriations**  
Approve the transfer of budget appropriations.
- 5.24 **SOCCCD: Payment of Bills**  
Approve check no. 169119 through 170039 processed through the Orange County Department of Education, totaling \$5,230,534.09; and check no. 010641 through 010653, processed through Saddleback College Community Education, totaling \$18,823.64; and check no. 009106 through 009119, processed through Irvine Valley College Community Education, totaling \$28,695.61.
- 5.25 **SOCCCD: May/June 2013 Contracts**  
Ratify contracts as listed.

A correction was noted on page 3 of 11 of the VTEC contract. The dollar amount should read \$2,250.00

## **6.0 GENERAL ACTION ITEMS**

- 6.1 **SOCCCD: FY 2013-2014 Tentative Budget**  
Approve the FY 2013-2014 tentative budget.

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

- 6.2 **Saddleback College and Irvine Valley College: FY 2013-2014 Tentative Student Government Budgets**  
Approve tentative student government budgets.

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

- 6.3 **SOCCCD: Adopt Resolution No. 13-21 Authorizing Design-Build Procurement for the Saddleback College Site Improvements Project**  
Adopt resolution to authorize the use of Design-Build.

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

- 6.4 **Board Policy Revision: BP-168: Board Member Travel, BP-160: Personal Use of Public Resources, BP-148: Evaluation of the Chancellor, BP-5320: Academic Renewal, BP-6115: Community Education Programs, BP-1600: Curriculum, BP-3501: Campus Security and Access, BP-4002.1: Authorization for Employment, BP-128: Board Agendas, BP-136: Minutes of the Board of Trustee Meetings**  
Discussion/Approval

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

- 6.5 **SOCCCD: Board Policy Revision: BP-164: Board Member Compensation, BP-134: Decorum at Board Meetings, BP-5210: Enrollment Priorities, BP-152: Presentation of Initial Collective Bargaining Proposals, BP-4017: Child Abuse Reporting, BP-4220: Substitute Classified Employees**  
Accept for Review and Study.

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

- 6.6 **SOCCCD: Request to Rescind Fall 2013 Sabbatical**  
Approve request from Faculty member to rescind Fall 2013 sabbatical leave.

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

- 6.7 **SOCCCD: Academic Personnel Actions – Regular Items**  
Approve New Personnel Appointments, Additional Compensation: General

Fund, Additional Compensation: Categorical/Non-General Fund, Extension of Administrative Assignment, Workload Banking, Resignation/Retirement/Conclusion of Employment.

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

**6.8 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 Categorical Funding for a Classified Position, Reorganization, Authorization to Change Classified Positions, Change of Status, Out of Class Assignments, Resignation/Retirement/Conclusion of Employment, Volunteers.

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

**6.9 SOCCCD: Adopt Resolution 13-25: Classified Employee Layoff**

Adopt resolution to approve the reduction and/or discontinuance of classified service as shown in the exhibit.

On a motion made by Trustee Jay and seconded by Trustee Prendergast, 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.

**7.4 SOCCCD: Monthly Financial Status Report**

The reports display the adopted budget, revised budget and transactions through May 31, 2013.

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

The report is for period ending May 31, 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 7.55 p.m. in memory of former Saddleback College Professor, Dr. Steve Sworder.

  
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Gary L. Poertner, Secretary