

RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT

2323 North Broadway, Room #107
Santa Ana, California 92706

Monday, February 2, 2009

MINUTES OF REGULAR MEETING
BOARD OF TRUSTEES

The meeting was called to order at 4:30 p.m. by Dr. David Chapel. Other members present were Mr. Brian Conley, Mr. Paul Garcia, Mr. Larry Labrado, Mr. Mark McLoughlin, Ms. Lisa Woolery, and Mr. Phillip Yarbrough.

Administrators present during the regular meeting were Mr. John Didion, Mr. Peter Hardash, Dr. Erlinda Martinez, and Mr. Juan Vázquez. Ms. Anita Lucarelli was present as record keeper.

Dr. Chapel indicated that Dr. Edward Hernandez, Jr. was not in attendance due to a personal emergency.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Tina Lam, Student President at Santiago Canyon College.

PUBLIC PRESENTATIONS

There were no public presentations.

APPROVAL OF MINUTES

It was moved by Mr. Conley, seconded by Mr. Yarbrough, and carried unanimously to approve the minutes of January 12, 2009.

CONSIDERATION OF THE CONSENT CALENDAR

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the recommended action on the following items as listed on the Consent Calendar:

Proposed Revisions for 2009-2010 Catalog – Santa Ana College

The board approved the proposed revisions to the 2009-2010 SAC catalog.

Affiliation Agreement (NEW): Villa Esperanza Services – OTA

The board approved the contract with Villa Esperanza Services in Pasadena, California.

Affiliation Agreement (NEW): USARC – OTA

The board approved the contract with USARC in Big Bear Lake, California.

CONSIDERATION OF THE CONSENT CALENDAR - (cont.)

Affiliation Agreement (NEW): TLC XPress Pharmacy, Inc.– Pharmacy Technology
The board approved the contract with TLC XPress Pharmacy, Inc. in Fountain Valley, California.

Santiago Canyon College Office of Financial Aid (on behalf of SAC & SCC) Agreement with ThreeForks, Inc.

The board approved the consultation agreement with ThreeForks, Inc., in Morrison, Colorado.

Payment of Bills

The board approved the payment of bills as submitted.

Award of Bid #1094/Diesel & Welding Lab Exhaust Upgrade Project at Santa Ana College

The board approved awarding Bid #1094 to Anderson Air Conditioning in the amount of \$327,400 as presented.

Asbestos Testing, Analysis, and Abatement Monitoring – Time-and-Materials Contract

The board authorized the chancellor or his designee to enter into an agreement with Executive Environmental Services Corporation for hazardous material abatement monitoring and testing through June 30, 2009, as presented.

Change Order #2: Geotechnical Observation & Testing Services – SCC Maintenance & Operations Building

The board approved change order #2 for geotechnical observation and testing as presented.

Change Order #14: Bid #1051/SAC Classroom Building

The board approved change order #14 with EMAE International, Inc. for Bid #1051 for construction of the Classroom building and Maintenance & Operations building at Santa Ana College as presented.

Change Order #15: Bid #1051/SAC Maintenance & Operations Building

The board approved change order #15 with EMAE International, Inc. for Bid #1051 for construction of the Classroom building and Maintenance & Operations building at Santa Ana College as presented.

DSA Inspection Services: Santa Ana College Classroom Building and Maintenance & Operations Building

The board approved the extension of services for Johnston Inspections to provide DSA-mandated inspection services at SAC as presented.

CONSIDERATION OF THE CONSENT CALENDAR - (cont.)

Employee Payroll Time and Attendance System

The board approved the purchase of the Orange County Department of Education's Time and Attendance Solution as presented.

CMAS Contract to Playcraft Direct, Inc.

The board rescinded the previously approved CMAS Contract #4-99-78-0006A with Miracle Recreation Equipment and approved the district's use of CMAS Contract #4-08-78-0043A, including renewals and extensions, to Playcraft Direct, Inc. as presented.

Resource Development Items for Approval

The board approved the budgets and authorized the chancellor or his designee to enter into related contractual agreements on behalf of the district:

- Disabled Students Programs and Services (DSPS) (SAC) \$1,913,252
- Enrollment Growth for Nursing ADN Programs – \$ 108,087
Augmentation (SAC)
- Job Development, Training and Placement Program for the \$ 24,292
Disabled – Workability III – *Augmentation* (SAC)
- Matriculation Non-Credit (DO/SAC/SCC) \$2,904,654
- WIA II – Adult Basic Education (SAC/SCC) \$3,196,752

Sub-award Agreements for GEAR UP III (Year 4): Delhi Community Center, Latino Health Access, Santa Ana Unified School District, and University of California, Irvine

The board approved the sub-award agreements and authorized the Vice Chancellor, Business Operations/Fiscal Services, or his designee to sign the sub-award agreements.

Sub-award Agreements: Tech Prep Consortium

The board approved the sub-award agreements and authorized the Vice Chancellor, Business Operations/Fiscal Services, or his designee to sign the sub-award agreements.

Resolution No. 09-02: Santa Ana Empowerment Corporation

The board approved Resolution No. 09-02 that authorizes submission of a proposal to apply for a grant from the Santa Ana Empowerment Corporation for fiscal year 2008/09.

Mr. John Hanna arrived at this time.

INFORMATIVE REPORTS

Dr. Eddie Hernandez (Chancellor)

Mr. John Didion extended the chancellor's apologies for not being able to attend the board meeting.

Mr. Didion introduced Mr. Hardash to present an update on the budget.

Mr. Hardash reported the state budget has not been finalized, and the state has begun issuing IOUs. The IOUs are not being issued to RSCCD; however, the state has indicated it will issue IOUs to Cal Grants. Since the district does not issue Cal Grants until April, it is hopeful the state will finalize its budget by then. If not, the district will issue checks to Cal Grant students, and it is hopeful the state will reimburse the district.

Mr. Hardash indicated there are several unanswered questions regarding the Federal Stimulus Plan. The state is proposing the current year apportionment for January and February 2009 be deferred until July 2009. As a result, Mr. Hardash stated RSCCD may need to borrow from internal funds, the O.C. Treasury, and/or issue Tax Revenue Anticipation Notes (TRANS).

Discussion ensued regarding the budget. If a state budget is not approved, Mr. Hardash indicated it is hopeful the district may not have to borrow funds until July 2009.

Mr. Yarbrough commended Mr. Hardash and staff for the excellent job in preparing for a budget crisis.

Regarding possible budget scenarios, Ms. Woolery expressed concern that the state may not reimburse the district for monies spent. Mr. Hardash indicated several agencies have led him to believe the state will reimburse the district. Ms. Woolery urged Mr. Hardash to be fiscally conservative with district monies.

Mr. Hardash reviewed the Legislative Analyst Office's (LOA) budget analysis that includes increasing student fees to \$30 or \$40 per unit, reducing growth funding for 2009-10 from the proposed 3% to 1% (based on expected lower enrollments due to higher tuition fees), a new funding rate for lower priority credit enrollment, having the legislature reduce funding for credit-bearing physical education courses and other enrichment classes to the regular noncredit rate, and reducing the FTES figures from \$4,600 to \$2,750 per FTES.

Mr. Conley, Mr. Hanna, Mr. Labrado, and Mr. Yarbrough expressed concern over the LOA's recommendations. Mr. Labrado recommended the board write a letter to the LOA expressing its concerns.

Mr. Hardash explained the district has implemented the following: purchasing deadlines accelerated to a February 2 deadline; continuance of a hiring freeze; reductions to classified short-term hourly staff; and elimination of the business-related cell phone reimbursement program effective January 30, 2009. In addition, staff plans to propose recommendations on the following: increase of parking fees, change in non-teaching assignments, reduction of contracted services and consultants, closure of Santora Art Gallery, relocation of Marketplace Education Center, and review of possible departmental and program reorganizations.

Regarding parking fees, Mr. Hanna asked if enforcement of parking violations will be included in the district's recommendation. Mr. Hardash indicated staff is still in the process of preparing recommendations to the board.

Mr. Hanna asked if the district's recommendations include increased advertising for use of facilities and programs to bring in additional private revenue. Mr. Hardash responded negatively.

Mr. Paul Garcia (Student Trustee)

Mr. Garcia thanked staff for providing answers to his questions regarding student health care services.

Mr. Garcia thanked SAC for hosting the immigration forum on January 29. He commended the college for hosting an event that provided students with services and programs relating to their rights and responsibilities.

Along with several student trustees throughout the state, Mr. Garcia plans to attend the February 27 student rally in Pasadena to urge the state to pass a budget.

Dr. Erlinda Martinez (President – Santa Ana College)

Dr. Martinez reported that school begins on February 9, and enrollment has increased over last year's enrollment figures.

Dr. Martinez reported SAC has received two technical grants to partner with Santa Ana Unified School District in piloting Pathways to College, a program focused on digital animation, auto diesel, welding, and global business.

Dr. Martinez thanked Mr. Hanna and Mr. Garcia for attending the immigration forum held on January 29. SAC hosted the event in cooperation with the Santa Ana Kiwanis Club, Orange County Human Rights Commission, and Padres Promotores de la Educación.

Dr. Martinez reported the SAC Foundation held its retreat last week where students explained plans to raise money for a summer school rescue fund. The foundation board unanimously approved and agreed to support the students' effort in raising funds. In addition, the foundation board agreed to host a centennial project in honor of SAC's 100th anniversary.

Dr. Martinez reported a governance retreat is planned for February 3 which will include the academic senate executive committee, SAC cabinet, and representatives meeting for a mid-year retreat. Discussion will include priorities for the spring semester.

Dr. Martinez stated that the college's safety plan will be addressed at flex day for faculty on February 6.

Mr. Juan Vázquez (President – Santiago Canyon College)

Mr. Vázquez reported that SCC enrollment has increased over last year's enrollment figures.

Mr. Vázquez distributed a non-smoking declaration that college council adopted at its January 27 meeting.

Mr. Vázquez thanked Dr. Chapel, Mr. Hanna, Mr. Labrado, Mr. McLoughlin, and Mr. Garcia for attending the Softball Field Grand Opening at SCC on January 28. Immediately following the grand opening, the women's softball team defeated San Diego City College, 8-1.

Mr. Vázquez reported that Mr. Stephen Reed, SCC history faculty member, has published his first book The American, French, Haitian, and Spanish American Revolutions of 1775-1825: Social or Political?

Mr. Vázquez invited board members to attend SCC's convocation on February 6.

Regarding the non-smoking declaration, Mr. Yarbrough asked what disciplinary action would be taken if needed. Mr. Vázquez indicated the college plans to adhere to board policy ensuring procedures are in place to conform to laws, codes, and regulations applicable to smoking. He indicated the emphasis will be placed on educating students on the benefits of non-smoking.

Mr. Yarbrough asked that real estate negotiations relating to the Centennial Education Center (CEC) be placed on the closed session agenda for the next board meeting.

Mr. Yarbrough indicated his son enjoyed the Jack in the Beanstalk play at SAC.

Mr. Alejandro Flores (Student President – Santa Ana College)

Due to intersession classes being cancelled, Mr. Flores indicated students are concerned about summer classes. He distributed a brochure students drafted for use in marketing a summer session rescue fund.

Mr. Flores indicated Associated Student Government (ASG) plans to hold its meetings in the student lounge to provide greater accessibility to students. ASG plans to focus on raising funds for the summer session. Mr. Flores stated senators plan to contact board members for help in fundraising efforts.

Mr. Flores expressed excitement for the upcoming semester.

Regarding the summer session rescue fund, Mr. Hanna asked if it is possible to donate online. Since the SAC Foundation recently approved an account for the fund, Mr. Flores indicated an online donation link had not been established yet. Mr. Hanna encouraged Mr.

Flores to list the procedure for donating on the summer session rescue form in two or three areas for ease in donating. Mr. Hanna was pleased to learn SAC students are initiating the rescue fund for summer classes.

Ms. Tina Lam (Student President – Santiago Canyon College)

Ms. Lam apologized for not being in attendance the last two board meetings. She reported the student council replaced two members on the executive board. The council held its retreat recently where discussion included spring semester events and marketing strategies to increase the council's visibility on campus.

Ms. Lam attended Region 8 meetings where discussions included different approaches to encourage students to attend the February 27 student rally. She reported that students are hoping to attend the march in Sacramento to rally against budget reductions in March. In addition, ASG is drafting resolutions for the general assembly meeting in April.

Ms. Lam reported ASG participated in the Softball Field Grand Opening on January 28 by distributing hot dogs and cracker jacks.

Upcoming events include welcome back barbeque, club rush, and promoting student government. ASG plans to discuss disciplinary measures that will be taken if violations to the non-smoking declaration occur. At this time, discipline is limited to a written warning.

Ms. Lam indicated the council is currently working on a student newsletter.

Mr. Raymond Hicks (Academic Senate President – Santa Ana College)

Mr. Hicks stated the senate has not yet met this semester. He commended SAC student government leaders on efforts to save summer session. Mr. Hicks indicated as the district reviews areas to reduce the budget, it considers classes that maintain the scope of future growth.

Mr. Morrie Barembaum (Academic Senate President – Santiago Canyon College)

Dr. Chapel indicated Mr. Barembaum was not able to attend the meeting; therefore, Mr. Joe Geissler, Vice President, will present the SCC senate report.

Mr. Geissler stated the senate has not yet met this semester. He reported the senate retreat will be held on February 4. The senate plans to hold an Academic Senate 101 course for faculty after the retreat.

CLOSED SESSION

It was agreed to adjourn to closed session at 5:26 p.m.

RECONVENE

The board reconvened at 7:25 p.m.

As the board clerk is the keeper of the record, Dr. Chapel stated that many districts throughout California present the closed session discussion by the board clerk. He then asked Mr. Conley to announce the issues discussed during closed session.

Mr. Conley announced the board discussed personnel items including contract negotiations, employees as listed on the Human Resources dockets, public employee discipline/dismissal/release, and evaluation of the chancellor during closed session. In addition, the board took action to suspend Joe Clayton, District Safety Officer, for a period of 10 days and to suspend Celia Castillo-Velazquez, SAC Nutrition Specialist, for a period of two days.

In order to show impartiality, Mr. Hanna stated that he excused himself from the room during a closed session discussion relating to an employee discipline matter.

PUBLIC PRESENTATIONS

There were no public presentations.

APPROVAL OF ACADEMIC PERSONNEL

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to approve the academic personnel docket with the attached revised page and addendum.

APPROVAL OF CLASSIFIED PERSONNEL

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to approve the classified personnel docket with the attached addendum.

BID #1096/CNC TURNING CENTER, ACCESSORIES AND INSTALLATION

It was moved by Mr. Labrado and seconded by Mr. Conley to accept the bid and approve awarding Bid #1096 for CNC Turning Center, Accessories and Installation, to Haas Factory Outlet.

Since the bid received only one response, Mr. Yarbrough asked for an explanation.

Mr. Didion explained that the lone bidder has exclusive distribution rights for the equipment needed for this project and there was no other bidder able to provide an equal product to meet bid specifications.

Mr. Yarbrough asked if the cost provided on the bid was a fair price. Mr. Didion answered affirmatively.

The motion carried unanimously to accept the bid and approve awarding Bid #1096 for CNC Turning Center, Accessories and Installation, to Haas Factory Outlet.

COMMUNITY COLLEGE LEAGUE OF CALIFORNIA (CCCT) BOARD ELECTION – 2009

Mr. Conley thanked the board for its past support and indicated he would not seek a nomination this year.

The board took no action in nominating a trustee for membership on the California Community College Trustees Board of Directors.

BOARD MEMBER COMMENTS

Mr. Yarbrough asked that real estate negotiations relating to the Centennial Education Center (CEC) be placed on the closed session agenda for the next board meeting.

In honor of Mr. David Guzman's memorial service today and the many years he served the district, Mr. Yarbrough asked that the meeting be closed in memory of Mr. Guzman.

Ms. Woolery reported that she met recently with a Chevron Energy Solutions representative who provides public agencies with a building inspection and recommendations for becoming more energy efficient. The services are offered free of charge, and if recommendations are acted upon, financial assistance is available. Ms. Woolery asked Mr. Labrado, chairperson of the Board Facilities Committee, for permission to have a representative make a presentation at a future committee meeting. Mr. Labrado granted permission. Ms. Woolery asked that this item be placed on a future agenda for the Board Facilities Committee.

Ms. Woolery requested a list of the district's bank accounts and the locations of the institutions of those accounts.

Mr. McLoughlin thanked Ms. Weidner and Mr. Fitzgerald for their hard work on the Sacramento legislative trip. He commended Mr. Garcia for representing students so well.

Mr. Hanna asked that potential litigation with Orange County Sanitation District be placed on the closed session agenda for the next board meeting.

Due to Newport-Mesa Unified School District phasing out its Middle College High School (MCHS), Mr. Hanna asked the chancellor for an update on Santa Ana College MCHS since Santa Ana Unified School District was re-evaluating the status of MCHS.

Mr. Hanna stated he also met with a representative from Chevron Energy Solutions and indicated it appears there would be potential for a public/private partnership that would not be in conflict with the district's partnership with the Edison Company. Mr. Hanna spoke to the chancellor regarding this and Dr. Hernandez expressed interest in meeting with a Chevron representative at a future Board Facilities Committee meeting.

Mr. Hanna commended staff at Santa Ana College for hosting the recent immigration forum. He indicated participants sought improvement to their lives and appeared to be hard-working, law-abiding people. Mr. Hanna mentioned the importance of having a flag visible at such events since the event was hosted by SAC, and participants include AB 540 students who have made a commitment under penalty of perjury to be on a pathway to legal residency if not citizenship status.

Regarding the recent Sacramento legislative trip, Mr. Hanna commended his colleagues on their presentations and felt it was a productive trip. He thanked Ms. Weidner and Townsend Public Affairs for their hard work. Mr. Hanna indicated discussions included easing regulations and increasing revenue. He stated the governor expressed interest in including community colleges as part of his legacy. Mr. Hanna indicated one legislator and one staff person expressed delight that RSCCD will be funding Cal Grant loans to students as a sign of support for students.

Mr. Hanna commended Mr. Garcia for representing the students so well during the Sacramento legislative trip.

Mr. Conley reported that in January he attended the CCLC Legislative Conference in Sacramento and plans to attend the ACCT Legislative Conference in Washington, D.C. in February. He expressed appreciation to Ms. Weidner and Townsend Public Affairs for their efforts in scheduling appointments with key people during both conferences.

Mr. Conley asked that the Board Policy Committee meeting to be held on February 4 be posted as a public meeting. Mr. Conley indicated there were several board policies to review.

Based upon communication received from the chancellor regarding Centennial Education Center (CEC), Mr. Labrado asked for the number of classrooms being utilized in this facility. He asked staff to develop a future plan to ensure the community's needs are met.

Dr. Chapel reported he attended the Sacramento Legislative trip. He met Mr. Paul Fong who recently became an assemblyman and is on the Higher Education Committee. Since Dr. Chapel is not able to attend the next Orange County Legislative Task Force meeting, he asked that Ms. Weidner relay this information to the task force since Mr. Fong was a former college trustee.

NEXT MEETING

The next regular meeting of the Board of Trustees will be held on Monday, February 23, 2009, at the District Office, 2323 N. Broadway, Santa Ana, California.

ADJOURNMENT

There being no further business, Dr. Chapel declared this meeting adjourned at 7:45 p.m. in memory of the lasting contributions to our community by Mr. David Guzman.

Respectfully submitted,

Eddie Hernandez, Jr., Ed.D.
Chancellor

Approved: _____
Clerk of the Board

From: Lucarelli, Anita
Sent: Friday, January 30, 2009 1:50 PM
To: 'Phil Yarbrough'
Cc: 'Brian Conley'; 'David Chapel'; John Hanna; 'John Hanna'; 'Larry Labrado'; 'Mark McLoughlin'; 'Woolery, Lisa'; 'Paul Garcia'
Subject: FW: Docket questions from Phil

Here are the answers to your questions, Phil.

Q: 5.9 Pull - I want to discuss the expense of \$95k with only one bid and how this additional expense is recommended with no competing bids.

A: The instructor recommended this equipment because it meets the educational training program and is compatible with other HAAS equipment used in the classroom. HAAS Factory Outlet is the only authorized distributor for this equipment and no other bidder could provide an "or equal" product meeting the bid specifications. This equipment purchase is using VTEA funds.

Q: 5.10 - This is the "initial purchase", what is the full purchase amount at both SCC and Centennial? Are we obligating ourselves to the future purchases and if so, will these purchase requests be submitted to the board as an individual docket item?

A: The amount of \$37,840.58 is the actual total cost of purchase. The breakdown of each site is \$9,976.44 for SCC and \$27,864.14 for CEC. The District is not obligated to utilize this piggyback contract for future purchases instead; it is to be used on an as needed basis at the discretion of the District. Yes, any future purchases will be included on the PO listing presented to the Board monthly

Q: Where is the separate budget discussion item? Is it too late to add it to the agenda?

A: I did not include budget update on the agenda, but Peter will be presenting a budget update during Eddie's report.

Anita Lucarelli

Executive Assistant to the Board of Trustees
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