

**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 22, 2015**

PRESENT

Members of the Board of Trustees:

T.J. Prendergast, III, President
Timothy Jemal, Vice President
James R. Wright, Clerk
Barbara J. Jay, Member
David B. Lang, Member
Marcia Milchiker, Member
Lemar Momand, Student Member

Administrative Officers:

Gary Poertner, Chancellor
Robert Bramucci, Vice Chancellor, Technology and Learning Services
David Bugay, Vice Chancellor, Human Resources
Debra Fitzsimons, Vice Chancellor, Business Services
Glenn Roquemore, President Irvine Valley College

ABSENT

Nancy M. Padberg, Member
Tod Burnett, President Saddleback College

CALL TO ORDER: 5:15 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).)
 - A. Public Employee Discipline, Dismissal, Release (GC Section 54957(b).) (2 matters)
- 1.4 Conference with Labor Negotiators (GC Section 54957.6)
 - A. SOCCCD Faculty Association
Agency Designated Negotiator: David P. Bugay, Ph.D.
 - B. California School Employees Association (CSEA)
Agency Designated Negotiator: David P. Bugay, Ph.D.
- 1.5 Conference with Real Property Negotiators (GC Section 54956.8) (2 matters)
 - A. Price and terms of payment for the purchase of *Property by District: Portion of Saddleback College* gross acre land parcel at the southeast corner of Marguerite Parkway and College Drive (the "Parcel").
Regarding Price and terms of payment for the purchase of Property by District. Agency Designated Negotiator: Debra Fitzsimons, Ph. D.
 - B. Price and terms of payment for the purchase of *Property by District: Portion of City of Irvine Grant of Easement* at Barranca Road adjacent to the Irvine Valley College. *Agency Designated Negotiator: Debra Fitzsimons, Ph. D.*
- 1.6 Conference with Legal Counsel (GC Section 54956.9) (2 cases)
 - A. Pending Litigation (GC Section 54956.9(d)(1)) (1 case)
Successor Agency to the Tustin Community Redevelopment Agency etc., et. al. v. Michael Cohen, an individual sued as the Director of Finance of the State of California, etc. et. al.; and real party in interest, the South Orange County Community College District etc. et. al. (GC Section 54956.9(d)(1))
 - B. Anticipated Litigation (GC Section 54956.9(d)(2) and (e)(1).) (1 case)

RECONVENE OPEN SESSION: 6:30 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

On a 6 to 0 vote with Trustee Padberg absent, the board approved an unpaid leave without benefits for six months to a part-time classified employee.

2.2 Invocation

Led by Trustee David Lang

2.3 Pledge of Allegiance

Led by Trustee Marcia Milchiker

2.4 Recognitions: Speakers are limited to two minutes each.

- A. Resolutions:
 - 1. Jacklyn Chasteler, Saddleback College Hammer Throw State Champion
- B. Commendations:
 - 1. 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.***

Two public comments were made pertaining to Saddleback College Foundation.

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
 - 1. Request for board reports on topics that were addressed during the Board of Trustees Self-Evaluation on May 9, 2015.

On a motion made by Trustee Lang and seconded by Trustee Jemal, the Board Request for Report submitted by the board was approved on a 6-0 vote.

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 Prendergast requested to pull items 5.2, 5.5; Trustee Lang requested to pull items 5.12, 5.18 and 5.27; Trustee Jemal requested to pull items 5.23 and 5.30.

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

5.1 SOCCCD: Board of Trustees Meeting Minutes

Approve notes of a Special Meeting held on May 9, 2015. Approve minutes of the Regular Meeting held on May 18, 2015.

5.2 Saddleback College: Transfer Degrees for the 2015/16 Academic Year

Approve the proposed new Spanish Associate of Arts for Transfer Degree.

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

5.3 Saddleback College: Curriculum Revisions and New Courses for the 2015-16 Academic Year

Approve the proposed changes in curriculum to new Transfer degree.

5.4 SOCCCD: Saddleback College Emergency Water Main Break Project, Notice of Completion, Kinsman Construction, Inc.

Authorize the filing of the Notice of Completion for Saddleback College Emergency Water Main Break project to Kinsman Construction, Inc. for a final contract amount of \$67,346.83.

5.5 SOCCCD: Saddleback College Sailboat Surplus

Approve disposal of two Capri day-sailboats and authorize district personnel to take this action.

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

5.6 SOCCCD: Saddleback College Radio Transmitter Building Project, Amendment No. 1, Pacific Winds Building, Inc.

Approve Amendment No. 1, for a no cost extension to the Pacific Winds Building, Inc. contract by 72 days, and 192 days from the date of the Notice to Proceed, for a new completion date of August 20, 2015.

5.7 SOCCCD: Saddleback College Fine Arts and Parking Lots 9 & 10

Landscape Project, Notice of Completion, Clean Cut Landscape

Authorize the filing of the Notice of Completion for Saddleback College Fine Arts and Parking Lots 9 & 10 Landscape project to Clean Cut Landscape, for a final contract amount of \$119,610.

- 5.8 **SOCCCD: Saddleback College, Fine Arts HVAC Upgrades and Interior Renovation Project, Lease/Leaseback Delivery Method**
Approve authorization to request qualifications and seek proposals for lease/leaseback delivery method for the Saddleback College, Fine Arts HVAC Upgrades and Interior Renovation project.
- 5.9 **SOCCCD: Saddleback College, Fine Arts HVAC Upgrades and Interior Renovation Project, Architectural Agreement Amendment No. 4, gkkworks**
Approve Amendment No. 4 with gkkworks for additional architectural services in the amount of \$30,000 for the Saddleback College Fine Arts HVAC Upgrades and Interior Renovation project for a total fee of \$304,390.
- 5.10 **SOCCCD: Saddleback College Emergency BGS Fire Repairs Project, Architectural Services Agreement, Amendment No. 2, R2A Architecture**
Approve Amendment No. 2 with R2A Architecture for additional architectural services in the amount of \$2,138 for the Saddleback College Emergency BGS Fire Repairs project for a total fee of \$120,299.
- 5.11 **SOCCCD: Saddleback College Satellite Coffee Cart Services Agreement, Amendment No. 2, The Drip Coffee**
Approve Amendment No. 2 to the Saddleback College Satellite Coffee Cart Services agreement with The Drip Coffee, for a one year extension from July 1, 2015 to June 30, 2016.
- 5.12 **SOCCCD: Saddleback and Irvine Valley College, Bid 297D Removal of Hazardous Waste, Amendment No. 3, North State Environmental**
Approve an amendment to the agreement between South Orange County Community College District and North State Environmental for this one time increase of \$80,000 to the annual allowable expenditures for Removal of Hazardous Waste at Saddleback College. The new contract total for Saddleback College is not to exceed \$170,000.00 and Irvine Valley College is not to exceed \$36,000, for a revised contract amount of \$206,000, for FY 2015-2016.

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

- 5.13 **Saddleback College and Irvine Valley College: Community Education Fall 2015**
Approve Fall 2015 Community Education courses, presenters, and compensation.

- 5.14 **Irvine Valley College: Curriculum Revisions for the 2015-2016 Academic Year**
Approve curriculum revisions as recommended by the Curriculum Committee in consultation with the Academic Senate for the 2015-2016 academic year, pursuant to Title 5, Section 53200 et seq.
- 5.15 **SOCCCD: Irvine Valley College, Grant Acceptance, Deputy Sector Navigator Energy Efficiency & Utilities**
Accept this renewal award to Irvine Valley College of \$200,000 from the CCCCO for the Deputy Sector Navigator Energy Efficiency and Utilities grant, RFA No. 15-160-004, effective July 1, 2015.
- 5.16 **SOCCCD: Irvine Valley College, Independent Contractor Agreement, Brilliant Solutions**
Approve this contract for \$135,020 with Brilliant Solutions for Deputy Sector Navigator for Energy Efficiency and Utilities project direction and oversight, effective July 1, 2015 through June 30, 2016.
- 5.17 **SOCCCD: Irvine Valley College A400 Design-Build Project, Testing and Inspection Agreement, Amendment No. 1, gkkworks**
Approve Amendment No. 1 for the Irvine Valley College A400 Design-build project, for a six month extension to the construction management services agreement, with gkkworks with a new completion date of December 24, 2015 and a total contract amount remaining \$390,400.
- 5.18 **SOCCCD: Irvine Valley College A400 Design-Build Project, Testing and Inspection Agreement, Amendment No. 2, C.E.M. Lab Corp.**
Approve Amendment No. 2 with C.E.M. Lab Corp. for additional testing and special inspection services in the amount of \$30,000, for the Irvine Valley College A400 Design-build project, for a revised contract amount of \$210,000.
- On a motion made by Trustee Jemal and seconded by Trustee Wright, this item was approved on a 6-0 vote.
- 5.19 **SOCCCD: Irvine Valley College Beverage Vending and Promotional Services, Bottling Group, LLC, DBA Pepsi Beverages Company**
Approve a three year agreement with two one-year extensions with Bottling Group, LLC, DBA Pepsi Beverages Company (EXHIBIT B) for Beverage Vending and Promotional services with Irvine Valley College as defined in the attached agreement.
- 5.20 **SOCCCD: Irvine Valley College Barranca Entrance Project, Adopt Resolution No. 15-28, Authorization of Acquisition of an Improvement Easement, City of Irvine**
Adopt Resolution No. 15-28 to authorize acquisition of easement from the City of Irvine for the Irvine Valley College Barranca Entrance project.

- 5.21 **SOCCCD: Irvine Valley College Barranca Entrance, Grant of Easement, and Maintenance Agreement and Purchase and Sale Agreement, City of Irvine**
Approve the Grant of Easement and Maintenance Agreement, and the Purchase and Sale Agreement with the City of Irvine for the Irvine Valley College Barranca Entrance project, for a contract value of \$31,729.38 and authorize Chancellor and/or designee to make necessary changes to fully execute completion of the transactions.
- 5.22 **SOCCCD: Trustees' Requests for Attending Conferences**
Approve trustees' requests for attending conference(s).
- 5.23 **SOCCCD: ATEP, Contract for Security Guard Services, G4S Secure Solutions (USA), Inc.**
Approve the contract for the term of July 1, 2015 to June 30, 2018, with G4S Secure Solutions (USA), Inc. in an amount not to exceed \$396,000.
- On a motion made by Trustee Jemal and seconded by Trustee Wright, this item was approved on a 6-0 vote.
- 5.24 **SOCCCD: Contract with JB Technology Consulting, LLC for Information Technology Services**
Approve the agreement with JB Technology Consulting, LLC for an amount not to exceed \$171,360, for the term of July 1, 2015 through June 30, 2016.
- 5.25 **SOCCCD: Contract with I3 Solutions for Business Analysis and Project Management Services**
Approve the agreement with I3 Solutions for an amount not to exceed \$120,960.
- 5.26 **SOCCCD: Agreement for Specialized Legal Services, Parker & Covert, LLP**
Approve the agreement with Parker & Covert, LLP increasing their rate for professional services effective July 1, 2015 to June 30, 2017.
- 5.27 **SOCCCD: Facility Assessment Services, Phase II - Infrastructure, ALPHA Facilities Solutions, LLC**
Approve of the agreement for Facilities Assessment Services, Phase II - Infrastructure with ALPHA Facilities Solutions, LLC for a total contract amount of \$483,539.

Corrections to Exhibit A were made on page 10 of 21, page 15 of 21 and page 20 of 21.

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

- 5.28 **SOCCCD: Budget Amendment Adopt Resolution No. 15-26 to Amend FY 2014-2015 Adopted Budget**
Adopt resolution to amend the FY 2014-2015 Adopted Budget.
- 5.29 **SOCCCD: Gifts to the District and Foundations**
Accept donations.
- 5.30 **SOCCCD: Payment of Bills**
Ratify the payment of bills as listed.
- On a motion made by Trustee Wright and seconded by Trustee Jemal, this item was approved on a 6-0 vote.
- 5.31 **SOCCCD: Purchase Order/Confirming Requisitions**
Ratify the purchase orders/confirming requisitions as listed.
- 5.32 **SOCCCD: Transfer of Budget Appropriations**
Ratify transfer of budget appropriations as listed.
- 5.33 **SOCCCD: May 2015 Contracts**
Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

- 6.1 **SOCCCD: FY 2015-2016 Tentative Budget**
Approve the FY 2015-2016 Tentative Budget as presented.
- Vice Chancellor Fitzsimons provided an overview of the tentative district-wide budget.
- On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved on a 6-0 vote.
- 6.2 **Saddleback College and Irvine Valley College: FY 2015-2016 Tentative Student Government Budgets**
Approve the FY 2015-2016 Tentative Budget for Saddleback College's ASG and Irvine Valley College's ASIVC as presented.
- Saddleback ASG President William Vassetizadeh and ASIVC President Adam Totounji provided an overview of the colleges' proposed student government budgets for next year.
- On a motion made by Trustee Wright and seconded by Trustee Jemal, this item was approved on a 6-0 vote.

- 6.3 **SOCCCD: Saddleback College Technology & Applied Sciences Building Swing Space Project, Architectural Services Agreement, Amendment No. 6, R2A Architecture**
Approve Amendment No. 6 in the amount of \$7,890 with R2A Architecture for the Saddleback College Technology & Applied Sciences Building Swing Space project for a total fee of \$747,280.
- On a motion made by Trustee Jemal and seconded by Trustee Wright, this item was approved on a 6-0 vote.
- 6.4 **SOCCCD: Saddleback College Technology and Applied Sciences Swing Space Project, Change Order No. 1, Solpac Construction (dba Soltek Pacific)**
Approve Board Change Order No. 1 in the amount of \$102,070 with Solpac Construction (dba Soltek Pacific) for the Saddleback College Technology & Applied Sciences Building Swing Space project for a total contract amount of \$6,919,153.
- On a motion made by Trustee Lang and seconded by Trustee Jemal, this item was approved on a 6-0 vote.
- 6.5 **SOCCCD: Saddleback College Photo/Radio/Television Renovation Project, Change Order No. 1, Harbor Construction, Inc.**
Approve Board Change Order No. 1 for the Saddleback College Photo/Radio/Television Renovation project and authorize staff to execute Board Change Order No. 1 with Harbor Construction, Inc., resulting in a \$39,223 increase and 67 additional days to the project schedule, for a revised contract completion date of March 17, 2015, and a revised contract amount of \$1,647,223.
- On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved on a 6-0 vote.
- 6.6 **SOCCCD: Saddleback College Photo/Radio/Television Project, Notice of Completion, Harbor Construction, Inc.**
Authorize the filing of the Notice of Completion for the Saddleback College Photo/Radio/Television project to Harbor Construction, Inc. for a final contract total of \$1,647,223.
- On a motion made by Trustee Lang and seconded by Trustee Wright, this item was approved on a 6-0 vote.
- 6.7 **Irvine Valley College: Dean, Social and Behavioral Sciences and Reorganization of Liberal Arts**
Approve the following effective July 1, 2015: 1) the new position of Dean, Social and Behavioral Sciences and 2) the new Dean position will assume responsibility for the administration of the School of Social and Behavioral Sciences and Academic Programs.

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

6.8 Irvine Valley College: Renaming of the A400 Building

Approve the renaming of the A400 building to Liberal Arts building.

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

6.9 SOCCCD: Irvine Valley College A400 Design-Build Project, Board Change Order No. 4, Swinerton Builders

Approve Board Change Order No. 4 to the agreement with Swinerton Builders for the Irvine Valley College A400 Design-build project and authorize staff to execute the corresponding change order, which will result in an increase of \$57,501, for a revised contract total of \$9,233,352, with an increase to the project duration by 49 calendar days.

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

6.10 SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting

Authorize payment to Trustee Padberg who was absent from the board meeting on May 18, 2015.

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

6.11 SOCCCD: Contract with for Software Development, Neudesic LLC

Approve the work order with Neudesic LLC, for an amount not to exceed \$1,209,600 for the term of July 1, 2015 through June 30, 2016.

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

6.12 SOCCCD: Contracts with Blackboard

Approve the agreements for a total amount not to exceed \$700,425.84.

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

6.13 SOCCCD: ATEP Utilities and Infrastructure Project, Phase I, Design-Build Delivery Method, Adopt Resolution No. 15-27

Adopt Resolution No. 15-27 to authorize the use of design-build for the ATEP Utilities and Infrastructure Project, Phase I.

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

item was approved on a 6-0 vote.

6.14 SOCCCD: Approve FY 2017-2018 Five Year Plan Revision for Submittal to the State Chancellor's Office

Approve the changes to the FY 2017-2018 Five Year Construction Plan and authorize staff to submit to the State Chancellor's Office including execution of all signatures.

The main motion made by Trustee Milchiker and seconded by Trustee Jemal was amended by Trustee Lang and seconded by Trustee Jemal to eliminate priority #17 from the 2015 Five Year Construction Plan, this item was approved on a 5-1 vote with Trustee Prendergast casting a negative vote.

6.15 SOCCCD: Approve Final Project Plan (FPP) Submittals to the State Chancellor's Office for Saddleback College and Irvine Valley College

Approve submittal of the revised Saddleback College Gateway Building project and Irvine Valley College Fine Arts Building project for state funding consideration in FY 2017-2018 and execute the approval page for each of the two projects.

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

6.16 SOCCCD: Board Policy Revision: BP-4077.2 Personal Leave (Without Pay)

Accept for review and study.

Trustee Jemal requested an edit to the second paragraph of the board policy.

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

6.17 SOCCCD: Recess to Public Hearing – District Initial Proposal to California School Employees Association (CSEA) Chapter 586

Conduct a public hearing to provide an opportunity for the public to comment on the District's initial proposal to CSEA.

The regular board meeting was recessed to a public hearing at 8:25 p.m. Since there were no requests to speak, the Regular Meeting of the Board of Trustees was reconvened at 8:27 p.m.

6.18 SOCCCD: Academic Personnel Actions – Regular Items

Approve New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: General Fund – Retro Pay Owed, Additional Compensation: Categorical/Non-General Fund, Extension of Administrative Temporary Assignment, Reorganization of Academic Administrative Positions, Authorization to Establish Administrative Position,

Authorization to Eliminate Academic Administrative Positions and/or Position Numbers, Resignation/Retirement/Conclusion of Employment.

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

6.19 SOCCCD: Classified Personnel Actions – Regular Items

Approve New Personnel Appointments, Authorization to Eliminate Classified Position and/or Position Numbers, Authorization to Establish and Announce Classified Position, Temporary Increase in Hours, Change in Status, Classified Bilingual Stipend, Additional Compensation, Out of Class Assignments, Administrative Leave, Resignation/Retirement/Conclusion of Employment, Volunteers.

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

6.20 SOCCCD: Sabbatical Revision and Rescind

Approve revision to a previously approved sabbatical project and rescind sabbatical leave previously approved by the Board.

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

7.0 REPORTS

7.1 SOCCCD: List of Board Requested Reports

Status of board requested reports from the South Orange County Community College District Board of Trustees.

7.2 Saddleback College and Irvine Valley College: Annual Accreditation Reports

Annual accreditation reports for the Accrediting Commission for Community and Junior Colleges.

7.3 Saddleback College and Irvine Valley College: Speakers

A listing of speakers for events and/or classes at Saddleback College and Irvine Valley College.

7.4 SOCCCD: Basic Aid Report

Report on projected receipts and approved projects.

7.5 SOCCCD: Facilities Plan Status Report

Status of current construction projects.

7.6 SOCCCD: Monthly Financial Status Report

A review of current revenues and expenditures for FY 2014-2015 through May 31, 2015.

7.7 SOCCCD: Retiree (OPEB) Trust Fund

This report is for the periods ending April 30, 2015, and May 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 adjourned at 8:42 p.m. in memory of Dr. Hans Vogel, first President of the South Orange County Community College District Board of Trustees.



Gary L. Poertner, Secretary