

SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT  
AUDITORIUM, ROOM 145, HEALTH SCIENCES/DISTRICT OFFICES BLDG., SADDLEBACK COLLEGE

**MINUTES OF THE BOARD OF TRUSTEES' MEETING**  
**June 25, 2007**

**CALL TO ORDER: 5:00 P.M.**

**PRESENT**

Members of the Board of Trustees:

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

Administrative Officers:

Raghu P. Mathur, Chancellor  
Gary Poertner, Deputy Chancellor  
Andreea Serban, Vice Chancellor, Technology and Learning Services  
Robert E. King, Vice Chancellor Human Resources  
Richard D. McCullough, President, Saddleback College  
Robert J. Kopecky, Provost, ATEP  
Glenn Roquemore, President, Irvine Valley College

**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 54957)**

**1. Public Employee Appointment/Employment**

**a. IVC Vice President of Instruction**

b. IVC Chemistry Professor

2. Public Employee Discipline/Dismissal/Release (5)

B. Conference with Labor Negotiators (GC 54957.6)

1. Negotiators - Dr. Raghu Mathur; SOCCCD Faculty Association

2. Negotiators - Dr. Raghu Mathur; California School Employees Association(CSEA), Chapter 586

3. Negotiators - Dr. Raghu Mathur; SOCCCD Police Officers Association

C. Conference with Real Property Negotiators (GC 54956.8)

1. Property - Use of Portion of Advanced Technology and Education Park (ATEP) Property at 15442 Red Hill Ave., Tustin, CA Agency Designated Representative - Dr. Raghu Mathur; Negotiating Parties (1) ADM Works; (2) AGK Group, LLC; (3) Camelot Entertainment; (4) CSU-Fullerton - biotech proposal; (5) CSU-Fullerton (entertainment arts/Irvine campus programs); (6) Economic Business Development Incubator (EBD); (7) Entertainment Arts Consortium;

(8) I.C.O.N.; (9) SEIS Group; (10) Sky Venture; (11) V-5 Engineering/ Wichita State University; (12) VOIT; and (13) Young Americans. Under Negotiation - Price and Terms of Payment

D. Conference with Legal Counsel (GC 54956.9)

1. Existing Litigation (GC 54956.9[a])

a. Gensler v. SOCCCD

2. Anticipated Litigation/Significant Exposure to Litigation (GC54956.9[b] [1] and [3][A]) (5)

a. Levinson v. SOCCCD: Appeal

b. Levinson v. SOCCCD: EEOC Charge

c. Dobbs v. SOCCCD: Tort Claim

d. Hammel v. SOCCCD: Tort Claim

3. Initiation of Litigation (GC 54956.9[c]) (2)



**RECONVENE OPEN SESSION: 7:07 P.M.****2.0 PROCEDURAL MATTERS****2.1 Actions Taken in Closed Session**

On a motion made by Marcia Milchiker and seconded by William O. Jay, the board approved on a 7 - 0 vote the hiring of Dr. Craig Justice as Vice President of Instruction at Irvine Valley College. The start date for Dr. Justice is July 24, 2007 and he will be formally presented on the academic personnel agenda at the July meeting of the Board of Trustees.

On a motion made by John S. Williams and seconded by William O. Jay, the board approved on a 7 - 0 vote a ten day leave of absence with pay and benefits for a Saddleback College faculty member.

On a motion made by John S. Williams and seconded by Nancy M. Padberg, the board approved on a 7 - 0 vote a six month leave of absence without pay and without benefits for a Saddleback College classified employee.

**2.2 Invocation Led by Trustee Wagner****2.3 Pledge of Allegiance Led by Trustee Milchiker****2.4 Resolutions/Presentations/Introductions Resolution: Marshall Drummond, Ed.D**

On a motion made by Thomas A. Fuentes and seconded by David B. Lang, the board approved on a 7 - 0 vote presentation of Resolution to Marshall Drummond, Ed. D. .

**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.**

**3.2 Board Reports**

Trustees Jay, Padberg, Fuentes, Milchiker, and Student Trustee Reynard gave

reports.

### **3.3 Chancellor's Report**

### **3.4 Board Requests for Reports Employee compensation for 2006-07**

On a motion made by Nancy M. Padberg and seconded by John S. Williams, the board approved on a 7 - 0 vote a request from Trustee Fuentes for a report on employee compensation for 2006-2007 to be provided at the July meeting of the Board of Trustees .

### **4.0 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.**

On a motion made by John S. Williams and seconded by Thomas A. Fuentes, the board approved on a 7 - 0 vote all items on the Consent Calendar except for items 4.1, 4.11, 4.18, 4.19, which were pulled.

### **4.1 SOCCCD: Board of Trustees Meeting Minutes Approve minutes of the February 26, 2007 and May 21, 2007 Board Meetings. Approve minutes of March 22, 2005 through January 16, 2007 Board meetings and April 23, 2007 Board meeting.**

The board approved minutes of the February 26, 2007 and May 21, 2007 Board Meetings and minutes of March 22, 2005 through January 16, 2007 Board meetings and April 23, 2007 Board meeting. This item passed on a 7 - 0 vote.

### **4.2 Saddleback College: Faculty Stipends: Nursing Remediation Plan Approve faculty stipends in the amount of \$2,000 each for development of a remediation plan for the Saddleback College nursing students.**

### **4.3 Saddleback College: Faculty Stipends: Simulation Learning Approve faculty stipends in the amount of \$500.00 each for development of simulation learning activities.**

### **4.4 Saddleback College: Faculty Stipends: NCLEX Review Course Approve faculty stipends in the amount of \$500.00 each for NCLEX Review Course.**

### **4.5 Saddleback College: Grant Acceptance, Strengthening Career Technical Education - Rapid Product Design, 3D Modeling Accept the award of \$250,000 from the California Community College Chancellor's Office for the Strengthening Career Technical Education Programs Grant**



RFA No. 06-0090.

4.6 Saddleback College: Grant Acceptance, Tech Prep Regional Coordination Consortium Accept sub-award in the amount of \$30,000 from the California Community College Chancellor's Office for the Tech Prep Regional Consortium Grant.

4.7 Saddleback College: Grant Acceptance, Faculty and Counselor Work Experience in Career Technical Education Pathways Accept the award of \$50,000 from the California Community College Chancellor's Office for the Faculty and Counselor Work Experience in Career Technical Education Pathways.

4.8 Saddleback College and Irvine Valley College: Community Education, Fall 2007 Approve the Community Education courses, presenters, and compensation for Fall 2007.

4.9 Saddleback College and Irvine Valley College and ATEP: Mission Statement Update Approve revisions to the Saddleback College Mission Statement and reaffirm the Mission Statements of Irvine Valley College and the Advanced Technology and Education Park.

4.10 SOCCCD: Speakers Approve general fund honorarium and travel expenses.

4.11 SOCCCD: Agreement for Special Services: Liebert Cassidy Whitmore Approve agreement increasing rates for professional services effective July 1, 2007.

On a motion made by John S. Williams and seconded by Donald P. Wagner, the board tabled on a 4 - 3 vote the approval of the mentioned agreement of increasing rates for professional services, with David B. Lang Donald P. Wagner and Marcia Milchiker opposing.

4.12 SOCCCD: Update of Authorized Signature List of Board of Trustees' Designees to Approve Documents and Contracts Approve authorization of signatures.

4.13 SOCCCD: Adopt Resolution No. 07-18: Appropriations Limit for 2007-08 (Gann Limit) Adopt Resolution establishing the required State constitutional appropriations limit for fiscal year 2007-08.

4.14 SOCCCD: Award of Bid: Five Year Contract for Removal of Hazardous Waste Award bid and approve a five year contract for removal of hazardous waste with Veolia ES Technical Solutions for Irvine Valley

College and North State Environmental for Saddleback College.

4.15 SOCCCD: Award of Bid: Janitorial Supplies Award bids to various vendors for janitorial supplies in the amount of \$105,285.88.

4.16 ATEP: Change Order Requests No. 3: Site Improvement and Signage for the Launch of ATEP Approve change order request no. 3 increasing the contract amount by \$12,520.60 with Los Angeles Engineering, Inc. The revised total contract amount is \$2,190,238.11.

4.17 ATEP: Change Order Requests No. 4: Completion of Relocatable Classroom Buildings Approve change order request no. 4 increasing the contract amount by \$19,725.00 with Resun Leasing. The revised total contract amount is \$3,381,917.84

4.18 Irvine Valley College: Notices of Completion: Performing Arts Center/Theater Approve the filing of the Notices of Completion and authorize the release of retention.

The board approved the item. This item passed on a 7 - 0 vote.

4.19 Irvine Valley College: Change Order Requests: Performing Arts/Theater

Approve change order requests with various trade contractors resulting in an increase of \$139,910.00 in the project cost. The revised total contract amount is \$26,690,330.00.

On a motion made by Thomas A. Fuentes and seconded by John S. Williams, the board approved on a 7 - 0 vote.

4.20 Irvine Valley College: Change Order Request No. 1: Parking Lots and Sidewalks Repairs Approve change order request with Haitbrink Asphalt increasing the contract amount by \$8,725.00. The revised total contract amount is \$153,575.00.

4.21 Saddleback College: Award of Bid: Construct KSBR Radio Tower Award bid and approve agreement for construction of the KSBR Radio Tower with R.D. Engineering and Construction, Inc., in the amount of \$47,803.00

4.22 Saddleback College: Award of Bid: Roofing Replacement for the P.E. Complex Award bid and approve agreement for roofing replacement with Roof Construction for the amount of \$1,069,328.00.

4.23 Saddleback College: Assignment of Energy Agreement Approve



assignment to California Power Partners, Inc. of the Agreement for Support Services and Savings Guarantee for the cogeneration facility and authorize the Deputy Chancellor to execute the required documents.

4.24 SOCCCD: May/June 2007 Contracts Ratify contracts as listed.

4.25 SOCCCD: Transfer of Budget Appropriations Approve budget transfers as delineated

4.26 SOCCCD Budget Amendment: Adopt Resolution No. 07-19 to Amend 2006-07 Restricted General Funds Adopt resolution to amend the 2006-07 adopted budget.

4.27 SOCCCD: Purchase Orders/Confirming Requisitions Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P07-04704 through P07-05114 amounting to \$1,759,558.51 and PO8-00042 through PO8-00086 amounting to \$1,552,612.96. Approve confirming requisitions dated May 2, 2007 through June 4, 2007 totaling \$74,313.94.

4.28 SOCCCD: Payment of Bills Approve Checks Nos. 059924 through 061054, processed through the Orange County Department of Education, totaling \$8, 570,084.16; checks Nos. 008899 through 08934, processed through Saddleback College Community Education, totaling \$57,779.23; and Check Nos. 008295 through 008299, processed through Irvine Valley College Community Education, totaling \$8,715.50.

4.29 SOCCCD: Gifts to the District and Foundations Acceptance of various donated items.

4.30 SOCCCD: Claim Against the District - Suzanne Dobbs Reject claim and refer it to the district's insurance administrator for processing.

4.31 SOCCCD: Claim Against the District - Suzanne Hammel Reject claim and refer it to the district's insurance administrator for processing.

4.32 SOCCCD: Adopt Resolution No. 07-20 Authorization of Payment to Trustee Absent from Board Meeting Approve payment to Board member absent at regular meeting.

4.33 SOCCCD: Trustees' Requests for Travel to Conferences Approve requests for Trustee travel.

## 5.0 GENERAL ACTION ITEMS

Item 5.12 was moved to the start of the 5.0 items.

**5.1 SOCCCD: Mission Statement, District-wide Goals for 2007-08 Approval of revised district mission and vision statements and district-wide goals for 2007-08.**

On a motion made by John S. Williams and seconded by Donald P. Wagner, the board approved on a 7 - 0 vote.

**5.2 SOCCCD: Facilities Plan Status Report and Five Year Construction Plan Approve the order of priority for the 2009/10 - 2014/15 Five Year Plan.**

On a motion made by Donald P. Wagner and seconded by John S. Williams, the board approved on a 7 - 0 vote.

**5.3 SOCCCD: Basic Aid Project Priority List Approve the Basic Aid project Priority List and the allocation of basic aid funds.**

On a motion made by Thomas A. Fuentes and seconded by Donald P. Wagner, the board approved on a 7 - 0 vote.

**5.4 ATEP: Funding from Basic Aid for Demolition of Existing Buildings Approve the demolition of existing buildings at a cost of \$7,000,000.00 from basic aid funds.**

On a motion made by Thomas A. Fuentes and seconded by Marcia Milchiker, the board approved on a 7 - 0 vote.

**5.5 ATEP: Demolition of Existing Buildings; Hire Environmental Consultant Approve the contract for environmental consulting services with Christo & Ganaesh-M, Inc.**

On a motion made by Donald P. Wagner and seconded by Thomas A. Fuentes, the board approved on a 7 - 0 vote.

**5.6 Saddleback College: Remodel Village to Accommodate Library, I.T., and Photography: Funding from Basic Aid Approve funding from basic aid in the amount of \$4,126,000.00 for remodeling the Saddleback College Village.**

On a motion made by William O. Jay and seconded by Thomas A. Fuentes, the board approved on a 7 - 0 vote.

**5.7 Saddleback College: Remodel Village to Accommodate Library, I.T., and Photography: Hire Architect Approve agreement to hire an architect**



**for the remodel of the Village with R2A Architecture for a fee equal to 10% of the construction cost which is estimated at \$2,800,000.00.**

On a motion made by John S. Williams and seconded by Donald P. Wagner, the board approved on a 7 - 0 vote.

President Lang called a ten minute break.

**5.8 SOCCD: Fiscal Year 2007-08 Tentative Budget Approve as presented.**

On a motion made by John S. Williams and seconded by Donald P. Wagner, the board approved on a 7 - 0 vote.

**5.9 Saddleback College and Irvine Valley College: Student Health Fee Increase Approve a \$2.00 increase in the student health fee.**

On a motion made by William O. Jay and seconded by John S. Williams, the board approved on a 5 - 1 vote, with Donald P. Wagner opposing; and with Nancy M. Padberg abstaining.

**5.10 SOCCCD: Board Policy Revision: BP 4011.3: Hiring Policy for Classified Staff and BP 6200: Honorary Degrees Approve as presented.**

On a motion made by Nancy M. Padberg and seconded by William O. Jay, on a 7 - 0 vote the board approved the division of the item.

The board approved Board Policy 4011.3 Hiring Policy for Classified Staff This item passed on a 7 - 0 vote.

On a motion made by John S. Williams and seconded by Thomas A. Fuentes, the board approved on a 7 - 0 vote BP 6200: Honorary Degrees, and requested its Administrative Regulation be provided to the Board for review.

**5.11 SOCCCD: Recess to Public Hearing - District's Initial Proposal to Police Officers Association Conduct a public hearing to provide an opportunity for the public to comment on the District's proposal to the SOCCCD Police Officers Association.**

On a motion made by Thomas A. Fuentes and seconded by Marcia Milchiker, the board approved on a 7 - 0 vote a recess to Public Hearing on the District's Initial Proposal to Police Officers Association at 8:58 p.m..

Since there were no public comments the public hearing was closed at 8:58 p.m.

**5.12 SOCCCD: Academic Personnel Actions New Personnel  
Appointments; Academic Temporary Part-Time/Substitute Staff; Temporary  
Faculty Categorical Grant Funded Contract Extension; Administrator  
Contract Extension Correction; Authorization to Eliminate an Academic  
Faculty Position; Authorization to Establish an Academic Faculty Position;  
Academic Reassignment; Additional Compensation: General Fund;  
Additional Compensation: Categorical/Non-General Fund; Reduced  
Workload Program with STRS Retirement Revision; Workload Banking;  
Resignation/Retirement/Conclusion of Employment.**

On a motion made by Donald P. Wagner and seconded by Nancy M. Padberg, on a 7 - 0 vote the board approved to divide the item and separate items E.1, G.1 and H.1.

On a motion made by John S. Williams and seconded by Nancy M. Padberg, the board approved on a 7 - 0 vote the remaining items under agenda item 5.12 .

On a motion made by Donald P. Wagner and seconded by John S. Williams, the board approved on a 4 - 3 vote under Item E.1 that the contract for the Dean, Physical Education and Athletics, Saddleback College be pulled and discussed in Closed Session at the next meeting of the Board of Trustees , with David B. Lang William O. Jay and Nancy M. Padberg opposing.

On a motion made by Nancy M. Padberg and seconded by John S. Williams, the board approved on a 7 - 0 vote the remaining contracts under Item E.1.

On a motion made by Donald P. Wagner and seconded by William O. Jay, on a 4 - 1 vote the board voted against the H.1 Academic Reassignment , with David B. Lang opposing; and with Thomas A. Fuentes, and John S. Williams abstaining.

Trustee Fuentes abstained due to inadequate information presented on the item.

On a motion made by Donald P. Wagner and seconded by Nancy M. Padberg, the board approved on a 7 - 0 vote item G.1 Authorization to establish an academic faculty position.

**5.13 SOCCCD: Classified Personnel Actions New Personnel  
Appointments; Authorization to Eliminate a Classified Position and/or  
Position Numbers; Authorization to Establish and Announce a Classified  
Position; Authorization to Change Organization Reporting Structure;  
Extension of Assignment for Categorical Contract Manager; Change of  
Status; Out of Class Assignments Out of Class Compensation; Leave of  
Absence; Resignation/Retirement/Conclusion of Employment; Volunteers.**

On a motion made by Thomas A. Fuentes and seconded by John S. Williams,



the board approved on a 7 - 0 vote.

On a motion made by John S. Williams and seconded by Marcia Milchiker the board approved unanimously to extend the Board Meeting until 9:30 p.m.

## **6.0 DISCUSSION ITEMS**

**6.1 SOCCCD: Grant Opportunities and Strategies for Grant Development Report on Grant Awards, Opportunities, and Strategies for Grant Development.**

## **7.0 REPORTS**

### **7.1 Information Items**

**7.1.1 Saddleback College, Irvine Valley College and ATEP: Annual Foundation Reports Reports on accomplishments of respective Foundations.**

**7.1.2 SOCCCD: Stadium Studies for Saddleback College and Irvine Valley College Reports and recommendations submitted.**

Trustee Padberg requested this item come back before the Board with a presentation by the stadium architects.

On a motion made by Marcia Milchiker and seconded by Nancy M. Padberg the board approved to extend the Board Meeting until 10:00 p.m. This motion passed on a 5 - 2 vote, with Donald P. Wagner and William O. Jay opposing.

**7.1.3 SOCCCD: Basic Aid Report      Projected receipts and approved projects.**

**7.1.4 SOCCCD: Monthly Financial Status Report This report displays the adopted budget, revised budget and transactions through May 31, 2007.**

**7.1.5 SOCCCD: List of Board Requested Reports Information as requested.**

**7.2 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.**

President Rich McCullough, President Glenn Roquemore, Provost Bob Kopecky, SC Associated Student Government Representative, Saddleback College Academic Senate President Carmen Dominguez, Faculty Association President Ken Woodward, and Saddleback College Classified Senate President Matt Suarez gave reports.

7.2.1 President, Saddleback College

7.2.2 President, Irvine Valley College

7.2.3 Provost, ATEP

7.2.4 Associated Student Government of SC

7.2.5 Associated Students of IVC

7.2.6 Saddleback College Academic Senate

7.2.7 Irvine Valley College Academic Senate

7.2.8 Faculty Association

7.2.9 California School Employees Association

7.2.10 Saddleback College Classified Senate

7.2.11 Irvine Valley College Classified Senate

7.2.12 District Services Classified Senate

7.2.13 Police Officers' Association

**ADJOURNMENT (or continuation of closed session if required): 9:34 P.M.**

The meeting was adjourned at 9:34 p.m. in memory of Tony Forster, the former mayor of San Juan Capistrano.

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Raghu P. Mathur, Secretary