

**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 29, 2012**

**PRESENT**

Members of the Board of Trustees:

Nancy M. Padberg, President  
T.J. Prendergast, Vice President  
Marcia Milchiker, Clerk  
Bill Jay, Member  
David B. Lang, Member  
Frank M. Meldau, Member  
James R. Wright, Member  
Heather Park, Student Member

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

**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 Employment/Evaluation  
(GC Section 54957)(3)
1. Public Employee Employment (2)
    - a. Director Advanced Technology
    - b. Lead Groundskeeper

2. Public Employee Evaluation: Chancellor (1)
- B. Conference with Labor Negotiators (GC Section 54957.6)
1. California School Employees Association (CSEA)
    - a. Agency Designated Negotiator: David Bugay, Ph.D.
  2. Unrepresented Employee: Chancellor
    - b. Agency Designated Negotiators: Nancy Padberg, Esq. – Board President, and Warren Kinsler, Esq. – General Counsel
- C. Conference with Legal Counsel (GC Section 54956.9)
1. Anticipated Litigation/Significant Exposure to Litigation (GC Section 54956.9[b][1] and [3][C] – *Claim of Gregory Butler*

**RECONVENE OPEN SESSION: 6:00 P.M.**

**2.0 PROCEDURAL MATTERS**

**2.1 Actions Taken in Closed Session**

On a 7-0 vote, the board approved a 60 day unpaid leave without benefits due to a family emergency to a classified manager effective within 30 days.

On a 7-0 vote, the board approved a three month unpaid leave with benefits to a classified employee.

On a 7-0 vote, the board voted to reject a “defective complaint” claim filed by an adjunct instructor.

**2.2 Invocation**

Led by Trustee Marcia Milchiker

**2.3 Pledge of Allegiance**

Led by Trustee James Wright

**2.4 Resolutions/Commendations**

A. Resolutions: none

B. Commendations:

Irvine Valley College – Veteran Friendly Campus Plaque

Irvine Valley College – National Council for Marketing and Public Relations (NCMPR) Awards for IVC’s Publication Department

**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. Board Request(s) for Reports

### **4.0 DISCUSSION ITEMS**

#### **4.1 Saddleback College and Irvine Valley College: Accountability Reporting for the Community Colleges**

A presentation on performance indicators for Saddleback College and Irvine Valley College.

Saddleback College Director of Research, Planning and Accreditation Caroline Durdella and Irvine Valley College Director of Research, Planning and Accreditation Craig Hayward provided an overview of the colleges' recent ARCC Report.

#### **4.2 Saddleback College and Irvine Valley College: Student Success Task Force Recommendation 2 – “Strengthen Support for Entering Students”**

Representatives from Saddleback College and Irvine Valley College will present what the colleges are doing to strengthen support for entering students.

Irvine Valley College Academic Senate President Kathy Schmeidler, Vice President of Student Services Linda Fontanilla, Counselor Robert Melendez, and Dean of Enrollment Services Arleen Elseroad highlighted ongoing efforts to make new and continuing students more successful. Saddleback College counselor Mike Engels provided an overview of past outreach efforts, mostly focused on parents, students and professional development and how that is changing by improving the high school to college pathway to success.

Trustee David Lang requested to pull item 5.18 from the consent calendar.

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

### **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.*

#### **5.1 SOCCCD: Board of Trustees Meeting Minutes**

Approve minutes of a Regular Meeting held on September 24, 2012.

- 5.2 **Saddleback College: Grant Acceptance, Career Technical Education Teacher Preparation Pipeline (TPP) 6<sup>th</sup> Year Grant Renewal**  
Accept the award of \$120,000 from the California Community College Chancellor's Office for CTE Grant 12-090-008.
- 5.3 **Saddleback College: Transfer Degrees for the Spring Semester 2012-2013 Academic Year**  
Approve the proposed changes in curriculum and certificates/degrees as listed.
- 5.4 **Saddleback College: Award of Bid 2005: Printing of the Community Education Brochures**  
Approve award of bid to Southwest Offset Printing in the amount of \$160,141.59.
- 5.5 **Saddleback College: Soft Drink Supplier Agreement: Amendment No. 1**  
Approve Amendment No. 1 to the agreement with Bottling Group, LLC extending the agreement term by one additional year.
- 5.6 **Saddleback College: Library and Learning Resource Center Renovation: Notice of Completion**  
Authorize the recording of the Notice of Completion.
- 5.7 **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.
- 5.8 **SOCCCD: Trustees' Requests for Attending Conferences.**  
Approve trustees' requests for attending conferences.
- 5.9 **SOCCCD: Agreement for Special Services for ATEP Project: McKenna Long & Aldridge, LLP**  
Approve the agreement with McKenna Long & Aldridge, LLP on a time spent hourly rate.
- 5.10 **SOCCCD: Budget Amendment: Adopt Resolution No. 12-33 to Amend FY 2012-2013 Adopted Budget**  
Adopt resolution to amend the FY 2012-2013 adopted budget.
- 5.11 **SOCCCD: Auction No. 58 – Surplus Property**  
Approve the sale of surplus property and hire a private auction firm to conduct the auction and to dispose of items not sold at the auction.
- 5.12 **ATEP: Contract for the Preparation of an Initial Study/Mitigated Negative Declaration, for the City of Tustin and SOCCCD Land Exchange**  
Approve agreement with RGP for the preparation of the Initial Study/Mitigated Negative Declaration in the amount of \$112,223.

- 5.13 **ATEP: CEQA Processing and Joint Defense Agreement between the City of Tustin and SOCCCD**  
Approve the agreement with the City of Tustin.
- 5.14 **SOCCCD: Transfer of Budget Appropriations**  
Approve the transfer of budget appropriations.
- 5.15 **SOCCCD: Purchase Order/Confirming Requisitions**  
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P13-01527 through P13-01951 amounting to \$2,070,230.12. Approve confirming requisitions dated September 5, 2012 through October 9, 2012 totaling \$172,489.08.
- 5.16 **SOCCCD: Payment of Bills**  
Approve check no. 162127 through 163377 processed through the Orange County Department of Education, totaling \$9,798,715.88; and check no. 010511 through 010530, processed through Saddleback College Community Education, totaling \$28,495.00; and check no. 009036 through 009046, processed through Irvine Valley College Community Education, totaling \$65,835.48.
- 5.17 **SOCCCD: Gifts to the District and Foundations**  
Accept donations to the District and/or the Foundations as listed.
- 5.18 **SOCCCD: September/October 2012 Contracts**  
Ratify contracts as listed.

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

## **6.0 GENERAL ACTION ITEMS**

- 6.1 **Saddleback College and Irvine Valley College: 2013-2014 Faculty Hiring**  
Approve the announcement and recruitment of new full-time faculty for the 2013-2014 academic year.

On a motion made by Trustee Jay and seconded by Trustee Milchiker, this item was approved on a 6-1 vote with Trustee Lang casting a negative vote.

Trustee Lang and Trustee Wright requested that both colleges submit a priority list at the next board meeting.

- 6.2 **Saddleback College: Sciences Building Preconstruction Services Agreement**  
Approve agreement with C.W. Driver in the amount of \$145,175.

Executive Director Facilities Planning and Purchasing Brandye D'Lena presented an overview of Lease-Leaseback Construction Delivery Method in order to summarize the delivery method and share steps taken to date.

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

- 6.3 **Saddleback College: Grant Acceptance, NSF Scholarships in Science, Technology, Engineering, and Mathematics (S-STEM)**  
Accept this award of \$567,473 from the National Science Foundation, Division of Undergraduate Education, for NSF Scholarships in Science, Technology, Engineering and Mathematics.

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

- 6.4 **SOCCCD: Board Policy Revision: BP-5300.5-Grade Changes, BP 3517-Student Organizations at Off-Campus Location**  
Accept for Review & Study.

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

- 6.5 **SOCCCD: Request to Revise Sabbatical Project for Spring 2013**  
Approve recommendation from Sabbatical Committee to revise previously approved sabbatical project.

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

- 6.6 **SOCCCD: Requests to Rescind Spring 2013 Sabbaticals**  
Approve requests from two faculty members to rescind Spring 2013 sabbatical leave.

On a motion made by Trustee Milchiker and seconded by Trustee Jay, this item was approved on 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, Resignation/Retirement/Conclusion of Employment.

On a motion made by Trustee Milchiker and seconded by Trustee Wright, this item was approve 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 Change Hours for Classified Positions, Change of Status, Out of Class Assignments,

Resignation/Retirement/Conclusion of Employment, Authorization to Revise a Classified Bargaining Unit Salary Schedule for Police Officers Association, Volunteers.

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

- 6.9 **SOCCCD: Adopt Resolution No. 12-35 Classified Employee Layoffs**  
Adopt Resolution 12-35 to approve discontinuance of categorically funded classified positions.

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

- 6.10 **SOCCCD: Resolution No. 12-34 Retirement Incentive Program & Public Agency Retirement System (PARS) Agreement: Classified Bargaining Unit Employee Supplemental Retirement Plan**  
Adopt Resolution 12-34, PARS Supplementary Retirement Plan and approval of agreement for administrative services with Phase II Systems, trust administrators.

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

## 7.0 **REPORTS**

- 7.1 **Saddleback College and Irvine Valley College: Report on Implementing Board of Governor's new Registration Priority Policies**

A report on the implementation of the Board of Governor's (BOG) new registration priority policies, per the request of Trustee Lang.

- 7.2 **SOCCCD: Proposition 32 – Prohibition on Political Contributions by Payroll Deduction and on Contributions to Candidates**  
Information on ballot measure.

- 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: Retiree (OPEB) Trust Fund**

The annual report is for the period ending September 30, 2012.

**7.7 SOCCCD: Quarterly Financial Status Report**

This report is for the period ending September 30, 2012 for the FY 2012-2013.

**7.8 SOCCCD: Monthly Financial Status Report**

This report displays the adopted budget, revised budget and transactions through September 30, 2012.

**7.9 Irvine Valley College: Life Sciences: Executed Take-Over Agreement**

Final agreement for board review.

**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 8:10 p.m.

  
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Gary L. Poertner, Secretary