

**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
January 23, 2012**

PRESENT

Members of the Board of Trustees:

Nancy M. Padberg, President
T.J. Prendergast, Vice President
Marcia Milchiker, Clerk
William O. Jay, Member
David B. Lang, Member
Frank M. Meldau, Member
Jordan J. Larson, Student Member

Administrative Officers:

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

ABSENT

Thomas A. Fuentes, Member

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) (5)
 - 1. Public Employee Employment (1)
 - 2. Public Employee Employment/Discipline/Dismissal/Release (4)
- B. Conference with Labor Negotiators (GC Section 54957.6)
 - 1. Administrators and Managers: Unrepresented Employees
 - a. Agency Designated Negotiator: Gary Poertner
 - 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.
- C. Conference with Legal Counsel (GC Section 54956.9)
 - 1. Anticipated Litigation/Significant Exposure to Litigation (GC Section 54956.9[b][1] and [b][3][A])

RECONVENE OPEN SESSION: 6:30 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

On a 6-0 vote, with Trustee Fuentes absent, the Board approved a general unpaid leave for three months with benefits for a classified employee.

On a 6-0 vote, with Trustee Fuentes absent, the Board approved a general unpaid leave for three months with benefits for a classified employee.

2.2 Invocation

Led by Trustee Dave Lang

2.3 Pledge of Allegiance

Led by Trustee Marcia Milchiker

2.4 Resolutions / Presentations / Introductions

Resolution - IVC Military Friendly School Designation

Resolution - Recipients of the 2011 Saddleback College
President's Award for Leadership and Innovation

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 Report(s)

4.0 DISCUSSION ITEM

No discussion items were presented.

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.

On a motion made by Trustee Padberg and seconded by Trustee Prendergast item 5.9 was pulled and voted on separately. The item was approved on a 5-0 vote with Trustee Jay abstaining.

On a motion made by Trustee Lang and seconded by Trustee Prendergast, the balance of the consent calendar was unanimously approved on a 6-0 vote.

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

Approve minutes of a regular meeting held on December 5, 2011.

5.2 **Irvine Valley College: Life Science Building: Change Order No. 3**

Approve change order request and back charge resulting in an increase of \$13,964.00. The revised total contract amount is \$11,381,826.00.

- 5.3 **ATEP: Award of Bid: Building 26 - Remediation and Demolition**
Approve award of bid and agreement with US Demolition, Inc. in the amount of \$34,000.00.
- 5.4 **ATEP: Award of Bid: Building 524 – Remediation and Demolition**
Approve award of bid and agreement with Interior Demolition, Inc. in the amount of \$88,000.00.
- 5.5 **Saddleback College: Special topics – New York Study Tour**
Approve the Saddleback College Fashion 289 Special Topics course from June 25 through June 30, 2012, out-of-state travel to New York.
- 5.6 **Saddleback College: James B. Utt Memorial Learning Resource Center Renovation: Change Order Request No. 4**
Approve change order request increasing the contract amount by \$102,152.00. The total revised contract amount is \$13,086,419.00.
- 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: Authorization of Payment to Trustee Absent from Board Meeting**
Adopt resolution 12-02 (Exhibit A) authorizing payment to Trustee Fuentes who was absent from the December 5, 2011 Meeting of the Board of Trustees.
- 5.9 **SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting**
Adopt resolution 12-03 (Exhibit A) authorizing payment to Trustee Jay who was absent from the December 5, 2011 Meeting of the Board of Trustees.
- 5.10 **SOCCCD: Reimbursement to Trustees for Mileage to and from Required Board Meetings**
Approve the Trustees' claims for reimbursement for mileage to and from board meetings as indicated.
- 5.11 **SOCCCD: Authorization for District Institutional Memberships 2001/2012**
Approve the memberships and estimated dues for organizations.
- 5.12 **SOCCCD: Academic Year 2012/2013 Non-Resident Tuition Fees for Foreign & Out-of-State Students**
Adopt a 2012/2013 non-resident tuition fee of \$179 per semester unit, the capital outlay fee increased to \$32 per semester unit rate and the application fee to remain at \$54 per semester.

- 5.13 **SOCCCD: Renewal of Palo Alto Firewall Services and Support**
Approve renewal of firewalls, support and security service subscription at a cost not to exceed \$84,000.00.
- 5.14 **SOCCCD: Budget Amendment: Adopt Resolution No. 12-01 to Amendment 2011-2012 Restricted General Fund**
Approve resolution to amendment 2011-2012 adopted budget.
- 5.15 **SOCCCD: Addendum to the Contract for Independent Auditing Services for Fiscal Years Ending June 30, 2010 through June 30, 2012**
Approve contract addendum for additional certification work in the amount of \$2,320.00. The total revised contract amount is \$128,522.00.
- 5.16 **SOCCCD: Gifts to the District and Foundations**
Approve the acceptance of donations.
- 5.17 **SOCCCD: Payment of Bills**
Approve check no. 154033 through 155110 processed through the Orange County Department of Education, totaling \$8,269,663.35; and check no. 010309 through 010327, processed through Saddleback College Community Education, totaling \$31,919.66; and check no. 008942 through 008953, processed through Irvine Valley College Community Education, totaling \$4,536.29.
- 5.18 **SOCCCD: Purchase Order/Confirming Requisitions**
Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P12-02426 through P12-02803 amounting to \$1,127,210.60. Approve confirming requisitions dated November 15, 2011 through January 3, 2012 totaling \$114,287.32.
- 5.19 **SOCCCD: Transfer of Budget Appropriations**
Ratify the transfer of budget appropriations as detailed in the exhibit.
- 5.20 **SOCCCD: November-December 2011/January 2012 Contracts**
Ratify contracts as listed.

6.0 GENERAL ACTION ITEMS

- 6.1 **SOCCCD: College Service Areas**
Approve Resolution #12-04 reaffirming the two college campus service areas within SOCCCD and establish a separate ATEP service area for both Saddleback College and Irvine Valley College to share in approximately equal proportions with complementary, non-competitive Career Technology Education programs and related services for the district at large.

On a motion made by Trustee Jay and seconded by Trustee Milchiker this item was approved on a 6-0 vote.

6.2 SOCCCD: ATEP Site Assignments for Saddleback College and Irvine Valley College

Approve Resolution #12-05 and the building concept plan for ATEP site assignments for college building and infrastructure locations. This resolution includes the approval to: (1) assign approximately equal land sites for each college's building, including infrastructure, and parking; (2) to support that future ATEP site development will be allocated in approximately equal proportions to each college for educational use and for potential ground leases or space leases with educational, business, and commercial partners, and (3) contingent on available funding, continue to move forward with the planning and design for the next two ATEP buildings (one for each college). Ground leases and space leases will be managed by district services. The revenue will be used to support further site development at ATEP.

On a motion made by Trustee Jay and seconded by Trustee Milchiker this item was approved on a 6-0 vote.

6.3 SOCCCD: CCCT Board of Directors Nomination

Determine if the Board wishes to make any nominations for membership on the CCCT Board of Directors, and, if so, approve the nominations(s) for transmittal to the CCCT office.

The Board did not nominate a candidate to the CCCT Board. Therefore, no action was taken on this item.

6.4 SOCCCD: Board Policy Revision: BP-4091-Administrator Retreat Rights, BP-4117-Family Medical Leave for Administrators and Classified Management Personnel, BP-4209-Classified Management Personnel Reduction in Force Notification, BP-4700-Whistleblower Protection, BP-5604-Eligibility for Admission, BP-4090-Evaluation of Administrators and Classified Management Personnel, BP-4082-Medical Benefits for Administrators and Classified Management Personnel While on Leave, BP-4000.3-Workplace Violence, BP-4077.1-Change of Assignment, BP-3600-Disposition of District Property, BP-4002.1-Authorization for Employment

Accept for review and study.

On a motion made by Trustee Jay and seconded by Trustee Meldau this item was approved on a 6-0 vote.

6.5 SOCCCD: 2012-2013 Bonded Sabbatical Recommendations

Approval of faculty sabbaticals for the 2012-2013 academic year as recommended by the SOCCCD District-wide Sabbatical Committee.

On a motion made by Trustee Milchiker and seconded by Trustee Prendergast this item was approved on a 6-0 vote.

- 6.6 **SOCCCD: Academic Personnel Actions – Regular Items**
Approve New Personnel Appointments, Voluntary Transfer Academic Full-Time Faculty, 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 Prendergast this item was approved on a 6-0 vote.

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

On a motion made by Trustee Milchiker and seconded by Trustee Meldau this item was approved on a 6-0 vote.

7.0 **REPORTS**

- 7.1 **Irvine Valley College: Speakers**
Approve a listing of speakers for events and/or classes at Irvine Valley College.
- 7.2 **SOCCCD: Basic Aid Report**
Report on projected receipts and approved projects.
- 7.3 **SOCCCD: Retiree (OPEB) Trust Fund**
This report is for period ending December 31, 2011.
- 7.4 **SOCCCD: Facilities Plan Status Report**
Status of current construction projects.
- 7.5 **SOCCCD: Monthly Financial Status Report**
The reports display the adopted budget, revised budget and transactions through November 30, 2011.
- 7.6 **SOCCCD: Interfund Transfer of Cash**
The District has received its property tax apportionment payments and the cash transferred from the Capital Outlay Fund to the General Fund has now been returned to the Capital Outlay Fund, as committed to the board.

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. Associate Vice Chancellor, Economic Development
- H. Vice Chancellor, Technology & Learning Services
- I. Vice Chancellor, Human Resources
- J. Vice Chancellor, Business Services
- K. Irvine Valley College Classified Senate
- L. California School Employees Association
- M. Saddleback College Classified Senate
- N. Police Officers' Association
- O. Associated Student Government of SC
- P. Associated Student Government of IVC

9.0 ADDITIONAL ITEMS

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

The meeting was adjourned at 8:23 p.m.



Gary L. Poertner, Secretary