

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

Board of Trustees (Regular meeting)

Monday, June 22, 2009

MINUTES

1.0 PROCEDURAL MATTERS

1.1 Call to Order

The meeting was called to order at 4:30 p.m. by Dr. David Chapel. Other members present were Mr. Brian Conley, Mr. John Hanna, Ms. Gloria Holguin, 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. Edward Hernandez, Jr., Dr. Erlinda Martinez, 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. John Zarske, President-Elect, SAC Academic Senate.

1.3 Public Comment

Ms. Linda Dussault, Mr. Ray Hubbard, Ms. Emily Paine, and Ms. Denise Phillips spoke regarding Item 3.9 - Adoption of Resolution No. 09-17 regarding Reduction in Force of Classified Staff.

Ms. Sara Lindsey and Mr. Rhys Williams spoke regarding the glass-blowing program at Santa Ana College.

Mr. Randall Au, Ms. Sara Bourland, Mr. David Dobos, Ms. Yolanda Orozco, and Mr. Stephen Smith spoke regarding the learning skills program at Centennial Education Center.

1.4 Approval of Minutes

It was moved by Mr. Conley, seconded by Mr. Labrado, and carried unanimously to approve the minutes of the regular meeting held May 26, 2009.

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to approve the minutes of the special meeting held June 8, 2009.

1.5 Approval of Consent Calendar

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to approve the recommended action on the following items as listed on the Consent Calendar, with the exception of Item 5.21 (Approval of 2009-2010 Contract Listing) removed from the Consent Calendar by Mr. Yarbrough; the exception of Item 5.25 (Approval of Donation of Surplus Inventory) removed from the Consent Calendar by Ms. Woolery; and Item 5.23 (Approval of CMAS Contract with Allsteel, Inc. for Modular Systems Furniture), Item 5.24 (Approval of Surplus Property Inventory); and Item 5.26 (Purchase Orders) removed from the Consent Calendar by Mr. McLoughlin:

- 4.1 Amendment for Clinical Affiliation Agreement for the Nursing Program with Anaheim Memorial Medical Center to Anaheim Regional Medical Center LP
The board approved this amendment for clinical affiliation agreement with Anaheim Memorial Medical Center to Anaheim Regional Medical Center LP.
- 4.2 Affiliation Agreement with QuickCAPTION
The board approved the affiliation agreement with QuickCAPTION for real time computer-aided captioning services for the 2009-2010 academic year.
- 4.3 Affiliation Agreement with CRC Sign Language Interpreting Services
The board approved the affiliation agreement with CRC Interpreting Services, Inc. for sign language interpreter services for the 2009-2010 fiscal year.
- 4.4 New OTA Agreement – MaXum Therapy
The board approved this contract with MaXum Therapy in Placentia, California.
- 4.5 New OTA Agreement – Blind Children Learning Center
The board approved this contract with Blind Children Learning Center in Santa Ana, California.
- 4.6 Criminal Justice Academies Agreement: County of Orange
The board approved this amendment to the Agreement with the County of Orange in Orange, California.
- 4.7 Vocational and Instructional Education Agreement: SER, Jobs for Progress, Inc.
The board approved the vocational and instructional education agreements with SER, Jobs for Progress, Inc. for program year 2009-2010.
- 4.8 Renewal of Pharmacy Technology Agreement – Kaiser Foundation Hospitals
The board approved this contract with Kaiser Foundation Hospitals in Downey, California.

1.5 Approval of Consent Calendar – (cont.)

4.9 California/Nevada Training Trust Master Cost Agreement

The board approved the contract with the California/Nevada Training Trust for 2009-2010 as presented.

4.10 Electrical Training Trust Master Cost Agreement

The board approved the contract with Electrical Training Trust for 2009-2010 as presented.

4.11 Metropolitan Water District of Southern California Master Cost Agreement

The board approved the contract with the Metropolitan Water District of Southern California for 2009-2010 as presented.

4.12 Southern California Surveyors Master Cost Agreement

The board approved the contract with the Southern California Surveyors for 2009-2010 as presented.

4.13 Southwest Carpenters Training Fund and Southern California JATC Master Cost Agreement

The board approved the contract with the Southwest Carpenters Training Fund/Southern California for 2009-2010 as presented.

5.1 Payment of Bills

The board approved payment of bills as submitted.

5.2 Budget Transfers and Budget Increases/Decreases

The board approved budget transfers, increases, and decreases during the month of May 2009.

5.22 Bid #1119 – Santa Ana College Health Science/Nursing Department Supplies & Equipment

The board accepted bids and approved awarding Bid #1119 – Santa Ana College Health Science/Nursing Department Supplies & Equipment to Armstrong Medical, Laerdal Medical, Pocket Nurse, and Moore Medical as presented.

6.1 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:

- CalWORKS/TANF – *Augmentation* (District) \$ 73,000
- Faculty Collaboration for Course Transformation (FACCTS) \$ 4,000
in Developmental Mathematics (SAC)
- AmeriCorps – Learning Highways Tutoring Program (SCC) \$ 211,151

- 6.1 Resource Development Items – (cont.)
- Career and Technical Education (CTE) Title I-C (District/SAC/SCC) \$1,455,290
 - Career and Technical Education (CTE) – Tech Prep Consortium (SAC & SCC) \$ 135,500
 - Center of Excellence (District) \$ 205,000
 - Center for International Trade Development (District) \$ 205,000
 - Math, Engineering and Science Achievement (MESA) Program (SAC) \$ 79,055
 - Pharmacy Technology Mini-Grant (SAC) \$ 8,000
 - Small Business Development Center (District) \$ 150,000
 - Title III – Strengthening Institutions Program – Year 5 (SCC) \$ 364,802
 - Workplace Learning Resource Center (District) \$ 205,000

6.2 Resolution No. 09-14 – California Volunteers - AmeriCorps Grant
The board adopted the resolution and authorized the chancellor and identified designee(s) to sign the grant contract and associated amendments.

6.3 Resolution #09-15 Authorizing Payment to Trustee Absent from Board Meetings
The board authorized payment to Brian Conley for his absence on June 8, 2009, due to a family emergency.

1.6 Public Hearing – 2009-2010 Tentative Budget

There were no public comments.

2.0 INFORMATIONAL ITEMS AND ORAL REPORTS

2.1 Report from the Chancellor

Dr. Edward Hernandez, Jr. provided a report to the board.

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to suspend the rules and hear Item 2.6 - Informational Presentation on the Budget at this time.

2.6 Informational Presentation on the Budget

Mr. Hardash provided an update on the budget.

2.2 Report from College Presidents

The following college presidents provided reports to the board:

Dr. Erlinda Martinez, President, Santa Ana College (SAC)
Mr. Juan Vázquez, President, Santiago Canyon College (SCC)

2.3 Report from Student Trustee

Ms. Gloria Holguin provided a report to the board.

2.4 Reports from Student President

Mr. Alejandro Flores, Student President, Santa Ana College, provided a report to the board on behalf of the Associated Student Government (ASG) organizations for Santiago Canyon College (in Ms. Tina Lam's absence) and 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. John Zarske, Academic Senate President-Elect, Santa Ana College

RECESS TO CLOSED SESSION

The board convened into closed session at 6:59 p.m. to consider the following items:

1. Public Employment (pursuant to Section 54957[b][1])
 - a. Part-time Faculty
 - b. Classified Staff
 - c. Educational and Classified Administrators
2. Conference with Labor Negotiator (pursuant to 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
Continuing Education Faculty Association
Child Development Centers Teachers Association
3. Public Employee Discipline/Dismissal/Release (pursuant to Section 54957[b][1])
4. Conference with Legal Counsel: Existing Litigation (pursuant to Section 54956.9[a])
FEI Enterprises, Inc. v. Rancho Santiago Community College District et al, Orange County Superior Court Case No. 30-2009-00123206

RECONVENE

The board reconvened at 8:55 p.m.

Closed Session Report

Mr. Conley reported the board discussed the aforementioned items, reached a settlement with Snowden Electric (relating to Item 4 discussed during closed session), and voted unanimously to not extend the employment contracts of the SAC Associate Dean of Exercise Science and SAC Associate Dean of Information and Learning Resources.

Public Comment

There were no public comments.

3.0 HUMAN RESOURCES

3.1 Management/Academic Personnel

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

- Approve Interim Cabinet and Management Salary Schedules
- Approve Interim Full-time and Part-time Faculty Salary Schedules
- Approve Interim Assignments
- Ratify Resignations/Retirements
- Rescind Changes of Assignments
- Approve Stipends
- Approve Adjustments to Stipends
- Rescind Stipends
- Approve Salary Adjustments
- Approve Leaves of Absences

3.2 Classified Personnel

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

- Approve Interim Classified Salary Schedules
- Approve Out of Class Assignments
- Approve Return to Regular Assignments
- Approve Voluntary Furloughs
- Approve Leaves of Absence
- Approve Returns from Leave of Absence
- Ratify Resignations/Retirements
- Approve Changes in Positions
- Approve Temporary Assignments

3.2 Classified Personnel – (cont.)

- Approve Additional Hours for On Going Assignments
- Approve Substitute Assignments
- Approve Miscellaneous Positions
- Approve Instructional Associates/Associate Assistants
- Approve Volunteers
- Approve Student Assistants

3.3 Approval of Modification to 2009-2010 Non-Credit Instructional Calendar

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the revised 2009-2010 non-credit instructional calendar.

3.4 Approval of Employee Calendar 2009-2010

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the 2009-2010 employee calendar.

3.5 Approval of Workers' Compensation Insurance 2009-2010

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to authorize the chancellor or his designee to approve the district's continued participation in the ASCIP workers' compensation program for the 2009-2010 fiscal year.

3.6 Approval of Fringe Benefit Providers for Fiscal Year 2009-2010

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the renewal of Anthem BlueCross, MetLife Basic Life Insurance, Anthem Blue Cross Voluntary Vision, AFLAC, MetLife, and Horizon Health insurance programs at the negotiated rates and authorize the chancellor or his designee to enter into the appropriate agreements with these companies for 2009-2010 fiscal year.

3.7 Renewal of Flexible Benefits Plan 2009-2010

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to authorize the chancellor or his designee to continue the flexible benefits plan with CONEXIS for the 2009-2010 fiscal year.

3.8 Adoption of Resolution No. 09-16 regarding Uncertainty of Employee Salaries

It was moved by Mr. Conley and seconded by Ms. Woolery to adopt Resolution No. 09-16 regarding uncertainty of employee salaries.

It was moved by Mr. Yarbrough, seconded by Mr. Hanna, and carried unanimously to amend Resolution No. 09-16 to include “*Whereas, in response to budget shortfall, the Board of Trustees previously voted to reduce their own salaries.*”

Discussion ensued on the original motion. The motion unanimously carried to adopt Resolution No. 09-16 regarding uncertainty of employee salaries with the aforementioned amendment.

3.9 Adoption of Resolution No. 09-17 regarding Reduction in Force of Classified Staff

It was moved by Mr. Labrado and seconded by Ms. Woolery to adopt Resolution No. 09-17 regarding reduction in force of classified staff.

It was moved by Mr. Yarbrough, seconded by Mr. Hanna, and carried unanimously to amend Resolution No. 09-17 to include “*Whereas, in response to budget shortfall, the Board of Trustees previously voted to reduce their own salaries.*”

Discussion ensued on the original motion. The motion unanimously carried to adopt Resolution No. 09-17 regarding reduction in force of classified staff.

3.10 Authorization for Board Travel/Conferences

It was moved by Mr. Conley and seconded by Mr. Labrado to approve the submitted conference and travel by a board member. Discussion ensued. Mr. Hanna requested the motion be withdrawn because there is no expense to the district. Mr. Conley withdrew the motion; therefore, there was no action taken on Item 3.10.

4.0 INSTRUCTION

All items listed under instruction were approved as part of Item 1.5: Consent Calendar.

5.0 BUSINESS OPERATIONS/FISCAL SERVICES

Items 5.1, 5.2, and 5.22 were approved as part of Item 1.5: Consent Calendar.

5.3 Approval of 2009-2010 Tentative Budget

It was moved by Mr. Yarbrough and seconded by Mr. Labrado to approve the 2009-2010 Tentative Budget. Discussion ensued. The motion carried unanimously.

5.4 Approval of Increased Student and Staff Parking Fees

It was moved by Mr. Hanna and seconded by Mr. Conley to approve increased student permit parking fees from \$16 per fall and spring semesters to \$30 per semester; increased daily parking permit fees from \$1 per day to \$2 per day; increased staff parking permit fees to \$50 per fiscal year for all staff; and increased student intersession parking fees from \$8 to \$10.

Discussion ensued. The motion carried with the following vote: Aye – Dr. Chapel, Mr. Conley, Mr. Hanna, Mr. Labrado, and Mr. McLoughlin; Nay – Ms. Woolery and Mr. Yarbrough. Student trustee Holguin’s advisory vote was nay.

5.5 Approval of Increased Student Health Center Fee

It was moved by Mr. Labrado and seconded by Mr. Hanna to approve the statewide approved rate of \$17 per semester for student health services fees as presented. Discussion ensued. The motion carried with the following vote: Aye – Dr. Chapel, Mr. Conley, Mr. Hanna, Mr. Labrado, and Mr. McLoughlin; Nay – Ms. Woolery and Mr. Yarbrough. Student trustee Holguin’s advisory vote was nay.

5.6 Approval of Shared Legal Fees for Orange County Sanitation District Sewer Capital Facilities Fees Legal Challenge

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the shared legal fees for Orange County Department of Education to pursue the legal challenge on behalf of Orange County Community Colleges and K-12 school districts as presented.

5.7 Approval of Temporary Cash Flow Borrowing

It was moved by Mr. Yarbrough and seconded by Mr. Labrado to approve the temporary borrowing of \$8 million to \$15 million from the district’s Retiree Health Benefits Fund as presented. Discussion ensued. The motion carried unanimously.

5.8 Award of Bid #1120 – Santa Ana College Underground Storage Tank Removal

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to award Bid #1120 – SAC Underground Storage Tank Removal to JEM Industries, Inc. in the amount of \$18,888.96.

5.9 Approval of Additional Construction Management Services: Seville Construction Services – Fire Alarm System Replacement at Santa Ana College

It was approved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve additional construction management services for Seville Construction Services at the hourly rate schedule attached to the agenda for the fire alarm system replacement at SAC as presented.

5.10 Approval of Additional Construction Management Services: Seville Construction Services – Eight (8) Scheduled Maintenance Projects at Santa Ana College

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to approve additional construction management services for Seville Construction Services at the hourly rate schedule attached to the agenda for eight (8) scheduled maintenance projects at SAC as presented.

5.11 Approval of Additional DSA Inspection Services: Johnston Inspections - Santa Ana College Classroom Building and Maintenance & Operations Building

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to approve the extension of services for Johnston Inspections to provide DSA-mandated inspection services at SAC as presented.

5.12 Approval for Additional Engineering Services: Fundament & Associates, Inc. – Fire Replacement Project at Santa Ana College

It was moved by Mr. Yarbrough, seconded by Ms. Woolery, and carried unanimously to approve the additional compensation in the amount of \$46,300 to Fundament & Associates, Inc. as presented.

5.13 Approval of Agreement to provide DSA Inspection Services – Restroom Addition, Gym Floor Replacement, Fire Sprinkler Installation, and Child Development Center at Santa Ana College

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to authorize the chancellor or his designee to enter into an agreement for Johnston Inspections to provide DSA inspection services for the restroom addition, gym floor replacement, fire sprinkler installation, and the Child Development Center at Santa Ana College as presented.

5.14 Approval of Asbestos Testing, Analysis, and Abatement Monitoring: Time-and-Materials Contract – Santa Ana College

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to authorize the Vice Chancellor, Business Operations/Fiscal Services or his designee to enter into an agreement with Executive Environmental Services Corp. for hazardous material abatement monitoring and testing through June 30, 2009, as presented.

5.15 Approval of Change Order #2 – Bid #1115/Data Closets Remediation Project: Comtech Infrastructure Solutions, Inc. – Santa Ana College

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to approve Change Order #2 – Bid #1115/Data Closets Remediation Project as presented.

5.16 Approval of Change Order #18 – Bid #1051/SAC Maintenance & Operations Building: EMAE International, Inc.

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to approve Change Order #18/SAC Maintenance & Operations Building as presented.

5.17 Approval of Change Order #19 – Bid #1051/SAC Classroom Building: EMAE International, Inc.

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to approve Change Order #19/SAC Classroom Building as presented.

5.18 Approval of Materials Testing & Inspection Services: Bid #1116/ Gymnasium Restroom Addition, Gym Floor Replacement, and Fire Sprinkler Installation – Santa Ana College

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to approve the agreement with Twining Laboratories to perform all specialized inspection and testing services for the SAC gymnasium restroom addition, gym floor replacement, and fire sprinkler installation for Bid #1116 as presented.

5.19 Approval to Hire Johnston Inspections to Perform DSA Inspection Services: Sheriff's Training Academy Obstacle Course Lighting; Diesel/Welding Labs Exhaust System; Campus-wide Cabling for the Fire Alarm Replacement and Fire/Water Line Installation at Santa Ana College

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve proposals from Johnston Inspections to provide DSA inspection services for the four (4) projects as presented.

5.20 Approval to Reject all Bids in Bid Package #1111 Electrical for the New Child Development Center at Santa Ana College

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to reject all bids in Bid Package #1111 Electrical Bid Package for the new Child Development Center at Santa Ana College as presented and approve rebidding of the Electrical Bid Package.

5.21 Approval of 2009-2010 Contract Listing

It was moved by Mr. Conley and seconded by Ms. Woolery to approve the 2009-2010 contract listing as presented. Discussion ensued. The motion carried unanimously.

5.23 Approval of CMAS Contract with Allsteel, Inc. for Modular Systems Furniture

It was moved by Mr. Yarbrough and seconded by Mr. Labrado to approve the district's participation in CMAS Contract #4-09-71-0087A awarded to Allsteel, Inc., through December 31, 2013, and any future supplements, modifications, renewals, and extensions as presented. Discussion ensued. The motion carried unanimously.

5.24 Approval of Surplus Property Inventory

It was moved by Mr. Yarbrough and seconded by Mr. Labrado to declare the list of equipment attached to the agenda as surplus property and utilize The Liquidation Company to conduct an auction as presented. Discussion ensued. The motion carried unanimously.

5.25 Approval of Donation of Surplus Inventory

It was moved by Mr. Yarbrough and seconded by Mr. Conley to approve the donations of surplus inventory to Orange Unified School District, Life Adoption Services, Inc., and Goodwill Industries of Orange County as presented. Discussion ensued. The motion carried with a vote of abstention from Ms. Woolery.

5.26 Purchase Orders

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the purchase order listing for the period May 10, 2009, through June 6, 2009.

6.0 GENERAL

Items 6.1, 6.2, and 6.3 were approved as part of Item 1.5: Consent Calendar

6.4 Board Self-Evaluation/Process

It was moved by Mr. Conley and seconded by Mr. Yarbrough to add the following to the 2009 Board of Trustees Evaluation Survey:

Trustees work directly with community leaders and elected officials (local, state, national) to address issues/legislation that affect the college district. (add to “Board relations with the Chancellor, Presidents, Faculty, and Staff”)

The community and district employees are aware of who the elected trustees are and their role in district governance. (add to “Community relations – advocacy”)

The motion carried unanimously to include the aforementioned statements in the 2009 Board of Trustees Evaluation Survey.

It was moved by Mr. Conley, seconded by Mr. Yarbrough, and unanimously carried to approve the 2009 Board of Trustees Evaluation Survey as amended and Process/Calendar to be used in Board Self-Evaluation that was attached to the agenda and to not make changes to the list of individuals identified to receive a copy of the instrument.

Mr. Hanna commended the accreditation taskforce for its work on the draft of the board self-evaluation survey.

6.5 Board Legislative Committee Report

It was moved by Mr. Hanna and seconded by Ms. Woolery to approve the supporting/opposing/watch list of current legislative bills as reported by Board Legislative Committee Chairperson John Hanna. Discussion ensued. The motion carried unanimously.

6.6 Adoption of Resolution No. 09-18 to Revoke RSCCD Sponsorship of Campaign for College Opportunity

It was moved by Mr. Yarbrough and seconded by Mr. Conley to adopt Resolution No. 09-18 to revoke RSCCD sponsorship of Campaign for College Opportunity. Discussion ensued. The motion carried unanimously.

6.7 Board Member Comments

Board members commented on the sincerity of public comments and the hard work of staff as they endure the budget crisis.

Mr. Hanna reported he attended a recent Community College of California Advisory Committee on Legislation meeting in Sacramento and spoke regarding deferment of the full-time faculty hiring obligation.

7.0 **ADJOURNMENT**

The Board of Trustees scheduled a board meeting on Monday, July 13, 2009, for the purpose of meeting accreditation timelines relating to the ACCJC recommendations.

The next regular meeting of the Board of Trustees will be held on July 27, 2009, at the District Office, 2323 N. Broadway, Santa Ana, California.

There being no further business, Dr. Chapel declared this meeting adjourned at 10:05 p.m.

Respectfully submitted,

Eddie Hernandez, Jr., Ed.D.
Chancellor

Approved: _____
Clerk of the Board

Minutes Approved: July 27, 2009