

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

**MINUTES OF THE BOARD OF TRUSTEES' MEETING**  
**January 20, 2009**

**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)**

**1. Public Employee Discipline/Dismissal/Release (4 cases)**

**B. Conference with Labor Negotiators (GC Section 54957.6)**

**1. SOCCCD Faculty Association**

**a. Negotiations Update: Negotiator - Dr. Raghu Mathur;**

**b. Leave Requests (1)**

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

**a. Negotiations Update: Negotiator - Dr. Raghu Mathur**

**b. Leave Requests (2)**

**C. Conference with Real Property Negotiators (GC Section 54956.8)**

**1. Lease of Property by District: Advanced Technology and Education Park (ATEP); Agency Designated Representative - Dr. Raghu Mathur; Negotiating parties: Janez Group, Hudson Capital, LLC.; 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 Section 54956.9)**

**1. Existing Litigation (GC Section 54956.9[b])(3 cases)**

**a. Crosby v. SOCCCD**

**b. Dobbs v. SOCCCD**

**c. Hammel v. SOCCCD**

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

**3. Anticipated Litigation/Significant Exposure to Litigation (GC Section 54956.9[b][1] and [b][3][A]) (6 cases)**

**4. Anticipated Litigation/Significant Exposure to Litigation (GC Section 54956.9[b][1] and [b][3][C]) Claim of Veronica Saldana for damages**

**[RECONVENE OPEN SESSION: 6:30 P.M.](#)**

Open Session was reconvened at 7:20 p.m.

## 2.0 PROCEDURAL MATTERS

### 2.1 [Actions Taken in Closed Session](#)

### 2.2 [Invocation Led by Trustee Marcia Milchiker](#)

### 2.3 Pledge of Allegiance Led by Trustee Nancy Padberg

### 2.4 Resolutions / Presentations / Introductions

## 6.0 GENERAL ACTION ITEMS

### 6.1 [Saddleback College: 2008-09 Associated Student Government Budget Approve the Budget of Associated Student Government of Saddleback College for 2008-09.](#)

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

### 6.2 [Saddleback College: Recess to Public Hearing](#)

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At 9:10 p.m. President Wagner recessed the regular meeting of the Board to a Public Hearing. There being no public comments the Public Hearing was closed at 9:11 p.m., and the regular meeting was continued.

### 6.3 [Saddleback College: AT&T Grant of Easement Agreement Approve easement agreement.](#)

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

### 6.4 [SOCCCD: ATEP: Security Services Approve consultant agreement to provide security services for ATEP campus and undeveloped property.](#)

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

**6.5 SOCCCD: Agreement for Special Services for the ATEP Project: Alvarez and Marsal Real Estate Advisory Services, LLC**  
**Approve agreement with Alvarez and Marsal on a time and material basis.**

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

**6.6 SOCCCD: Agreement for Special Services for the ATEP Project: The Natelson Dale Group, Inc.**  
**Approve agreement with The Natelson Dale Group, Inc. on a time and material basis.**

On a motion made by Trustee Lang and seconded by Trustee Padberg, this item passed on a 5-2 vote with Trustees Fuentes and Padberg opposing.

**6.7 SOCCCD: Agreement for Special Services for the ATEP Project: Environ International Corporation**  
**Approve agreement with Environ International Corporation on a time and material basis.**

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

**6.8 SOCCCD: Agreement for Special Services for the ATEP Project: RGP Planning & Development Services**  
**Approve agreement with RGP Planning & Development Services on a time and material basis.**

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

**6.9 SOCCCD: Academic Year 2009/2010 Non-Resident Tuition Fees for Foreign and Out-Of-State Students**  
**Adopt a non-resident tuition fee for the 2009/2010 year of \$190 per semester unit, that the capital outlay fee remain at \$25 per semester unit and the application fee increase to \$54 in 2009/2010.**

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

**6.10 SOCCCD: 2009-2010 Sabbatical Recommendations**  
**Approval of faculty sabbaticals for the 2009-2010 academic year as recommended by the SOCCCD Sabbatical Committee.**

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

**6.11 SOCCCD: CCCT Board of Directors Nominations Approve nomination(s) for membership on the California Community College Trustees (CCCT) Board of Directors.**

On a motion made by Trustee Fuentes, this item was tabled on a 7-0 vote.

**6.12 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 Approve Board Policies as presented.**

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

**6.13 SOCCCD: Board Policy Revision: BP 2101: Delegation of Authority to the College President Accept Board Policy Revisions for discussion/approval.**

Trustee Wagner publicly thanked Deputy Chancellor Poertner, President Roquemore and Academic Senate President Wendy Gabriella for their work on developing a Delegation of Authority to the College President Board Policy. On a motion made by Trustee Williams and seconded by Trustee Jay, this item passed on a 7-0 vote.

**6.14 SOCCCD: Board Policy Revision: BP 5625 - Students in the Military Accept Board Policy Revision for review and study.**

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

**6.15 Academic Personnel Actions Approve New Personnel Appointments; Authorization to Eliminate Academic Position And/Or Position Numbers; Change of Status; Additional Compensation: General Fund; 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.

**6.16 Classified Personnel Actions Approve New Personnel Appointments; Authorization to Eliminate Classified Position and/or Position Numbers; Authorization to Change Compensation Package for a Classified Position; Authorization to Establish and Announce A Classified Position; Authorization to Change Organization Reporting Structure, Change of Status, Out of Class Assignments, Authorization to Revise the Salary Schedule for the Non-Bargaining Unit, Temporary, Short Term Hourly Employees, Authorization to Reorganize Classified Reporting Schedule, Resignation/Retirement, Conclusion of Employment, Volunteers.**

On a motion made by Trustee Jay and seconded by Trustee Williams, this item passed on a 7-0 vote with two changes: Item F.1.c. the effective start date will be January 26, 2009 and Item F.1.g. this is a permanent and not a temporary assignment.

**6.17 SOCCCD: Adoption of Resolution 08-41: Trustee Compensation Act on Resolution No. 08-41 to increase compensation to \$750.00 for Board members for their services consistent with Education Code Section 72024.**

On a motion made by Trustee Padberg and seconded by Trustee Lang it was unanimously approved this item be tabled indefinitely.

**6.18 SOCCCD: SOCCCD Faculty Association Academic Employee Master Agreement Act on Academic Employee Master Agreement with SOCCCDFA for the term of July 1, 2007 to June 30, 2010 with estimated costs of \$18,152,855.00 for three year period.**

Item 6.18 was pulled by administration.

**6.19 SOCCCD: Claim Against the District: Veronica Saldana  
Reject claim of Veronica Saldana and refer to the District's insurance administrator for processing.**

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

#### **4.0 DISCUSSION ITEMS**

**4.1 SOCCCD: Basic Aid Funds Update  
Update on status of Basic Aid funds and State budget by consultant Arnold Bray.**

Arnold Bray, consultant for the District, gave an update on basic aid and the state budget.

**4.2 Saddleback College and Irvine Valley College: Basic Skills Initiative Dr. Rajen Vurdien, Vice President of Instruction, Saddleback College and Dr. Craig Justice, Vice President of Instruction, Irvine Valley College will present information on the status of Basic Skills Initiative at the colleges.**

**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 two minutes each.**

### 3.0 REPORTS

#### 3.1 Oral Reports: Speakers are limited to two minutes each.

##### A. Board Reports

Trustees Jay, Padberg, Fuentes, Williams, Wagner, Milchiker and Lang gave reports.

##### B. Chancellor's Report

Chancellor Mathur gave a report.

##### C. Board Requests for Report(s)

#### **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.**

At 8: 50 p.m., on a motion made by Trustee Williams and seconded by Trustee Jay the meeting was extend by forty minutes to 9:30 p.m. Trustee Lang requested Items 5.7, 5.8 and 5.18 be pulled, and Trustee Jay requested 5.1 be pulled. On a motion made by Trustee Fuentes and seconded by Trustee Williams 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 regular meeting on December 5, 2008.**

On a motion made by Trustee Lang and seconded by Trustee Williams the minutes of the Organizational Meeting were approved subject to an amendment to the vote on item 2.5 A. Election of Officers reflecting that the vote to nominate Trustee Fuentes as Clerk of the Board was unanimous.

#### **5.2 Irvine Valley College: Apportionment for FY 2008-09 CalWORKS Approve distribution of \$10,000 from the CalWORKs Regional Efforts Allocation.**

**5.3 Irvine Valley College: B200 Science Lab Annex and B239 Conversion: Contract Amendment No. 3 for Increased Services Approve amendment with Carrier Johnson increasing the contract amount by \$76,622.50. Total revised contract amount is \$505,070.50.**

**5.4 Irvine Valley College: Business Sciences and Technology Innovation Center: Change Order Requests Approve change order request with various trade contractors resulting in a decrease of the contract amount by \$1,155.00. The total revised contract amount is \$15,118,182.00.**

**5.5 Irvine Valley College: Business Sciences and Technology Innovation Center: Notices of Completion Approve notices of completion.**

**5.6 Saddleback College: Communication Arts Swing Space Project: Amendment No. 2 to Increase Contract Services with R2A Architecture Approve amendment to agreement R2A Architecture and increase contract amount by \$5,600.00. Total revised contract amount is \$187,385.00.**

**5.7 Saddleback College: James B. Utt Library Renovation: Amendment to Add Furniture Consultation Services to Architects Scope of Work Approve amendment to agreement with gkkworks to add furniture consultation services in the amount of \$79,000.00.**

On a motion made and seconded this item passed on a 6-0 vote with Trustee Lang recusing himself.

**5.8 Saddleback College: James B. Utt Library Renovation: Amendment to Architect's Scope of Work to Incorporate College Changes to DSA Approved Drawings Approve amendment to agreement with gkkworks and increase contract amount by \$41,666.00.**

On a motion made and seconded this item passed on a 6-0 vote with Trustee Lang recusing himself.

**5.9 Saddleback College: Fine Arts Restroom Expansion Project: Amendment No. 2 to Increase Contract Services with R2A Architecture Approve amendment to R2A Architecture and increase contract amount by \$28,284.00. Total revised contract amount is \$193,134.00.**

**5.10 Saddleback College: Replace Track Surface Substrate Approve contract with Sports Surfaces Distributing, Inc. in an amount not to exceed \$87,800.00.**

**5.11 SOCCCD: Authorization for District Institutional Memberships 2008/2009 Approve memberships as listed.**

**5.12 SOCCCD: Purchase Orders/Confirming Requisitions Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P09-02411 through P09-02872**



amounting to \$3,341,592.10. Approve confirming requisitions dated November 12, 2008 through December 16, 2008 totaling \$124,112.80.

**5.13 SOCCCD: Payment of Bills Approve Check Nos. 076389 through 077565 processed through the Orange County Department of Education, totaling \$6,750,183.39; and Check Nos. 009425 through 009444, processed through Saddleback College Community Education, totaling \$38,528.38; and Check Nos. 008506 through 008521, processed through Irvine Valley College Community Education, totaling \$14,301.29.**

**5.14 SOCCCD: Budget Amendment: Adopt Resolution No. 09-01 to Amend 2008-2009 Restricted General Funds Adopt resolution to amend the 2008-2009 adopted budget.**

**5.15 SOCCCD: Transfer of Budget Appropriations Ratify transfers as detailed.**

**5.16 SOCCCD: Gifts to the District and Foundation Approve acceptance of various donated items.**

**5.17 SOCCCD: Trustees' Requests for Attending Conferences Approve/ratify Trustees' requests for attending conferences.**

**5.18 [SOCCCD: December 2008/January 2009 Contracts Ratify contracts as listed.](#)**

Trustee Lang requested that the question be divided to vote separately on two gkk items, and Trustee Fuentes requested that the two items relating to Natelson also be voted on separately. A motion made to approve the remaining contracts was unanimously approved. On a motion made by Trustee Williams and seconded by Trustee Jay the two gkk contracts were approved on a 6-0 vote with Trustee Lang recusing himself. On a motion made by Trustee Williams and seconded by Trustee Lang, the two Natelson contracts were approved on a 5-2 vote with Trustees Fuentes and Padberg opposing.

## **9.0 ADDITIONAL ITEMS**

**9.1 [Addition to Item 6.15 Academic Personnel Actions Authorization to change an academic administrator position description.](#)**

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

## **7.0 REPORTS**

**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: List of Board Requested Reports List of Board Requested Reports.](#)

7.4 [SOCCCD: Monthly Financial Status Report Report displays the adopted budget, revised budget and transactions through December 31, 2008.](#)

7.5 [SOCCCD: Quarterly Financial Status Report Report as of December 31, 2008.](#)

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. [President, Saddleback College](#)

B. [President, Irvine Valley College](#)

C. **Provost, ATEP**

D. **Associated Student Governments of SC**

E. **Associated Students of IVC**

F. **Saddleback College Academic Senate**

G. **Irvine Valley College Academic Senate**

H. **Faculty Association**

I. **California School Employees Association**

J. **Saddleback College Classified Senate**

**K. Irvine Valley College Classified Senate**

**L. District Services Classified Senate**

**M. Police Officers' Association**

Saddleback College President Burnett, IVC President Roquemore, ATEP Provost Peebles, IVC Academic Senate President Wendy Gabriella, Saddleback College Academic Senate President Bob Cosgrove, Faculty Association Lee Haggerty, POA President Santos Garcia, IVC Classified Senate President Gee Dixon gave reports.

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

The meeting was adjourned at 9:30 p.m. in memory of Professor Howard Adams.

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Raghu P. Mathur, Secretary