

**SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT
RONALD REAGAN BOARD OF TRUSTEES ROOM-RM 145
HEALTH SCIENCES/DISTRICT OFFICES BLDG., SADDLEBACK COLLEGE**

**MINUTES OF THE SPECIAL BOARD OF TRUSTEES' MEETING
June 25, 2012**

PRESENT

Members of the Board of Trustees:

Nancy M. Padberg, President
T.J. Prendergast, Vice President
Marcia Milchiker, Clerk – present via teleconference from Houston, TX
William O. Jay, Member
David B. Lang, Member
Frank M. Meldau, 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
Randy Peebles, Associate Vice Chancellor, Economic Development
Glenn Roquemore, President, Irvine Valley College

CALL TO ORDER: 3:00 P.M.

1.0 PROCEDURAL MATTERS

- 1.1 Call to Order
- 1.2 Invocation
Led by Trustee David Lang
- 1.3 Pledge of Allegiance
Led by Trustee Mike Meldau

2.0 DISCUSSION AND ACTION ITEMS

2.1 Public Comments

Two public comments were made prior to the first set of interviews by: Don Taylor, Saddleback College Dean and resident. Bob Cosgrove, Saddleback College Faculty and resident of Laguna Beach.

One public comment was made prior to the second set of interviews by: T.J. Fuentes, son of the late Trustee Tom Fuentes.

2.2 Trustee Applicant Interviews

President Padberg announced that Trustee Milchiker would be teleconferencing from Houston, Texas at the Jesse H. Jones Rotary House International and will have a live video feed and be able to communicate by phone if she has any questions for the board. President Padberg added that the interviews would take approximately 15 minutes each and at the conclusion of the interviews, the board will vote to appoint a new trustee.

Each board member read the prepared interview questions to Jolene Fuentes and Jim Wright. Each candidate responded within their allotted time.

At the conclusion of the first set of interview questions, President Padberg announced that there was a miscommunication from the District to the candidates about the interview questions that would be asked during the interviews. The candidates were told the questions would be the same questions they answered on their application. As a result, the board decided, in consultation with legal counsel, to re-interview the applicants with the questions that were listed on the application and will add the scores with those from the questions that were previously asked.

At the conclusion of the second set of interviews, the results were tallied and President Padberg announced the total scores to the public.

Jolene Fuentes received 145.5 points during the first round of interviews and 218 points during the second round, for a grand total of 363.5 points.

Dr. James Wright received 187 points during the first round of interviews and 267 during the second round, for a grand total of 454 points.

2.3 Appointment of New Trustee

Trustee Lang made a motion not to appoint either candidate and let the voters decide in the November election. The motion was not seconded and therefore not considered.

Trustee Meldau made a motion to appoint as trustee to Area 6, Dr. Jim Wright, effective July 1, 2012, seconded by Trustee Jay. The motion passed on a 5-1 roll call vote with Trustee Lang casting a negative vote and Student Trustee Park casting an affirmative advisory vote.

Dr. Wright will be sworn in at the next board meeting, July 30, 2012.

ADJOURNMENT:

The meeting was adjourned at 5:14 p.m.

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

Gary L. Poertner, Secretary

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June 25, 2012**

PRESENT

Members of the Board of Trustees:

Nancy M. Padberg, President
T.J. Prendergast, Vice President
Bill Jay, Member
David B. Lang, Member
Frank M. Meldau, Member
Heather Park, Student Member

ABSENT

Marcia Milchiker, Clerk

Administrative Officers:

Gary Poertner, Chancellor
David Bugay, Vice Chancellor, Human Resources
Robert Bramucci, Vice Chancellor, Technology and Learning Services
Tod Burnett, President Saddleback College
Debra Fitzsimons, Vice Chancellor, Business Services
Randy Peebles, Associate Vice Chancellor, Economic Development
Glenn Roquemore, President Irvine Valley College

This regular meeting will consist of two locations due to teleconferencing by Trustee Marcia Milchiker pursuant to Government Code section 54953(b):

Primary Location: Saddleback College Health Sciences/District Offices Building, Ronald Reagan Board of Trustees, Room 145, 28000 Marguerite Parkway, Mission Viejo, CA.

Teleconferencing Location: The Jesse H. Jones Rotary House International, 1600 Holcombe Blvd., Houston, TX, 77030.

This location will be accessible to the public. Members of the public wishing to address the Board directly from this location will be allowed to do so during the public comment portion of the meeting.

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 Personnel Matters (GC Section 54957)(6)
 - 1. Public Employee Employment (3)
 - a. Acting Vice President for Instruction, Saddleback College
 - b. Vice President for Student Services, Irvine Valley College
 - c. Classified Employee, Irvine Valley College
 - 2. Public Employee Discipline/Dismissal/Release (3)
- B. Conference with Labor Negotiators (GC Section 54957.6)
 - 1. SOCCCD Faculty Association
 - a. Agency Designated Negotiator: David Bugay, Ph.D.
 - 2. California School Employees Association (CSEA)
 - a. Agency Designated Negotiator: David Bugay, Ph.D.
 - 3. Police Officers Association (POA)
 - a. Agency Designated Negotiator: David Bugay, Ph.D.
 - 4. Administrators and Managers: Unrepresented Employees
 - a. Agency Designated Negotiator: Gary Poertner
- C. Conference with Legal Counsel (GC Section 54956.9)(1)
 - 1. Existing Litigation (GC Section 54956.9[b]) (1 case)
 - a. Rice Drywall, Inc. v. SOCCCD

RECONVENE OPEN SESSION: 6:00 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

At the May 21 meeting, the board reported approval in closed session of three separate leaves of absence for three part-time classified employees. Those reports were incorrect; the approval was for three separate unpaid leaves of absence without benefits.

On a 5-0 vote, the board approved the appointment of Linda Fontanilla as the Vice President for Student Services, Irvine Valley College.

On a 5-0 vote, the board approved a two-month extension of a previously Board approved unpaid leave with benefits granted in April 2012.

2.2 Invocation

Led by Trustee Mike Meldau

2.3 Pledge of Allegiance

Led by Trustee Nancy Padberg

2.4 Resolutions/Recognitions

Recognition: Bill Hewitt – Irvine Valley College

Recognition: Sandy Marzilli – Saddleback College

Recognition: John Polikaitis – Saddleback College

Recognition: Jim Wright – Saddleback College

2.6 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. Board Request(s) for Reports

4.0 DISCUSSION ITEMS

4.1 none

Trustee Padberg requested to advance items 6.1, 6.2 and 6.3.

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.

Trustee Lang requested to pull and vote separately on items 5.9, 5.13, 5.16, and 5.18.

On a motion made by Trustee Prendergast and seconded by Trustee Jay, the balance of the consent calendar was approved on a 5-0 vote.

- 5.1 **SOCCCD: Board of Trustees Meeting Minutes**
Approve minutes of a Regular and Special Meeting held on May 21, 2012.
- 5.2 **Saddleback College for Rapidtech: Grant Acceptance, H-1B Technical Skills Training Grant: Orange County Bridge to Engineering with the City of Santa Ana Workforce Investment Area**
Accept sub-award of \$316,600 from the City of Santa Ana for the H-1B Technical Skills Training Grant: Orange County Bridge to Engineering.
- 5.3 **Saddleback College: Grant Acceptance for the County of Orange Health Care Agency, for Training Services to Meet the Mental Health Needs of the Deaf Community**
Accept award for \$229,000 from the County of Orange Health Care Agency for contract number MA-042-12011150.
- 5.4 **Saddleback College: Cafeteria Operation and Food Vending Services Amendment No. 1**
Approve agreement amendment with S&B Foods to begin mobilizing on June 9, 2012 and open for business by June 18, 2012.
- 5.5 **Saddleback College: Food Services Agreement Amendment No. 3**
Approve amendment with Newbeginnings to terminate their contract.
- 5.6 **Saddleback College: James B. Utt Memorial Learning Resource Center Renovation Project: Amendment No. 2 to Inspector of Record Scope of Work**
Approve amendment with Joyce Inspections and Testing, Inc. increasing the project cost by \$80,000. The revised total contract amount is \$396,824.
- 5.7 **Saddleback College and Irvine Valley College: Community Education, Fall 2012**
Approve Fall 2012 Community Education courses, presenters, and compensation.
- 5.8 **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.
- 5.9 **SOCCCD, Saddleback College, Irvine Valley College, and Advanced Technology and Education Park: Mission Statements**
Accept for review and study the annual review of the district and college mission statements.

On a motion made by Trustee Lang and seconded by Trustee Meldau, this item was approved on a 5-0 vote.

- 5.10 **Irvine Valley College: Life Science Building: Change Order No. 5**
Approve change order resulting in an increase of \$82,022.34 in the project cost. The total revised contract amount is \$11,432,414.34.
- 5.11 **ATEP: Building 524 –Remediation and Demolition, Change Order No. 1**
Approve change order resulting in an decrease of \$20,000 in the project cost. The revised total contract amount is \$68,000.
- 5.12 **ATEP: Building 524 – Remediation and Demolition, Notice of Completion**
Approve the filing of the notice of completion and authorize the release of retention.
- 5.13 **SOCCCD: Memorandum of Understanding with CSUF Auxiliary Services Corporation, Transfer of Fossil Collection**
Approve the agreement with California State University Fullerton in the amount of \$100,000.

On a motion made by Trustee Prendergast and seconded by Trustee Meldau, this item was approved on a 5-0 vote.

- 5.14 **SOCCCD: Adopt Resolution No. 12-25: Appropriations Limit for FY 2012-2013 (Gann Limit)**
Adopt resolution establishing the required State constitutional appropriations limit.
 - 5.15 **SOCCCD: Bank and Investment Account Authorized Signatures**
Approve list of designees authorized to sign checks and initiate fund transfers for the District checking and investment bank accounts.
 - 5.16 **SOCCCD: Award of Bid 297D: Removal of Hazardous Waste for Saddleback College and Irvine Valley College**
Approve a five year agreement with North State Environmental for removal of hazardous waste for Saddleback College and Irvine Valley College at an estimated annual amount of \$13,364 and \$5,657 respectively. The total contract amount is estimated at \$95,105.
- On a motion made by Trustee Lang and seconded by Trustee Meldau this item was approved on a 5-0 vote with a correction to Exhibit A.
- 5.17 **SOCCCD: Award of Bid 298D: Five Year Contract for Charter Bus Services for Saddleback College and Irvine Valley College**
Approve a five year contract with Pacific Coastway Charter Services, Inc. for charter bus services at Saddleback College and Irvine Valley College at an estimated annual amount of \$87,500. The total contract amount is estimated at \$437,500.

- 5.18 **SOCCCD: Five Year Construction Plan**
Approve the revision to the District's Order of Priority for the Five Year

Construction Plan.

On a motion made by Trustee Jay and seconded by Trustee Meldau, this item was approved on a 5-0 vote.

- 5.19 **SOCCCD: Bookstore Operation Agreements Amendment No. 1, Saddleback and Irvine Valley Colleges**
Approve amendment with Follett Higher Education Group to extend the existing contract to August 31, 2012.
- 5.20 **SOCCCD: Destruction of Class 3 Disposable Records**
Approve destruction of Class 3 disposable records in compliance with code.
- 5.21 **SOCCCD: Trustees' Requests for Attending Conferences**
Ratify requests for attending conferences.
- 5.22 **SOCCCD: Budget Amendment: Adopt Resolution No. 12-23 to Amend FY 2011-2012 Adopted Budget**
Adopt resolution to amend the FY 2011-2012 adopted budget.
- 5.23 **SOCCCD: Purchase Order/Confirming Requisitions**
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P12-04298 through P12-04537 amounting to \$1,254,123.98 and P13-00063 through P13-00204 amounting to \$3,592,495.41. Approve confirming requisitions dated May 2, 2012 through June 5, 2012 totaling \$117,067.55.
- 5.24 **SOCCCD: Transfer of Budget Appropriations**
Ratify the transfer of budget appropriations as detailed in the exhibit.
- 5.25 **SOCCCD: Payment of Bills**
Approve check no. 158603 through 159683 processed through the Orange County Department of Education, totaling \$5,471,857.34; and check no. 010382 through 010400, processed through Saddleback College Community Education, totaling \$43,582.43; and check no. 008992 through 009002, processed through Irvine Valley College Community Education, totaling \$99,813.49.
- 5.26 **SOCCCD: Gifts to the District and Foundations**
Approve the acceptance of donations.
- 5.27 **SOCCCD: May/June 2012 Contracts**
Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

- 6.1 **SOCCCD: Recess to a Public Hearing: Certification of the Program Environmental Impact Report (EIR) for the 2011 Saddleback College Facilities Master Plan and the 2011 Irvine Valley College Facilities Master Plan Pursuant to the California Environmental Quality Act (CEQA)**

Conduct a public hearing.

President Padberg called the Public Hearing to order at 6:31 p.m. seeing that there were no public comments, the hearing was adjourned at 6:34 p.m.

- 6.2 **SOCCCD: Resolution No. 12-24: Certification of the Program Environmental Impact Report (EIR) for the 2011 Saddleback College Facilities Master Plan and the 2011 Irvine Valley College Facilities Master Plan Pursuant to the California Environmental Quality Act (CEQA)**

Adopt resolution acknowledging all public testimony and certifying the program and directing the District's consultant to file the Notice of Determination.

On a motion made by Trustee Lang and seconded by Trustee Prendergast, this item was approved unanimously on a roll call vote.

- 6.3 **SOCCCD: Adopt Resolution No. 12-26 to Approve 2011-2031 Educational and Facilities Master Plan (EFMP)**

Adopt resolution to approve the 2011-2031 Educational and Facilities Master Plan (EFMP) dated December 2011.

On a motion made by Trustee Lang and seconded by Trustee Jay, this item was approved unanimously on a roll call vote.

- 6.4 **SOCCCD: FY 2012-2013 Tentative Budget**
Approve the FY 2012-2013 tentative budget.

On a motion made by Trustee Jay and seconded by Trustee Meldau, this item was approved on a 5-0 vote.

- 6.5 **Saddleback College and Irvine Valley College: Tentative FY 2012-2013 Student Government Budgets**
Approve tentative budgets as presented.

On a motion made by Trustee Meldau and seconded by Trustee Prendergast, the Saddleback College Tentative 2012-2013 ASG Budget was approved on a 5-0 vote.

On a motion made by Trustee Lang and seconded by Trustee Jay, the Irvine Valley College Tentative 2012-2013 ASG Budget was approved on a

5-0 vote.

6.6 **SOCCCD: Maintenance Management and Facility Planning Software and Implementation**

Approve staff to finalize and execute contracts with SchoolDude, Alpha Facilities, Inc., Facilities Planning and Program Service, Inc. and the Foundation for California Community Colleges at a cost of \$703,620 for the first year and \$29,124 annual ongoing cost.

On a motion made by Trustee Prendergast and seconded by Trustee Lang this item was approved on a 5-0 vote.

6.7 **SOCCCD: Board Policy Revision: BP-3220: Institutional Membership in Organization, BP-3101: Budget Management, BP-2100.1: Delegation of Authority to the Academic Senate**

Discussion/Approval

On a motion made by Trustee Jay and seconded by Trustee Meldau, this item was approved on a 5-0 vote.

6.8 **SOCCCD: Board Policy Revision: BP-104: Student Member of the Board of Trustees, BP-166: Health Benefits-Board Members, BP-170: Board Member Absence from the State, BP-3205: Insurance, BP-3300: Gifts, BP-3600: Disposition of District Property, BP-3605: Employee Travel Program, BP-4205: Disciplinary Action of Classified Personnel, BP-5520: Accreditation**

Accept for review and study.

On a motion made by Trustee Lang and seconded by Trustee Prendergast, this item was approved on a 5-0 vote.

6.9 **Saddleback College: Management Reorganization**

Approve the proposed Saddleback College management reorganization. The proposed reorganization reclassifies two existing management positions to two deans and proposes to reorganize and re-class several other management positions in the college to provide more effective leadership and remain consistent with other district classifications.

On a motion made by Trustee Lang and seconded by Trustee Meldau, this item was approved on a 5-0 vote.

6.10 **SOCCCD: Reorganization of College Administrative Structures – Administrator and Manager New Position Descriptions, Titles and Range Placement on the Integrated Salary Schedule**

Approve seven new position descriptions, titles and ranges.

On a motion made by Trustee Lang and seconded by Trustee Prendergast, this item was approved on a 5-0 vote.

- 6.11 **SOCCCD: SOCCCD Faculty Association Academic Employee Memorandum of Understanding**
Approve Memorandum of Understanding between SOCCCD and SOCCCD Faculty Association on Lecture and Laboratory Compensation.

On a motion made by Trustee Prendergast and seconded by Trustee Jay, this item was approved on a 5-0 vote.

- 6.12 **SOCCCD: Request to Rescind 2012-2013 Academic Year Sabbatical**
Approve request from Kay Ryals to rescind approval of sabbatical leave for the 2012-2013 academic year.

On a motion made by Trustee Lang and seconded by Trustee Jay, this item was approved on a 5-0 vote.

- 6.13 **SOCCCD: Academic Personnel Actions – Regular Items**
Approve New Personnel Appointments, Extension of Administrative Assignment, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Resignation/Retirement/Conclusion of Employment.

On a motion made by Trustee Lang and seconded by Trustee Meldau, this item was approved on a 5-0 vote.

- 6.14 **SOCCCD: Classified Personnel Actions – Regular Items**
Approve New Personnel Appointments, Authorization to Establish and Announce a Classified Position, Reorganization and/or Reclassification of Classified Positions, Change of Status, Out of Class Assignments, Resignation/Retirement/Conclusion of Employment, Volunteers.

It was recommended by administration that items B4 and B5 on page 18 of 21 be struck from this item.

On a motion made by Trustee Prendergast and seconded by Trustee Lang, this item was approved on a 5-0 vote.

- 6.15 **SOCCCD: California School Employee Association Master Agreement**
Approve CSEA Tentative Agreement for the term July 1, 2012 to June 30, 2015 as presented.

On a motion made by Trustee Jay and seconded by Trustee Meldau, this item was approved on a 5-0 vote.

7.0 REPORTS

- 7.1 **Saddleback College & Irvine Valley College: Speakers**
A listing of speakers for events and/or classes at Saddleback College and Irvine Valley College.

- 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, 2012.
- 7.5 **SOCCCD: Retiree (OPEB) Trust Fund**
This report is for period ending May 31, 2012.

8.0 WRITTEN REPORTS

Reports by the following individuals and groups should be written and submitted through the docket process prior to distribution of the Board agenda packet.

- A. Saddleback College Academic Senate
- B. Faculty Association
- C. Irvine Valley College Academic Senate
- D. Associate Vice Chancellor, Economic Development
- E. President, Irvine Valley College
- F. President, Saddleback College
- G. Vice Chancellor, Technology and Learning Services
- H. Vice Chancellor, Human Resources
- I. Vice Chancellor, Business Services
- J. Irvine Valley College Classified Senate
- K. California School Employees Association
- L. Saddleback College Classified Senate
- M. Associated Student Government, Saddleback College
- N. Associated Student Government, Irvine Valley College
- O. Police Officers Association

9.0 ADDITIONAL ITEMS

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

The meeting was adjourned at 7:56 p.m. in memory of Trustee Tom Fuentes.



Gary L. Poertner, Secretary