

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

MINUTES OF THE BOARD OF TRUSTEES' MEETING
March 25, 2010

PRESENT

Members of the Board of Trustees:

Donald P. Wagner, President
Nancy M. Padberg, Vice President
Marcia Milchiker, Clerk
John S. Williams, Member
Thomas A. Fuentes, Member
William O. Jay, Member
David B. Lang, Member
Bi'Anca Bailey, Student Member

Administrative Officers:

Raghu P. Mathur, Chancellor
Gary Poertner, Deputy Chancellor
Robert Bramucci, Vice Chancellor, Technology and Learning Services
David Bugay, Vice Chancellor, Human Resources
Glenn Roquemore, President Irvine Valley College
Randy Peebles, Provost, ATEP

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 Appointment, Employment, Evaluation of Performance, Discipline, Dismissal, Release (GC Section 54957)
 - 1. Public Employee Discipline/Dismissal/Release (2)
 - 2. Public Employee Appointment/Employment/Evaluation (10)
 - a. Vice Chancellor, Technology and Learning Services
 - b. President, Saddleback College
 - c. Vice Chancellor, Human Resources
 - d. Dean, Counseling Services, Irvine Valley College
 - e. Dean, Humanities & Languages/Social Science & Library Services, Irvine Valley College
 - f. Dean, PE, Kinesiology & Athletics, Saddleback College
 - g. Assistant Dean, Counseling Services/Special Programs, Saddleback College
 - h. Dean, Fine Arts, Business Sciences & College Online Education, Irvine Valley College
 - i. Provost/ATEP
 - j. Dean, Health Sciences, PE & Athletics, Irvine Valley College
 - 3. Public Employee Appointment: Transfer of Academic Administrator
- B. Conference with Labor Negotiators (GC Section 54957.6)
 - 1. SOCCCD Faculty Association

- a. Agency Designated Negotiator: Dr. Raghu Mathur
- b. Faculty Association Proposal
2. California School Employees Association (CSEA)
 - a. Agency Designated Negotiator: Dr. Raghu Mathur
 - b. Leave Request (1)
- C. Conference with Real Property Negotiators (GC Section 54956.8)
 1. Lease of Property by District: Portion of Saddleback College site at the south End of the campus near the Avery entrance for purposes of granting an easement for drainage and access purposes with Avery Investment Trust located at 26371 Avery Parkway; Agency Designated Representative - Dr. Raghu Mathur.
- D. Conference with Legal Counsel (GC Section 54956.9)
 1. Existing Litigation (GC Section 54956.9[b]) (1) Westphal v. Wagner
 2. Initiation of Litigation (GC Section 54956.9[c]) (1)
 3. Anticipated Litigation/Significant Exposure to Litigation (1) (GC Section 54956.9[b][1] and [b][3][A])

RECONVENE OPEN SESSION: 6:35 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

On a 6-0 vote with Trustees Williams absent, the Board approved a two months unpaid leave with benefits to a classified employee.

- 2.2 Invocation Led by Trustee Wagner
- 2.3 Pledge of Allegiance Led by Trustee Williams
- 2.4 Resolutions / Presentations / Introductions
- 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 two minutes each.

A. Board Reports

Trustees Jay, Padberg, Wagner, Fuentes, Lang and Student Trustee Bailey gave reports.

B. Chancellor's Report

Chancellor Mathur gave a report.

C. Board Request(s) for Report(s)

On a motion made by Trustee Fuentes and seconded by Trustee Lang a Board Request for Report on How SOCCCD Employees Qualify For Retirement Benefits In California was approved on a 7-0 vote.

4.0 DISCUSSION ITEM

- 4.1 SOCCCD: 20 Year Capital and Scheduled Maintenance Needs Discussion on Capital and Scheduled Maintenance Needs and Possible Funding Mechanisms through 2031.

This item was postponed until the April 26, 2010 Board of Trustees meeting.

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.

Student Trustee Bailey requested item 5.10 be pulled and Trustee Padberg requested item 5.11 be pulled for separate vote. On a motion made by Trustee Jay and seconded by Trustee Padberg the remaining items on the Consent Calendar were approved on a 7-0 vote.

- 5.1 SOCCCD: Board of Trustees Meeting Minutes Approve minutes of a regular meeting held on February 22, 2010 and a special meeting held on March 11, 2010.
- 5.2 Saddleback College: Portable Building Lease Settlement Amendment Approve agreement amendment with McGrath RentCorp dba Mobile Modular Management Corporation in the amount of \$26,154.00.
- 5.3 Saddleback College: Change Order No. 1 and Notice of Completion: Village Swing Space Renovation Authorize the filing of the Notice of Completion and approve Change Order No. 1 decreasing the contract amount with JRH Construction Co. in the amount of \$39,849.80. The revised contract amount is \$1,287,150.20.
- 5.4 Saddleback College: Change Order No. 1 and Notice of Completion: Fine Arts Restroom Expansion Authorize the filing of the Notice of Completion and approve Change Order No. 1 decreasing the contract amount with JRH Construction Co. in the amount of \$56,388.50. The revised contract amount is \$1,804,586.50.

- 5.5 Saddleback College: Theatre Arts Students -KCACTF Approve the participation of Saddleback College theatre arts students and their faculty adviser in the 2010 Kennedy Center American College Theatre Festival at a cost not to exceed \$5,000.
- 5.6 Saddleback College: Fourth International Small Teapot Show Approve the expenditure for the Fourth International Small Teapot Show at a cost not to exceed \$7,000.
- 5.7 Saddleback College: Grant Acceptance, Community Collaborative Accept this award of \$79,000 from the California Community College Chancellor's Office for the Community Collaborative Grant RFA 09-141-890.
- 5.8 ATEP: Change Order Requests: Hope Drive Parking Lot Maintenance and Repair Approve change order requests with NPG resulting in an increase of \$8,682. The total revised contract amount is \$142,842.00.
- 5.9 Saddleback College and Irvine Valley College: Speakers Approve honoraria for speakers at Saddleback College and Irvine Valley College.
- 5.10 SOCCCD: Authorization of Payment to Student Trustee Absent from Board Meeting
Approve authorization of payment to Student Trustee unable to attend Special Board meeting.

On a motion made by Trustee Fuentes and seconded by Trustee Williams this item was approved on a 7-0 vote.

- 5.11 SOCCCD: Trustees' Requests for Attending Conferences
Approve/ratify the Trustees' requests for attending conferences.

Trustee Padberg requested the item be divided. On a motion made by Trustee Padberg and seconded by Trustee Jay, the CCLC Annual Conference in Long Beach was approved on a 7-0 vote. On a motion made by Trustee Lang and seconded by Trustee Fuentes, the AACC 90th Annual Convention in Seattle, Washington was approved on a 6-1 vote with Trustee Padberg opposing.

- 5.12 SOCCCD: Purchase Order/Confirming Requisitions Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P10-03249 through P10-03563 amounting to \$1,211,628.65. Approve confirming requisitions dated February 5, 2010 through March 1, 2010 totaling \$94,704.87.
- 5.13 SOCCCD: Payment of Bills Approve checks no. 089073 through 089851, processed through the Orange County Department of Education, totaling \$4,292,766.19; and checks no. 009762 through 009783, processed through Saddleback College Community Education, totaling \$24,572.25; and checks no. 008666 through 008679, processed through Irvine Valley College Community Education, totaling \$28,112.00.
- 5.14 SOCCCD: Transfer of Budget Appropriations Ratify transfer of budget appropriations as shown.
- 5.15 SOCCCD: Budget Amendment: Adopt Resolution No. 10-04 to Amend 2009-2010 Restricted General Fund and Child Development Fund Adopt resolution as indicated.
- 5.16 SOCCCD: Gifts to the District and Foundations Approve gifts as presented.
- 5.17 SOCCCD: February/March 2010 Contracts Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

- 6.1 Irvine Valley College: Grant Acceptance, Career Development Work-Based Learning Linkages to Professional Organizations
Accept this second-year award of \$551,724.00 from CCCCO for the "Career Development Work-Based Learning Linkages to Professional Organizations" grant.

On a motion made by Trustee Williams and seconded by Trustee Milchiker, this item passed on a 7-0 vote.

- 6.2 Saddleback College: Bridge Replacement: Architectural Services
Approve architectural agreement with R2A Architecture, Inc. in the amount of \$109,500 and approve basic aid funding for the project.

On a motion made by Trustee Padberg and seconded by Trustee Milchiker, this item passed on a 7-0 vote.

- 6.3 Saddleback College: Amended 2010-11 Faculty Request List
Approve the announcement and recruitment of the replacement of the Matriculation Coordinator/Counselor faculty position added to the list.

On a motion made by Trustee Padberg and seconded by Trustee Milchiker, this item passed on a 7-0 vote.

- 6.4 Saddleback College: Certificate and Degree Revisions for the 2010-2011 Academic Year
Approve the proposed changes in certificates and degrees as listed.

On a motion made by Trustee Padberg and seconded by Trustee Lang, this item passed on a 7-0 vote.

- 6.5 SOCCCD: Resolution No. 10-05: Intention to Grant an Easement and Hold a Public Hearing
Adopt resolution declaring its intention to grant an easement and set a public hearing for April 26, 2010.

Trustee Wagner indicated that this item would be postponed until the April 26, 2010 Board meeting.

- 6.6 SOCCCD: Contract for Independent Auditing Services for Fiscal Years Ending June 30, 2010 through June 30, 2012
Approve contract with Macias, Gini & O'Connell in an amount not to exceed \$122,556 for the year ending June 30, 2010 and \$126,202 for the year ending June 30, 2011 and \$129,914 for the year ending June 30, 2012.

On a motion made by Trustee Padberg and seconded by Trustee Milchiker, this item passed on a 7-0 vote.

- 6.7 SOCCCD: CCCT Board of Directors Election - 2010
List nominees for the seven vacancies on the CCCT Board of Directors.

On a motion made by Trustee Padberg it was unanimously approved to nominate candidates, Nancy Chadwick, Donald Singer and Walter Howald to the 2010 California Community College Trustees Board.

- 6.8 SOCCCD: Board Policy Revision: BP-5240 Associated Students' Organization
Accept for review and study.

On a motion made by Trustee Padberg and seconded by Trustee Milchiker, this item passed on a 7-0 vote.

- 6.9 SOCCCD: Academic Personnel Actions - Regular Items
Approve New Personnel Appointments, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund, Administrator Contract Extension.

Vice Chancellor David Bugay requested Item D.1. be pulled from this agenda item. On a motion made by Trustee Williams and seconded by Trustee Milchiker, this item passed on a 7-0 vote.

- 6.10 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, Change of Status, Classified Bilingual Stipend - Additional Compensation, Out of Class Assignments, Leave of Absence, Resignation/Retirement/Conclusion of Employment, Volunteers.

On a motion made by Trustee Padberg and seconded by Trustee Jay, this item passed on a 7-0 vote.

- 6.11 SOCCCD: Annual Report on Probationary Faculty Recommended for Tenure
Approve second and third year faculty contracts.

On a motion made by Trustee Padberg and seconded by Trustee Jay, this item passed on a 7-0 vote.

- 6.12 Saddleback College: Adopt Resolutions No. 10-06 and 10-07: Classified Employee Layoffs.
Approve the reductions and/or discontinuance of categorically funded classified services.

On a motion duly made and seconded this item passed on a 7-0 vote.

- 6.13 SOCCCD: Initial Proposal SOCCCD Faculty Association
Acceptance of SOCCCD Faculty Association proposal for review and study, and set a public hearing on the proposal.

On a motion made by Trustee Fuentes and seconded by Trustee Williams, this item passed on a 7-0 vote.

7.0 **REPORTS**

- 7.1 Saddleback College and Irvine Valley College: Professors of the Year
Presidents Burnett and Roquemore announce the Saddleback College and Irvine Valley College 2011 Professors of the Year.
- 7.2 Saddleback College and Irvine Valley College: Speakers
A listing of speakers for events and/or classes at Saddleback College and Irvine Valley College.
- 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: List of Board Requested Reports
Reports requested by Trustees.
- 7.6 SOCCCD: Monthly Financial Status Report
This report is for the quarter ending on February 28, 2010.

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.

Reports were given by President Roquemore, Provost Peebles, IVC Academic Senate President Lisa Davis Allen, Saddleback College Academic Senate President Bob Cosgrove and Faculty Association President Lee Haggerty.

- A. President, Saddleback College
- B. President, Irvine Valley College
- C. Provost, ATEP
- D. Associated Student Governments of SC
- E. Associated Students of IVC
- F. Saddleback College Academic Senate
- G. Irvine Valley College Academic Senate
- H. Faculty Association
- I. California School Employees Association
- J. Saddleback College Classified Senate
- K. Irvine Valley College Classified Senate
- L. District Services Classified Senate
- M. Police Officers' Association

9.0 ADDITIONAL ITEMS

9.1 SOCCCD: Hiring Consultant Presentations

This item was advanced to the start of Public Session at 6:35 p.m. Presentations were provided by Community College Search Services,

McNaughton Associates, Academic Search, PPL, Inc. and Association of Community College Trustees for the Chancellor's Search. A question and answer session followed each presentation. The meeting was adjourned for a short break at 8:44 p.m. On a motion made by Trustee Padberg and seconded by Trustee Milchiker, Community College Search Services was approved on a 4-3 vote with Trustees Fuentes, Lang and Williams opposing to conduct the search for the new District Chancellor.

The meeting adjourned at 9:30 P.M.