

RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT
2323 North Broadway, #107
Santa Ana, CA 92706

Board of Trustees (Regular meeting)

Monday, April 23, 2012

MINUTES

1.0 PROCEDURAL MATTERS

1.1 Call to Order

The meeting was called to order at 4:31 p.m. by Mr. Phillip Yarbrough. Other members present were Ms. Arianna Barrios, Dr. David Chapel, Mr. Brian Conley, Mr. Larry Labrado, Mr. Mark McLoughlin, and Mr. Andrew Hanson. Mr. John Hanna arrived at the time noted.

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

1.2 Pledge of Allegiance to the United States Flag

The Pledge of Allegiance was led by Mr. Ryan Ahari, Santiago Canyon College (SCC) Student Senator

1.3 Approval of Additions or Corrections to Agenda

It was moved by Mr. Labrado, seconded by Mr. McLoughlin, and carried unanimously to approve an addendum for Item 3.2 (Classified Personnel) and a revised page for Item 6.5 (Criteria for Development of New Trustee Area Boundaries).

1.4 Public Comment

There were no public comments.

1.5 Approval of Minutes

It was moved by Mr. Conley, seconded by Mr. Hanson, and carried unanimously to approve the minutes of the regular meeting held April 2, 2012.

1.6 Approval of Consent Calendar

It was moved by Ms. Barrios, seconded by Mr. Hanson, and carried unanimously to approve the recommended action on the following items as listed on the Consent Calendar (as indicated by an asterisk on the agenda), with the exception of Item 5.2 (2012-2013 Tentative Budget Assumptions) removed from the Consent Calendar by Mr. Hanson.

4.1 Approval of Santa Ana College (SAC) Upward Bound Summer Residential Program Contract

The board approved the agreement between Chapman University and the SAC Upward Bound Program for 2012.

4.2 Approval of Renewal for Kaplan Testing Agreement for Nursing Students

The board approved the Kaplan Testing Agreement renewal.

4.3 Confirmation of Santa Ana College Associate Degrees and Certificates Awarded in Fall 2011

The board confirmed the recipients of the SAC associate degrees and certificates awarded in fall 2011 as presented.

4.4 Confirmation of Santiago Canyon College Associate Degrees and Certificates Awarded in Fall 2011

The board confirmed the recipients of the SCC associate degrees and certificates awarded in fall 2011 as presented.

5.1 Approval of Payment of Bills

The board approved payment of bills as submitted.

5.3 Approval of Lease Agreement with Caypen, Inc

The board approved the lease agreement with Caypen, Inc and authorized the Vice Chancellor of Business Operations and Fiscal Services to execute the agreement on behalf of the district as presented.

5.4 Approval of Lease Agreement with Glueper

The board approved the lease agreement with Glueper and authorized the Vice Chancellor of Business Operations and Fiscal Services to execute the agreement on behalf of the district as presented.

5.5 Approval of Revision to Increase the Fiscal Impact of a Lease Agreement between RSCCD/SBDC and Brea Chamber of Commerce

The board approved the revision to increase the fiscal impact of the agreement to \$12,000 as presented.

1.6 Approval of Consent Calendar – (cont.)

- 5.6 Adoption of Resolution No. 12-16 – Intent to enter into an Easement with AT&T for Establishment and Maintenance of Underground Facilities at Santa Ana College
The board adopted Resolution No. 12-16 regarding intent to enter into an easement with AT&T at SAC and scheduled a public hearing for May 7, 2012, as presented.
- 5.7 Adoption of Resolution No. 12-18 – Intent to enter into an Easement with Southern California Edison to Establish Underground Electrical Supply and Communications Facility at Santa Ana College
The board adopted Resolution No. 12-18 regarding intent to enter into an easement with Southern California Edison at SAC and scheduled a public hearing for May 7, 2012, as presented.
- 5.8 Adoption of Resolution No. 12-20 – Masonry for Athletic/Aquatic Complex at Santiago Canyon College
The board adopted Resolution No. 12-20 for Industrial Masonry, Inc., for Bid #1137, for masonry for the Athletic/Aquatic complex at SCC as presented.
- 5.9 Approval of Additional Architectural Services for Humanities Building at Santiago Canyon College
The board approved additional services provided by LPA, Inc., in the amount of \$8,750 as presented.
- 5.10 Approval of Additional Testing Services for Athletic/Aquatic Complex at Santiago Canyon College
The board approved additional testing services for the Athletic/Aquatic complex at SCC from Reliant Testing Engineers as presented.
- 5.11 Approval for Additional Testing Services for Humanities Building at Santiago Canyon College
The board approved additional testing services for the Humanities building at SCC from Reliant Testing Engineers as presented.
- 5.12 Approval of Amendment to Existing Agreement for Consulting Services – Facilities Planning & Program Services, Inc.
The board approved the amendment to the existing agreement for consulting services for Facilities Planning & Program Services, Inc., as presented.
- 5.13 Approval of Change Order #5 for Bid #1138 – Structural Steel at Athletic/Athletic Complex at Santiago Canyon College
The board approved change order #5 for Blazing Industrial Steel, Inc., for Bid #1138 for structural steel for the Athletic/Aquatic complex at SCC as presented.

1.6 Approval of Consent Calendar – (cont.)

5.14 Approval of Disposal of Surplus Vehicle

The board declared the 2001 GEM Utility Cart as surplus property and to utilize Ken Porter Auctions to conduct an auction as presented.

5.15 Approval of Donation of Photographic Supplies and Equipment

The board approved the donation of the photographic supplies and equipment to Orange High School and Fullerton Union High School as presented.

5.16 Approval of Purchase Orders

The board approved the purchase order listing for the period February 25, 2012, through April 7, 2012.

6.1 Approval of Resource Development Items

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

- Disabled Students Programs & Services (DSPS) (SAC) \$1,076,772
- Early Head Start Expansion (District) - *Augmentation* \$ 886,112
- Job Development, Training, and Placement Program for the Disabled – Workability III (SAC) \$1,293,621

6.2 Adoption of Resolution No. 12-19 – Office of Statewide Health Planning and Development – Song-Brown Registered Nursing Education Program Grant

The board adopted the resolution with the Office of Statewide Health Planning and Development that authorizes the chancellor or his designee to sign and enter into a related contractual agreement on behalf of the district.

6.3 Adoption of Resolution No. 12-21 – California Department of Rehabilitation (28524)

The board adopted the resolution agreement with the California Department of Rehabilitation that authorizes the vice chancellor or his designee to sign the contract documents for the fiscal years 2012-2013 through 2014-2015.

2.0 INFORMATIONAL ITEMS AND ORAL REPORTS

2.1 Report from Chancellor

Dr. Raúl Rodríguez, Chancellor, provided a report to the board.

Mr. John Hanna arrived at this time.

2.2 Reports from College Presidents

The following college presidents provided reports to the board:

Dr. Erlinda Martinez, President, Santa Ana College
Mr. Juan Vázquez, President, Santiago Canyon College

2.3 Report from Student Trustee

Mr. Andrew Hanson provided a report to the board.

2.4 Reports from Student Presidents

The following student representatives provided reports to the board on behalf of the Associated Student Government (ASG) organizations:

Mr. Ryan Ahari, Student Senator, Santiago Canyon College
Ms. Evelyn Sanchez, Student President, Santa Ana College

2.5 Reports from Academic Senate Presidents

The following academic senate presidents provided reports to the board:

Mr. Morrie Barembaum, Academic Senate President, Santiago Canyon College
Mr. Raymond Hicks, Academic Senate President, Santa Ana College

It was moved by Mr. McLoughlin, seconded by Mr. Hanson, and carried unanimously to suspend the rules and consider Item 6.5 (Criteria for Development of New Trustee Area Boundaries) and Item 6.6 (Timeline for Adoption of New Trustee Area Boundaries) at this time.

6.5 Approval of Criteria for Development of New Trustee Area Boundaries

It was moved by Mr. Labrado and seconded by Mr. Hanson to select and approve the criteria to be used in the development of new trustee area boundaries. Mr. Justin Levitt, National Demographics Corporation (NDC), gave a presentation on redistricting criteria in the development of new trustee area boundaries. Discussion ensued.

It was moved by Mr. Hanna and seconded by Mr. Hanson to amend the criteria to include the following: *“No dilution of protected classes which impairs its ability to elect candidates of its choice or its ability to influence outcome of an election.”* Discussion ensued. Mr. Hanna explained that this statement of criteria is drawn from the state’s voting rights act. It ensures the district will not dilute a protected class in order to preserve a core of the existing district, enable the district to draw boundaries for a nicer shape, ensure continuity in office, or create natural man-made boundaries. Mr. Conley supported Mr. Hanna’s amendment and voiced opposition of gerrymandering.

6.5 Approval of Criteria for Development of New Trustee Area Boundaries – (cont.)

Dr. Chapel expressed concern over adding another item of criteria which would give the district another obstacle to overcome and an opportunity for those who wish to legally challenge the district. Although there may be legal challenges, Ms. Barrios and Mr. Hanna expressed support for the additional criteria.

The motion to amend the criteria carried with a nay vote from Dr. Chapel and a vote of abstention from Mr. McLoughlin.

It was moved by Mr. Conley, seconded by Mr. Hanson, and carried unanimously to approve the criteria to be used in the development of new trustee area boundaries.

6.6 Approval of Timeline for Adoption of New Trustee Area Boundaries

It was moved by Mr. Conley and seconded by Mr. Hanson to select and approve the timeline for the adoption of new trustee area boundaries. Discussion occurred during Item 6.5 (Criteria for Development of New Trustee Area Boundaries). The motion carried unanimously.

RECESS TO CLOSED SESSION

The board convened into closed session at 5:52 p.m. to consider the following items:

1. Public Employment (pursuant to Government Code Section 54957[b][1])
 - a. Part-time Faculty
 - b. Classified Staff
 - c. Student Workers
 - d. Professional Experts
2. Conference with Legal Counsel: Existing Litigation (pursuant to Government Code Section 54956.9[a])

Mepco Services, Inc., Hartford Fire Insurance Company, vs. Rancho Santiago Community College District, and DOES 1-10, inclusive, Orange County Superior Court Case No. 30-2011-00490760-CU-BC-CJC
3. Conference with Legal Counsel: Anticipated/Potential Litigation (pursuant to Government Code Section 54956.9[b]-[c]) (1 case)
4. Conference with Labor Negotiator (pursuant to Government Code Section 54957.6)

Agency Negotiator: Mr. John Didion, Executive Vice Chancellor of Human Resources & Educational Services

Employee Organizations: Faculty Association of Rancho Santiago Community College District
California School Employees Association, Chapter 579
California School Employees Association, Chapter 888
Continuing Education Faculty Association
5. Public Employee Discipline/Dismissal/Release (pursuant to Government Code Section 54957[b][1])

RECONVENE

The board reconvened at 6:35 p.m.

Closed Session Report

Ms. Barrios reported during closed session the board discussed public employment, existing litigation, anticipated litigation, and conferred with its labor negotiator. In addition, the board voted unanimously to approve a settlement agreement with Mepco Services and Hartford Fire Insurance Company which provides:

1. The district pays Mepco/Hartford \$1,750,000 which includes \$1,486,369 in contract balance and retention.
2. Mepco/Hartford releases the district of all claims related to the project.
3. The district accepts the standing metal seam roof as is, and releases all known claims on the project, except for latent defects.

In addition, Ms. Barrios reported the board took action to approve intervention in litigation. Once the intervention is formally commenced, the identity of the action and parties will be disclosed to interested parties on request.

Public Comment

There were no public comments.

3.0 HUMAN RESOURCES

3.1 Management/Academic Personnel

It was moved by Ms. Barrios, seconded by Mr. Hanson, and carried unanimously to approve the following action on the management/academic personnel docket:

- Approve End of Interim Assignments>Returns to Regular Part-time Assignments
- Approve Leaves of Absence
- Approve Sabbatical Leaves of Absence
- Approve Stipends
- Approve Adjusted Hourly Lab Rates
- Approve Part-time Hourly Hires/Rehires

3.2 Classified Personnel

It was moved by Ms. Barrios, seconded by Mr. Hanson, and carried unanimously to approve the following action on the classified personnel docket:

- Approve New Appointments
- Approve Longevity Increments
- Approve Out of Class Assignments
- Approve Changes in Locations/Positions

3.2 Classified Personnel – (cont.)

- Approve Changes in Salary Placements
- Approve Changes in Leaves of Absence
- Approve Temporary Assignments
- Approve Additional Hours for On Going Assignments
- Approve Substitute Assignments
- Approve Instructional Associates/Associates Assistants
- Approve Community Service Presenters and Stipends
- Approve Volunteers
- Approve Student Assistant Lists

3.3 Approval of Non-Credit Instructional Calendar 2012-2013

It was moved by Ms. Barrios, seconded by Mr. Hanson, and carried unanimously to approve the 2012-2013 Non-Credit Instructional Calendar.

3.4 Presentation of Child Development Centers – CSEA Chapter 888 Initial Proposal to Rancho Santiago Community College District

It was moved by Ms. Barrios, seconded by Mr. Hanson, and carried unanimously to receive and file the Child Development Centers – CSEA Chapter 888 initial proposal to RSCCD and schedule a public hearing for May 7, 2012.

3.5 Presentation of Rancho Santiago Community College District Initial Bargaining Proposal to Child Development Centers - CSEA Chapter 888

It was moved by Ms. Barrios, seconded by Mr. Hanson, and carried unanimously to receive and file the district's initial bargaining proposal to the Child Development Centers – CSEA Chapter 888 and schedule a public hearing for May 7, 2012.

3.6 Authorization for Board Travel/Conferences

It was moved by Mr. Labrado and seconded by Mr. Hanson to approve the submitted conference and travel by board members. Discussion ensued. The motion carried with one nay vote from Dr. Chapel.

4.0 INSTRUCTION

All items were approved as part of Item 1.6 (Consent Calendar).

5.0 BUSINESS OPERATIONS/FISCAL SERVICES

Items 5.1 and 5.3 through 5.16 were approved as part of Item 1.6 (Consent Calendar).

5.2 Approval of 2012-2013 Tentative Budget Assumptions

It was moved by Ms. Barrios and seconded by Mr. Hanson to approve the Tentative Budget Assumptions for the 2012-2013 fiscal year as presented. Discussion ensued. The motion carried unanimously.

6.0 GENERAL

Items 6.1, 6.2, and 6.3 were approved as part of Item 1.6 (Consent Calendar). Items 6.5 and 6.6 were considered after Item 2.5 (Report from Academic Senate Presidents).

6.4 First Reading of Board Policy 9006 – Student Trustee

The policy was presented for a first reading as an information item.

6.7 Approval of Agreement with Lewis Consulting Group, LLC

It was moved by Dr. Chapel, seconded by Mr. Hanson, and carried unanimously to approve the agreement with Lewis Consulting Group, LLC and authorize the Vice Chancellor, Business Operations/Fiscal Services to execute the agreement on behalf of the district as presented.

6.8 Approval of Agreement with True North Research, Inc.

It was moved by Mr. Conley, seconded by Mr. Labrado, and carried unanimously to approve the agreement with True North Research, Inc. and authorize the Vice Chancellor, Business Operations/Fiscal Services to execute the agreement on behalf of the district as presented.

6.9 Board of Trustees Cast Ballot for California Community College Trustees Board of Directors Election – 2012

It was moved by Dr. Chapel and seconded by Mr. McLoughlin to cast a vote for the following candidates for the Board of Directors Election – 2012: Ms. Angela Acosta-Salazar, Mr. Doug Otto, Mr. Manny Ontiveros, and Mr. Chris Stampolis. Discussion ensued. The motion carried unanimously.

6.10 Reports from Board Committees

Mr. Labrado provided a report on the April 19, 2012, Board Facilities Committee meeting.

Ms. Barrios provided a report on the April 5, 2012, Orange County Community Colleges Legislative Task Force meeting.

6.11 Board Member Comments

Ms. Barrios asked that the meeting be closed in honor of her son's 13th birthday.

Mr. Hanson reported that he has been accepted by UCLA and UC San Diego; he hopes to receive notification from UC Berkley later this week and from Stanford and Harvard by May 15.

6.11 Board Member Comments – (cont.)

Mr. Hanson reported that he was honored to receive the Student Senate for California Community Colleges (SSCCC) Exemplarily Service Award for the Southern California Student Trustee position. He thanked SSSCC representatives from SAC and SCC for nominating him for this prestigious award.

Regarding the recent LA Times article, Mr. Labrado asked if it were possible to offer accelerated courses (for example, Math 1, 2, & 3) during a certain time frame. He asked if this were feasible due to regulations for faculty members to complete a certain amount of instruction hours.

Mr. McLoughlin gave a brief report on the recent meeting of the City of Santa Ana Oversight Board.

Mr. McLoughlin reported he participated in the SAC golf tournament on April 16 and is looking forward to participating in SCC's golf tournament on April 27.

Mr. McLoughlin invited everyone to the Floral Park Annual Home & Garden Tour on April 28-29 which benefits student scholarships for the Santa Ana Unified School District and Santa Ana College.

Mr. Conley reported he plans to attend the California Student Aid Commission meeting in Sacramento on April 26-27.

Mr. Hanna and Mr. Yarbrough expressed regret to staff on not being able to participate in the college golf tournaments.

Mr. Yarbrough gave brief reports on the City of Orange and the County of Orange Oversight Board meetings.

7.0 ADJOURNMENT

The next regular meeting of the Board of Trustees will be on May 7, 2012.

There being no further business, Mr. Yarbrough declared this meeting adjourned at 7:06 p.m. in honor of Mr. Maxwell Deodato Lochrie on the occasion of his 13th birthday.

Respectfully submitted,

Raúl Rodríguez, Ph.D.
Chancellor

Approved: _____
Clerk of the Board

Minutes approved: May 7, 2012