

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

**MINUTES OF THE BOARD OF TRUSTEES' MEETING  
November 17, 2008**

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

Members of the Board of Trustees

**PRESENT:**

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 Padberg, Member  
Hannah Lee, Student Member

Administrative Officers:

Raghu P. Mathur, Chancellor  
Gary Poertner, Deputy Chancellor  
David Bugay, Vice Chancellor, Human Resources  
Tod Burnett, President, Saddleback College  
Glenn Roquemore, President, Irvine Valley College  
Tracy Daly, Acting Associate Provost

**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**

**a. Provost, Advanced Technology & Education Park**

**2. Public Employee Evaluation of Performance**

**a. Director, CACT Grant/ATEP**

**b. Vice President, Instruction, Irvine Valley College**

**c. Dean, Instruction & Student Services/ATEP**

**d. Vice President, Student Services, Irvine Valley College**

**e. Vice President, Instruction, Saddleback College**

**3. Public Employee Discipline/Dismissal/Release (5 cases)**

**B. Conference with Labor Negotiators (GC 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 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]) (2 case)**

**3. Anticipated Litigation/Significant Exposure to Litigation (GC54956.9[b][1] and [b][3][A]) (6 cases)**

**[RECONVENE OPEN SESSION: 7:10 P.M.](#)**

**2.0 PROCEDURAL MATTERS**

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

**2.2 [Invocation Led by Trustee William O. Jay](#)**

**2.3 Pledge of Allegiance Led by Trustee David B. Lang**

**2.4 Resolutions / Presentations / Introductions**

## **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, 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: Accountability Reporting for California Community Colleges Reports from Saddleback College and Irvine Valley College on performance indicators.**

Dr. Tod Burnett, President Saddleback College introduced the discussion topic explaining that The California Community College System Office was mandated by AB 1417 to design and implement a performance measurement system that contained performance indicators for the system and its colleges' credit programs. In compliance with this requirement, he and Dr. Glenn Roquemore, President Irvine Valley College made a powerpoint presentation to the Board of Trustees on their respective colleges' findings which will be incorporated into the Accountability Reporting for the Community Colleges (ARCC).

### **4.2 SOCCCD: Impact of State Budget for 2008-09 and 2009-10 Discussion of budget planning for remainder of 2008-09 and for budget preparations for 2009-2010.**

Chancellor Mathur gave a report on the impact the State Budget for 2008-09 and 2009-10 will have on the District.

## **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 8:59 p.m. a motion was made by Trustee Williams, seconded by Trustee Fuentes and unanimously carried to extend the meeting to 9:30 p.m.

Trustee Padberg requested Items 5.8 and 5.9 be pulled from the Consent Calendar for discussion. Trustee Fuentes requested Item 5.7 be pulled.

On a motion made by Trustee Williams and seconded by Trustee Lang the balance of 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 October 27, 2008.**

**5.2 Irvine Valley College: Curriculum Revisions for the 2009-10 Academic Year Approve proposed changes in curriculum for the 2009-10 academic year at Irvine Valley College.**

**5.3 Irvine Valley College: California Early Childhood Mentor Program Approve the agreement between Irvine Valley College and San Francisco Community College District. The agreement will provide a mentor-led training environment for student teachers in Early Childhood Education at IVC and would be effective through June 30, 2010.**

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

**5.5 Irvine Valley College: Change Order Requests: Business Sciences Technology and Innovation Center Approve change order requests increasing the project cost by \$23,049.00. The revised total contract amount is \$15,134,908.**

**5.6 Saddleback College: Letter of Agreement Approve the agreement between Saddleback College and Yosemite Community College District's, Child Development Training Consortium.**

**5.7 Saddleback College: Study Abroad Program to Peru Approve the 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.**

On a motion made by Trustee Fuentes and seconded by Trustee Williams this item was tabled to be brought back to the December meeting of the Board on a 6-1 vote with Trustee Milchiker opposing.

**5.8 SOCCCD: Amendment to Blackboard Contract Approve addendum to existing contract with Blackboard, Inc. for 2008-09 and 2009-10 academic years at a total cost of \$253,500.**

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

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

On a motion made by Trustee Williams and seconded by Trustee Fuentes and unanimously carried, it was agreed to separate the item.

On a 6-1 vote with Trustee Padberg opposing, the 2009 Community College Futures Assembly, at the Hilton WDW, Orlando, Florida was approved.

On a 6-1 vote with Trustee Padberg opposing, the League of Innovations Conference, Reno-Tahoe, Nevada was approved.

On a 6-1 vote with Trustee Padberg opposing, the American Association of Community Colleges 2009 Annual Convention, Phoenix, Arizona was approved.

**5.10 SOCCCD: Speakers Approve honorarium for speakers for the District, Saddleback College and Irvine Valley College.**

**5.11 SOCCCD: Purchase Orders/Confirming Requisitions Approve purchase orders processed in accordance with the general priorities of the adopted budget and numbered P09-01932 through P09-02251 amounting to \$7,476,556.66. Approve confirming requisitions dated October 8, 2008 through October 28, 2008 totaling \$88,082.99.**

**5.12 SOCCCD: Payment of Bills Approve Check Nos. 075362 through 075975 processed through the Orange County Department of Education, totaling \$4,161,480.72; and Check Nos. 009389 through 009416, processed through Saddleback College Community Education, totaling \$18,048.10; and Check Nos. 008495 through 008503, processed through Irvine Valley College Community Education, totaling \$25,749.69.**

**5.13 SOCCCD: Budget Amendment: Adopt Resolution No. 08-36 to Amend 2008-09 Restricted General Fund and Capital Outlay Funds Adopt resolution to amend the 2008-09 adopted budget.**

**5.14 SOCCCD: Transfer of Budget Appropriations Ratify as detailed in the report.**

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

## **6.0 GENERAL ACTION ITEMS**

**6.1 Saddleback College: 2008-09 Associated Students Budget Approve the Associated Student Government of Saddleback College Budget for the 2008-09.**

On a motion made by Trustee Lang and seconded by Trustee Fuentes this item was tabled until the December Board meeting on a 4-3 vote with Trustees Jay, Padberg and Milchiker opposing.

**6.2 SOCCCD: District Annual Audit Report: 2007-08 Accept for review and study the 2007-08 audit report.**

A motion made by Trustee Padberg and seconded by Trustee Fuentes to accept for review and study the audit report for the fiscal year ended June 30, 2008, passed on a 7-0 vote.

**6.3 SOCCCD: Invocation Approve retainer agreement to engage legal counsel in matters involving Invocation at Board meetings and College/District functions.**

On a motion made by Trustee Jay and seconded by Trustee Williams, this item passed on a 3-3 vote with Trustee Fuentes abstaining, and Trustees Lang, Padberg and Milchiker opposing.

**6.4 Irvine Valley College: Life Science Architectural Services Approve architectural agreement with Dougherty and Dougherty in the amount of \$1,080,310.00.**

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

**6.5 Saddleback College: Village Expansion Project: Basic Aid Funding Approve allocation of basic aid funds of \$2,842,000 for the Village Expansion project.**

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

**6.6 Saddleback College: Village Expansion Project: Architectural Agreement with R2A Architecture Approve agreement with R2A Architecture in an amount of \$165,000.00.**

This item passed on a 7-0 vote.

**6.7 Saddleback College and Irvine Valley College: Faculty Hiring, 2009-10 Approve announcement of and recruitment for full-time faculty positions at Saddleback College and Irvine Valley College**

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

**6.8 SOCCCD: Reassigned Time and Stipends Approve limits on annual expenditures for reassigned time and/or stipends at colleges.**

This item was pulled completely by Administration.

**6.9 SOCCCD: 2010-2011 Academic Calendar Accept for review and study the proposed 2010-2011 Academic Calendar.**

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

**6.10 SOCCCD: Board Policy Revision: BP- 2001 - Administrative Organization, 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 Accept board policies for review and study.**

The Chancellor requested Item BP 2001 be pulled from this item; on a motion made by Trustee Lang and seconded by Trustee Fuentes, this item, as amended, passed on a 7-0 vote.

**6.11 SOCCCD: Academic Year 2009-2010 Non-Resident Tuition Fees for Foreign and Out-of-State Students Accept for review and study the Academic Year 2009/2010 Non-Resident Tuition Fees for Foreign and Out-of-State Students.**

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

At 9:28 p.m. on a motion made by Trustee Williams and seconded by Trustee Milchiker it was unanimously agreed to extend the meeting 15 minutes.

**6.12 Academic Personnel Actions Approve New Personnel Appointments, Academic Temporary Part-Time/Substitute Staff, Authorization to Abolish Academic Administrative Positions and/or Position Numbers, Authorization to Establish and**



**Announce an Academic Administrative Position, Change of Status, Additional Compensation: General Fund, Additional Compensation: Categorical Non-General Fund.**

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

**6.13 Classified Personnel Actions Approve New Personnel Appointments, Authorization to Eliminate Classified Positions and/or Position Numbers, Authorization to Establish and Announce a Classified Position, Change of Status, Classified Bilingual Stipend, Additional Compensation, Leave of Absence, Resignation/Retirement/Conclusion of Employment, Volunteers.**

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: Board Discussion Topics Proposed topics for discussion at the 2009 Board Meetings.**

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

**7.3 SOCCCD: Facilities Plan Status Report Status of current construction projects.**

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

**7.5 SOCCCD: Quarterly Financial Status Report This report is for the quarter ending September 30, 2008.**

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

Trustee Padberg requested this report be brought back to the December meeting.

**7.7 SOCCCD: District Owned Cell Phone Report The report provides the amount of expenses paid by the District for Trustee cell phones between 2002/03 and 2007/08.**

Trustee Padberg requested this report be brought back to the December meeting.

**8.0 WRITTEN REPORTS**

- A. [President, Saddleback College](#)
  
- B. [President, Irvine Valley College](#)
  
- C. [Acting Associate Provost, ATEP](#)
  
- D. **Associated Student Government 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**

[ADJOURNMENT \(or continuation of closed session if required\): 9:00 P.M.](#)

The meeting was adjourned at 9:45 p.m. in honor of the Fire and Police Departments and all first responders.

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Raghu P. Mathur, Secretary