

**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  
October 28, 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  
Randy Peebles, Associate Vice Chancellor, Economic Development

**ABSENT**

Debra Fitzsimons, Vice Chancellor, Business Services  
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 Appointment, Employment, Evaluation of Performance, Discipline, Dismissal, Release (GC Section 54957) (20)
  - 1. Public Employee Employment/Evaluation (19)
    - a. College President (SC)
    - b. Dean, Counseling Services (SC)
    - c. Dean, Students and Counseling (IVC)
    - d. Dean, Business Science, Economics and Workforce Development (SC)
    - e. Director, Research, Planning and Accreditation (SC)
    - f. Dean, Online Education and Learning Services (SC)
    - g. Vice President for Student Services (IVC)
    - h. Dean, Fine Arts and Business Services (IVC)
    - i. Director Research, Planning and Accreditation (IVC)
    - j. District Director Research, Planning and Data Management (DS)
    - k. Dean, Math Science and Engineering, (SC)
    - l. Dean, Transfer Career and Special Programs (SC)
    - m. Dean, Liberal Arts (SC)
    - n. Dean, Health Sciences & Human Services (SC)
    - o. Assistant Dean, Health Sciences and Human Services/Director of Nursing (SC)
    - p. College President (IVC)
    - q. Dean, Enrollment Services (SC)
    - r. Director, Learning Assistance (SC)
    - s. Dean, Social and Behavioral Sciences (SC)
  - 2. Public Employee Discipline, Dismissal, or Release: (1)
    - a. Police Officer
- B. Conference with Legal Counsel (GC Section 54956.9)(1)
  - 1. Existing Litigation (GC Section 54956.9[b]) (1 case)
    - a. California Department of Finance, etc. et.al, SOCCCD, etc. et.al. (Intervenors) v. Grimes

**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**

On a 7-0 vote, the board approved the Settlement Agreement in California Department of Finance ("DOF"), etc. et. al, SOCCCD etc. et. al. (Intervenors) v. Grimes, and authorize the Chancellor to sign the Settlement Agreement on behalf of the Board. The Department of Finance, the Chancellor's Office and the four community college districts in Orange County sued the Orange County Auditor Controller, Jan Grimes, and the County Board of Supervisors, as an intervenor on behalf of the auditor controller, for incorrectly calculating the County's Vehicle License Fee Adjustment Amount ("VLFAA") for 2011-12 and 2012-13 and thereby failing to pay approximately \$150,000,000 into the County's Educational Revenue Augmentation Fund for those years. The Orange County Superior Court ruled in favor of the districts, and the DOF. In order to avoid further litigation and appeals, the parties have agreed to a settlement which provides for the County to repay the \$150,000,000 over time by making payments into the County's Educational Revenue Augmentation Fund and through deposits into a separate account in the County's treasury for the benefit of the California Community Colleges. Once all parties have signed the Settlement Agreement, a copy will be available through the Chancellor's Office.

On a 7-0 vote, the board approved a resolution terminating the employment of an academic administrator at Saddleback College and directed administration to send the appropriate notice to the employee.

The board approved all remaining administrators listed on the agenda a renewal of a three-year contract with the exception of the Saddleback College administrator listed in the above action.

- 2.2 Invocation**  
Led by Trustee Marcia Milchiker
- 2.3 Pledge of Allegiance**  
Led by Trustee T.J. Prendergast
- 2.4 Resolutions/Commendations**
  - A. Resolutions  
None

- B. Commendations  
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. **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

4.0 **DISCUSSION ITEMS**

4.1 **SOCCCD: Advanced Technology & Education Park (ATEP) Planning and Development**

Information on the next steps of planning and development.

Associate Vice Chancellor Randy Peebles provided a status update for the Advanced Technology and Education Park (ATEP) development, including status of ownership, site improvements, and roles and responsibilities of District Services, Irvine Valley College, and Saddleback College, and next steps.

4.2 **Saddleback College: High School Partnership Program (HSPP)**

Presentation on a comprehensive effort to improve first-year college student preparedness and success.

Saddleback College President Tod Burnett, Saddleback College Outreach and Recruitment Director Leslie Humphrey and San Juan Hills School Principal Tom Ressler presented an overview of the Saddleback College High School Partnership Program. Saddleback College, Capistrano Unified School District and Saddleback Valley Unified School District have developed the Saddleback College High School Partnership Program to better prepare students for the rigors of college coursework leading to success after high school.



## 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 Wright requested to pull items 5.10 and 5.16 and Trustee Lang requested to pull items 5.11 and 5.14.

On a motion made by Trustee Jay and seconded by Trustee Lang, the balance of the consent calendar was approved on a 7-0 vote.

- 5.1 **SOCCCD: Board of Trustees Meeting Minutes**  
Approve minutes of a Regular Meeting held on September 23, 2013.
- 5.2 **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.
- 5.3 **Irvine Valley College: City of Irvine Education Partnership Fund (EPF) – Grant for Scholarships and Early College Program**  
Approve agreement with City of Irvine in the amount of \$100,000.
- 5.4 **Saddleback College: Curriculum Inventory Revision for the 2013/14 Academic Year**  
Approve the proposed revisions and changes in curriculum.
- 5.5 **Saddleback College: Spring Special Topics for the 2013-2014 Academic Year**  
Approve the proposed changes in curriculum.
- 5.6 **Saddleback College: Transfer Degrees for the 2013/14 Academic Year**  
Approve the proposed changes in curriculum to new and revised Transfer degrees.
- 5.7 **Saddleback College: Community Education Programs, Fall Sessions**  
Approve the Community Education courses, presenters, and compensation.
- 5.8 **Saddleback College: Student Out of State Travel – San Antonio, TX**  
Approve the out-of-state travel request for up to six students and a Saddleback College staff member to attend the October 30, 2013 through November 3, 2013 National Student Electronic Media Convention in San Antonio at a cost not to exceed \$8,876.
- 5.9 **Saddleback College: Orange County Workforce Investment Board Agreement**

Approve award of the Orange county Workforce Investment Board and approve the agreement in the amount of \$170,660.

- 5.10 **Saddleback College: Study Abroad Program to Peru**  
Approve agreement with Travel & Education.

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

- 5.11 **Saddleback College: Sciences Building Project – Preconstruction Services Amendment No. 1**  
Approve amendment with C.W. Driver, Inc., increasing the agreement amount by \$72,588. The total revised agreement amount is \$217,763.

Trustee Lang requested that the following verbiage be included on the front page of the item: “request for additional basic aid.”

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

- 5.12 **SOCCCD: Budget Amendment: Adopt Resolution No. 13-35 to Amend FY 2013-2014 Adopted Budget**  
Adopt resolution to amend the adopted budget.

- 5.13 **SOCCCD: Award of Bid – Biology Equipment for IVC Life Sciences Building**  
Approve award of bid to vendors listed for a total amount of \$159,896.16.

- 5.14 **SOCCCD: Five Year Construction Plan Revision**  
Approve the revision to the District’s Order of Priority for the Five Year Construction Plan.

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

- 5.15 **SOCCCD: Revised Basic Aid Allocation Recommendation for FY 2013-2014**  
Approve the revised recommendation to include the additional \$62,326 needed to retire the IVC energy management loans.

- 5.16 **SOCCCD: Trustees’ Requests for Attending Conferences**  
Approve trustees’ requests for attending conferences.

An amendment was made to the conference dates to reflect the correct year 2014.

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

- 5.17 **SOCCCD: Transfer of Budget Appropriations**  
Approve the transfer of budget appropriations for the period ending September 30, 2013.
- 5.18 **SOCCCD: Purchase Order/Confirming Requisitions**  
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P14-01519 through P14-01966 amounting to \$5,552,151.34. Approve confirming requisitions dated September 4, 2013 through October 8, 2013 totaling \$139,434.90.
- 5.19 **SOCCCD: Payment of Bills**  
Approve check no. 172868 through 174041 processed through the Orange County Department of Education, totaling \$6,363,078.21; and check no. 010792 through 010824, processed through Saddleback College Community Education, totaling \$176,681.50; and check no. 009166 through 009180, processed through Irvine Valley College Community Education, totaling \$43,836.05.
- 5.20 **SOCCCD: Gifts to the District and Foundations**  
Accept donations.
- 5.21 **SOCCCD: September/October 2013 Contracts**  
Ratify contracts as listed.

## 6.0 **GENERAL ACTION ITEMS**

- 6.1 **Saddleback College: Grant Acceptance – Orange County Healthcare Career Transitions – Fast Track to Success (OCHC<sup>2</sup>T) Grant Agreement # TC-25010-13-60-A-6**  
Accept the award of \$2,749,999 from the United States Department of Labor Employment and Training Administration (CFDA17.282; Agreement # TC-25010-13-60-A-6).

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

- 6.2 **Saddleback College: Technology & Applied Sciences Building Architectural Services – Amendment No. 1 for Increased Services**  
Approve amendment with gkkworks increasing the agreement amount by \$47,925. The total revised agreement amount is \$757,925.

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

- 6.3 **SOCCCD: Authorize the Increase of the Project Budget and the Execution and Delivery of Lease Leaseback Agreements for the Saddleback College Sciences Building Project**  
Approve the increase of \$8,523,000 to the project budget and Lease Leaseback agreements with C.W. Driver in the amount of \$53,844,044 and a new total project budget of \$67,358,000.

Director Brandye D'Lena provided a brief presentation on this item.

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

- 6.4 **SOCCCD: Board Policy Revision: BP-136: Minutes of the Board of Trustee Meetings, BP-158: Political Activity, BP-4085: Holidays, BP-5230: Athletics**  
Accept for review and study.

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

- 6.5 **SOCCCD: Board Policy Revision: BP-3410: Nondiscrimination, BP-4012: Academic Administrators and Classified Managers Personnel Files**  
Discussion/Approval

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

- 6.6 **SOCCCD: Request to Rescind Spring 2014 Sabbatical**  
Approve request from Faculty member to rescind Spring 2014 sabbatical leave.

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

- 6.7 **SOCCCD: SOCCCD 2014-15 Full-Time Faculty Hiring**  
Approve Saddleback College and Irvine Valley College Faculty hiring priority lists.

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

- 6.8 **SOCCCD: Academic Personnel Actions – Regular Items**  
Approve New Personnel Appointments, Authorization to Eliminate Full-Time Faculty Position and Create Academic Administrative Position,

Authorization to Eliminate and Create Academic Administrative Position, Additional Compensation: General Fund, Additional Compensation: Categorical/Non-General Fund.

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

6.9 **SOCCCD: Classified Personnel Actions – Regular Items**

Approve New Personnel Appointments, Authorization to Establish and Announce a Classified Position, Authorization to Add to Classified Job Classification Description, Authorization to Eliminate and Create Classified Positions, Reorganization, Change of Status, Out of Class Assignments, Leave of Absence, Resignation/Retirement/Conclusion of Employment, Volunteers.

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

6.10 **SOCCCD: Adopt Resolution No. 13-36: Classified Employee Layoff**

Adopt resolution to eliminate categorically-funded position.

On a motion made 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: Retiree (OPEB) Trust Fund**

The report is for period ending September 30, 2013.

7.5 **SOCCCD: Monthly Financial Status Report**

This report displays the adopted budget, revised budget and transactions through September 30, 2013.

7.6 **SOCCCD: Quarterly Financial Status Report**

The report is as of September 30, 2013 for FY 2013-2014.

## 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 8:02 p.m. in memory of Saddleback College Professor Micael Merrifield.



Gary L. Poertner, Secretary