

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

**MINUTES OF THE BOARD OF TRUSTEES' MEETING
December 5, 2008**

CALL TO ORDER: NOON

PRESENT

Members of the Board of Trustees:

Donald P. Wagner, President

John S. Williams, Vice President

Thomas A. Fuentes, Clerk

William O. Jay, Member

David B. Lang, Member

Marcia Milchiker, Member

Nancy M. Padberg, Member

Hannah Lee, 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

Tod Burnett, President Saddleback College

Glenn Roquemore, President Irvine Valley College

Randy Peebles, Provost, ATEP

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 Discipline/Dismissal/Release (4 cases)

B. Conference with Labor Negotiators (GC 54957.6)

1. SOCCCD Faculty Association

a. Negotiator - Dr. Raghu Mathur;

b. Leave Requests (1)

2. California School Employees Association (CSEA), Chapter 586:

a. Negotiator - Dr. Raghu Mathur

b. Leave Requests (2)

C. Conference with Real Property Negotiators (GC 54956.8)

1. Lease of District Property - Advanced Technology and Education Park (ATEP) Agency Designated Representative - Dr. Raghu Mathur; Negotiating parties: Janez Group; Under negotiation: Price and terms of payment.

2. Lease of Property by District - 15661 Red Hill Ave, Tustin and 1400 & 1420 Reynolds Avenue, Irvine. Agency Designated Representative - Dr. Raghu Mathur and Royce A. Sharf, Studley; Negotiating parties: Colliers International and C B Richard Ellis (CBRE); Under negotiation: Price and terms of payment.

D. Conference with Legal Counsel (GC 54956.9)

1. Existing Litigation (GC54956.9[b])

a. Crosby v. SOCCCD

b. Dobbs v. SOCCCD

c. Hammel v. SOCCCD

2. **Initiation of Litigation (GC 54956.9[c]) (1 case)**

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

RECONVENE OPEN SESSION: 1:30 P.M.

2.0 PROCEDURAL MATTERS

2.1 Actions Taken in Closed Session

**2.2 Invocation
Led by Trustee David B. Lang**

2.3 Pledge of Allegiance Led by Trustee Marcia Milchiker

2.4 Administration of Oath of Office to Re-Elected Trustees

The swearing in of re-elected Trustees Fuentes, Jay, Lang and Williams was conducted by Orange County Supervisor Bill Campbell. The meeting was recessed to the Annual Organizational Meeting and Facilities Corporation.

2.5 Annual Organizational Meeting and Facilities Corporation Meeting

A. Election of Officers

On a motion made by Trustee Fuentes and seconded by Trustee Lang, Trustee Wagner was nominated as President and Trustee Williams was nominated as Vice President of the Board of Trustees. This motion passed on a 6-1 vote with Trustee Padberg opposing. On a motion made by Trustee Williams and seconded by Trustee Wagner, Trustee Fuentes was nominated as Clerk of the Board of Trustees. This motion passed on a 5-2 vote with Trustees Padberg and Jay opposing.

B. Appointment of Secretary and Assistant Secretary

On a motion made by Trustee Lang and seconded by Trustee Fuentes Chancellor Mathur was appointed Secretary and Deputy Chancellor was appointed Assistant Secretary to the Board of Trustees on a 7-0 vote.

C. Appointment of Trustee Representatives

On a motion made by Trustee Lang and seconded by Trustee Williams Trustees were appointed as representatives as follows:

Representative to the Nominating Committee to the Committee on School District Organization: John Williams; and Alternate Representative: Nancy Padberg District's Political Action Representative to the Orange County School Boards

Association: John Williams; and Alternate Representative: Nancy Padberg

Liaison to Orange County Community College Trustees Association: Bill Jay

Representative to the Orange County Legislative Task Force: Tom Fuentes; Alternate Representative: Don Wagner and second Alternate Representative: Marcia Milchiker

Representative to the Orange County Transportation Authority: Stakeholders Working

Group for South Orange County Major Investment Study: Nancy Padberg and Alternate

Representative: Dave Lang

D. Establishment of Regular Meeting Dates

On a motion made by Trustee Williams and seconded by Trustee Padberg the Board unanimously approved the Board meetings for the calendar year 2009 as presented with one amendment that the meeting for July will take place on Tuesday, July 21, 2009.

E. Establishment of Agenda Planning Calendar

The 2009 Board Agenda Planning Calendar was unanimously approved with recommended changes and correction to the Board meeting dates.

F. Approval of Agenda Format

On a motion made by Trustee Fuentes and seconded by Trustee Williams, the Agenda Format was unanimously approved with the addition of Item 3.1C Board Requests for Reports

G. Schedule of Discussion Topics

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

H. Special Meeting of the Board of Directors, Facilities Corporation

2.6 Resolutions/Presentations/Introductions

2.7 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

Trustees Jay, Padberg, Fuentes, Williams, Wagner, Milchiker, Lang and Student Trustee Hannah Lee gave reports.

B. Chancellor's Report

Chancellor Mathur gave a report.

C. Board Requests for Report(s)

4.0 DISCUSSION ITEM

4.1 Saddleback College and Irvine Valley College: Institutional Effectiveness Reports from Saddleback College and Irvine Valley College on Institutional Effectiveness

Vice Chancellor Bob Bramucci, Irvine Valley College Vice President of Instruction Craig Justice, District Director of Research and Planning Denice Inciong and Chair of Saddleback College's Institutional Effectiveness Committee Morgan Barrows gave a report on Institutional Effectiveness for Saddleback College and Irvine Valley College.

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 Wagner requested Items 5.5 and 5.10 be pulled, Trustee Fuentes requested Item 5.11 be pulled and Trustee Padberg requested item 5.2 be pulled. On a motion made by Trustee Williams and seconded by Trustee Fuentes 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 Special Meeting held on November 12, 2008 and a regular meeting held on November 17, 2008

5.2 Saddleback College: Pool Deck Replacement Design Services: Architectural Agreement Approve agreement with PJHM Architecture for a fixed fee of \$104,500.00.

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

5.3 Irvine Valley College: Change Order Requests: Business Sciences and Technology Innovation Center Approve change order requests with various trade contractors which will result in a decrease of \$15,571.00 in the total project cost. The revised total contract amount is \$15,119,337.00.

5.4 Irvine Valley College : Notice of Completion: Business Sciences Technology and Innovation Center Authorize the filing of the Notice of Completion.

**5.5 Irvine Valley College: Business Sciences and Technology Innovation Center: Furniture Acquisition, Phase III, Bid No. 297
Approve purchase of furniture with various dealers in an amount not to exceed \$225,000.00.**

On a motion made by Trustee Fuentes and seconded by Trustee Lang the amended agenda item 5.5, reflecting actual dollar amounts, was approved on a 7-0 vote.

5.6 Saddleback College and Irvine Valley College: Speakers Approve honoraria for speakers for Saddleback College.

5.7 SOCCCD: Purchase Orders/Confirming Requisitions Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P09-02252 through P09-02410 amounting to \$1,348,456.15. Approve confirming requisitions dated October 29, 2008 through November 11, 2008 totaling \$52,089.66.

5.8 SOCCCD: Payment of Bills Approve Check Nos. 075976 through 076388, processed through the Orange County Department of Education, totaling \$3,167,017.73; Check Nos. 009417 through 009424, processed through Saddleback College Community Education, totaling \$6,558.03; and Check Nos. 008504 through 008505, processed through Irvine Valley College Community Education, totaling \$1,280.00.

5.9 SOCCCD: Budget Amendment: Adopt Resolution No. 08-37 to Amend 2008-2009 Restricted General Fund Adopt resolution to amend the 2008-2009 adopted budget.

5.10 [SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting Approve resolution 08-39.](#)

On a motion made by Trustee Williams, seconded by Trustee Padberg and with Trustee Wagner recusing himself, this item passed on a 6-0 vote.

5.11 [SOCCCD: Authorization of Payment to Trustee Absent from Board Meeting Approve resolution 08-40.](#)

On a motion made by Trustee Williams, seconded by Trustee Jay and with Student Trustee Lee recusing herself, this item passed on a 7-0 vote.

5.12 SOCCCD: Transfer of Budget Appropriations Approve transfers as detailed.

5.13 SOCCCD: October/November 2008 Contracts Ratify contracts as listed.

5.14 SOCCCD: Gifts to the District and Foundations Approve acceptance of various donated items.

6.0 [GENERAL ACTION ITEMS](#)

6.1 [Saddleback College: Study Abroad Program to Peru Approve Saddleback College study abroad program: Studies in Peru in Spring, 2009 and direct administration to execute the Educational Tour/Field Study Travel Contractor Agreement with the American Institute for Foreign Study for coordinating all travel agreements.](#)

This item was pulled by Administration.

6.2 [Saddleback College: Adopt Resolution No. 08-38: Intention to Enter Into Agreement and Hold a Public Hearing for AT&T California Easement Adopt resolution and set a public hearing for January, 2009.](#)

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

6.3 SOCCCD: 2010-2011 Academic Calendar Approve the proposed 2010-2011 Academic Calendar.

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

6.4 SOCCCD: Board Policy Revision: BP 3003 - Fiduciary Responsibilities and Ethics, BP 5611 - Open Enrollment, Prerequisites, Corequisites and Advisories Policy, BP 2120 - Institutional Planning, BP 5615 - Multiple and Overlapping Enrollments Submitted for discussion/approval.

On a motion made by Trustee Jay and seconded by Trustee Lang, this item was accepted for discussion to be brought back to the next Board Meeting for approval on a 7-0 vote.

6.5 SOCCCD: Board Policy Revision: BP 2101 - Delegation of Authority to the College President Accept for review and study.

On a motion made by Trustee Lang and seconded by Trustee Padberg this item was accepted for review and study on a 7-0 vote.

6.6 SOCCCD: Adoption of Resolution No. 08-41: Trustee Compensation Approve Resolution No. 08-41 to increase compensation to \$750.00 for Board members for their services consistent with Education Code Section 72024, effective December 1, 2008.

The Chancellor requested item to be pulled for further research.

6.7 SOCCCD: Academic Personnel Actions Approve New Personnel Appointments, Administrator Contract Extension, Additional Compensation: Categorical/Non-General Fund, Resignation/Retirement/Conclusion of Employment.

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

6.8 SOCCCD: Classified Personnel Actions Approve New Personnel Appointments, Authorize to Eliminate Classified Position, Authorize to Establish and Announce Classified Position, Change of Status, Out of Class Assignments, Resignation/Retirement, Conclusion of Employment Volunteers.

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

6.9 SOCCCD: Memorandum of Understanding - Academic Master Agreement Article XV Approve Memorandum of Understanding with the Faculty Association.

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

7.0 INFORMATION ITEMS

7.1 SOCCCD: Basic Aid Report Projected receipts and approved projects.

7.2 SOCCCD: Facilities Plan Status Report Status of current construction projects.

7.3 SOCCCD: Monthly Financial Status Report This report displays the adopted budget, revised budget and transactions through October 31, 2008.

7.4 SOCCCD: Trustee Expenditure Report The report summarizes various items of travel information.

It was requested that this item be returned to the January 2009 Board meeting.

7.5 SOCCCD: List of Board Requested Reports List of reports requested by members of the Board.

8.0 WRITTEN REPORTS

Reports were made by CSEA President Mary Williams, SC Classified Senate President Shanna Moorehouse, IVC Classified Senate President Gee Dixon, SC President Tod Burnett, IVC President Glenn Roquemore, Provost Randy Peebles, SC Academic Senate President Bob Cosgrove and Faculty Association President Lee Haggerty.

ADJOURNMENT (or continuation of closed session if required): 4:00 P.M.

The meeting was adjourned at 4:05 p.m.

Raghu P. Mathur, Secretary